Appendix D

Archaeological Resources Letter Report and Built Environment Inventory and Evaluation Report

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MEMORANDUM

To:	Tammy Wu, MD, Dharma Realm Buddhist Association
From:	Nicholas Hanten – Archaeologist (Dudek)
Subject:	Archaeological Resources Letter Report for the City of Dharma Realm Project, West Sacramento, California
Date:	July 26, 2023
cc:	Adam Giacinto– Archaeologist (Dudek) Angelica Chiu– Project Manager (Dudek) Christine Kronenberg, AICP (Dudek)
Attachments:	A – Figures A – NWIC Record Search Results -- Confidential B –NAHC SLFS Search Results

This letter report documents the archaeological resources study conducted by Dudek for the proposed City of Dharma Realm (CDR) Project (Project), located in West Sacramento, California. The City of West Sacramento, is the lead agency responsible for compliance with the California Environmental Quality Act (CEQA). This cultural resources study was conducted by Dudek in accordance with the standards and guidelines defined by the California Office of Historic Preservation and CEQA and included a Northwest Information Center (NWIC) records search, Native American Heritage Commission (NAHC) Sacred Lands File search, and an intensive pedestrian survey for cultural resources. . This study pertains to archaeological resources; information related to built environment resources can be found in the Built Environment Inventory and Evaluation Report prepared for the Project (Jones et al. 2023).

Project Location and Description

The proposed Project is located in the City of West Sacramento (City) in Yolo County, California (Figure 1) within the boundary of the CDR campus, a 13.85-acre property located at 1029 West Capitol Avenue that is comprised of three parcels (Assessor's Parcel Numbers [APNs] 067-320-002, 067-320-004, and 067-320-005) (Figure 2). The Project site is located in Township 9 North, Range 4 East, Section 34 of the Sacramento West, CA USGS 7.5' topographic map.

The Project site is situated within a developed area of the City and is bounded by State Route (SR) 275/Tower Bridge Gateway to the south, West Capitol Avenue to the north, Merkley Avenue/El Rancho Court to the west, and Grand Street to the east. The site itself encompasses 15 structures, as well as internal circulation/roadways, parking areas, and landscaping. Surrounding land uses include municipal offices, commercial, and hotel uses to the north, east, and west, as well as riverfront mixed uses, including residential areas, to the south.

The proposed Project would involve partial demolition of two buildings and full demolition of a courtyard and associated features (e.g., gazebo, paved walkways, raised platform). After demolition, a new 3-story Temple Building would be constructed. The proposed temple would be 99,414 square feet with a kitchen and a dining area, lecture space and temple hall. The project also proposes construction of a pedestrian bridge, or grand stairway consisting of a series of steps and landings with planter walls and small accent trees which would ascend over two existing buildings to connect to the third story of the Temple Building. The project would also include the construction of three new entrance/egress areas, including a gated archway along El Rancho Court that would serve as the main site access, as well as on-site vehicular circulation and pedestrian connectivity improvements within the site.

The area of potential effect (APE) considered in this study consists of the entirety of the 13.85-acre CDR campus.

Regulatory Framework

State Regulations

The California Register of Historical Resources

In California, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code [PRC] Section 5020.1(j)). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1(a)). The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP), enumerated below. According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

(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.

In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see California Code Regulations, Title 14, Section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines "unique archaeological resource."
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines "historical resources." In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC Section 21074(a) defines "tribal cultural resources."
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (PRC Section 21084.1; CEQA Guidelines Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5(b)(1); PRC Section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

(1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or

(2) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

(3) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA (CEQA Guidelines Section 15064.5(b)(2)).

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any "historical resources," then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b], and [c]).

PRC Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)). However, if a non-unique archaeological resource qualifies as tribal cultural resource (PRC Sections 21074(c); 21083.2(h)), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in PRC Section 5097.98.

Native American Historic Cultural Sites

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Heritage Commission to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the CRHR.

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (Section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the MLD by the NAHC. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Background Research

Cultural Records Search Results

A records search was completed for the proposed Project site and a ½-mile radius on behalf of Dudek by staff at the NWIC at Sonoma State University on June 5, 2023 (Confidential Appendix B). This search included a review of their collection of mapped prehistoric, historical, and built-environment resources, Department of Parks and Recreation Site Records, technical reports, historical maps, and local inventories. Additional consulted sources included the NRHP, California Inventory of Historical Resources/CRHR and listed Office of Historic Preservation Archaeological Determinations of Eligibility, California Points of Historical Interest, and California Historical Landmarks.

Previously Conducted Studies

NWIC records indicate that 31 previous cultural resources technical investigations have been conducted within ½-mile of the proposed Project site (Table 1). Of these studies, two include portions of the proposed Project site.

Table 1. Previous Technical Studies

Report Number	Date	Title	Author
Reports within the Project Site			
S-034546	2008	Historic Property Survey Report, West Capitol Avenue Streetscape and Infrastructure Improvements Project, City of West Sacramento, Yolo County, California	Stephen A. Overly
S-034546a	2008	Archaeological Survey Report for the West Capitol Avenue Streetscape Project, Yolo County, West Sacramento, California	Stephen A. Overly
S-034546b	2008	Historical Resource Evaluation Report for the West Capitol Avenue Streetscape Project, Yolo County, West Sacramento, California	Andrea Galvin

Table 1. Previous Technical Studies

Report Number	Date	Title	Author
S-034840	2005	Historical Resources Evaluation Report for the Tower Gateway Project, City of West Sacramento, Yolo County, California; 03-Yol-275, 965100/3ENVR	Melinda A. Peak
S-034840a	2005	Historical Resources Evaluation Report for the Tower Gateway Project, City of West Sacramento, Yolo County, California	Melinda A. Peak
S-034840b	2005	Department of Transportation: Archaeological Survey Report, Highway 275, Yolo County	Melinda A. Peak
Reports within the ½-Mile of the Project Site			
S-004942	1977	Historic Property Survey Report, Route 84 in Yolo County, West Capitol Avenue to Kegle Drive and the Extension of "F" Street	
S-004942a	1977	Archeological Survey Report for Roadway Realignment, 03-Yol-84 PM 22.0/22.5	K.I. Harper
S-004942b	1980	First Addendum Archeological Survey for Roadway Realignment, 03-Yol-84 PM 22.0/22.5 03209-11226	Henry O. Bass
S-011910	1989	Evaluation of Impact of the Raley's Landing Assessment District; Broderick Area Sewer Improvements Project on Archaeological Site CA-YOL-27, West Sacramento, California	Beverly C. Eddy and Kenneth J. McIvers
S-012191	1990	Sacramento Metropolitan Area Cultural Resources Survey, Sacramento and Yolo Counties, California (Contract No. DACW0590P2429)	Leslie C. Glover and Paul D. Bouey
S-018031	1996	Archaeological Inventory and Determination of Effect for the City of West Sacramento Riverfront Improvements Project, Yolo County, California	Barry Scott
S-020317	1998	Pacific Bell Mobile Services: 917 Jefferson Blvd, West Sacramento, Yolo County; Site # SA-001-P1 (letter report)	Eleanor H. Derr
S-021130	1993	Historic Property Survey Report and Finding of No Effect for the Industrial Boulevard Widening Project, West Sacramento, Yolo County, California	Robert A. Gerry and Melinda A. Peak
S-021130a	1993	Negative Archaeological Survey Report, Industrial Boulevard Widening Project	Robert A. Gerry
S-021130b	1993	Historical Resource Evaluation Report and Historic Architecture Survey Report for the Industrial Boulevard Widening Project, West Sacramento, Yolo County, California	Melinda A. Peak
S-022464	1999	Cultural Resource Inventory Report for the Williams Communications, Inc. Fiber Optic Cable System Installation Project, Pittsburg to Sacramento, California	
S-022736	2000	Final Cultural Resources Inventory Report for Williams Communications, Inc., Fiber Optic Cable System Installation Project, Point Arena to Robbins and Point Arena to Sacramento, California: Volume I	

Table 1. Previous Technical Studies

Report Number	Date	Title	Author
S-022736a	2000	Volume II - Project Maps: Final Cultural Resources Inventory Map Atlas for the Williams Communications, Inc. Fiber Optic Cable System Installation Project, Point Arena to Robbins and Point Arena to Sacramento, California	
S-022736b	2000	Volume III, Technical Appendices: Final Cultural Resources Inventory Report for the Williams Communications, Inc. Fiber Optic Cable System Installation Project, Point Arena to Robbins and Point Arena to Sacramento, California	
S-023229	2000	Pacific Bell Wireless Site, SA-726-01, cultural resources assessment, Raley's Field, West Sacramento, Yolo County (letter report)	Robert A. Gerry
S-023229a	2000	PB Wireless Telecommunication Site SA 726-01, Raley's Field, West Sacramento, CA	Sandie Rugroden and Daniel Abeyta
S-025187	2001	Nextel Communications (On-Air), Ca-1904A / West Capitol, Tower Court at West Capitol Avenue, West Sacramento, California	Lorna Billat
S-025187a	2001	Nextel Mobile Radio Facilities	Knox Mellon
S-026375	2002	Report on the Documentation and Assessment of Four Obstructions to Navigation in the Sacramento River, Sacramento and Yolo Counties, California	James M. Allan, Kyle Kearney, Leigh Martin, and William Self
S-026375a	2002	Evaluation of Navigation Hazards in the Sacramento River, Sacramento and Yolo Counties	James M. Allan
S-026375b	2002	Report of Archival and Historic Literature Research on Select Obstructions to Navigation in the Sacramento River, Sacramento and Yolo Counties, California	James M. Allan
S-027892	2000	Cultural Resources Survey Report, Level (3) Long Haul Fiber Optic Project: WS04 Through West Sacramento and Sacramento, California	Ann Munns, Rhonda R. Turner, and Dustin Kay
S-030907	2004	Caltrans Historic Bridge Inventory Update: Metal Truss, Moveable, and Steel Arch Bridges, Contract: 43A0086, Task Order: 01, EA: 43-984433, Volume I: Report and Figures	Christopher McMorris
S-033061	2006	Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project, State of California	Nancy Sikes, Cindy Arrington, Bryon Bass, Chris Corey, Kevin Hunt, Steve O'Neil, Catherine Pruett, Tony Sawyer, Michael Tuma, Leslie Wagner, and Alex Wesson
S-033061a	2006	Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project, State of California	

Table 1. Previous Technical Studies

Report Number	Date	Title	Author
S-033061b	2007	Final Report of Monitoring and Findings for the Qwest Network Construction Project (letter report)	Nancy E. Sikes
S-033070	2005	Cultural Resources Assessment of the Sacramento Stucco Properties, City of West Sacramento, Yolo County, California	
S-034075	2007	Cultural Resources Report for the Geotechnical Evaluation Project, December 2006	
S-034390	2007	Collocation ("CO") Submission Packet, FCC Form 621, 15th & Pennsylvania, SAC-428A	Dana E. Supernowicz
S-034390a	2007	Cultural Resources Study of 15th & Pennsylvania Project, Metro PCS Site No. SAC-428A, 917 Jefferson Boulevard, West Sacramento, Yolo County, California 95691	
S-035094	2008	Cultural Resources Survey Report for the Urban Levee Project	
S-035094a	2008	Cultural Resources Baseline Literature Review for the Urban Levee Project	
S-035505	2008	Archaeological Inventory Survey, Alura Development Project, c. 2.74 acres, West Sacramento, Yolo County, California	Sean Michael Jensen
S-036992	2010	Final Cultural Resources Survey and Inventory Report, West Sacramento Bridge District, Levee Access Road and River Walk Trail Project, City of West Sacramento, Yolo County, California	Patricia Ambacher, Christiaan Havelaar, and Andrea Gueyger
S-036992a	2017	Section 106 Consultation for the issuance of Central Valley Flood Protection Board Permit No. 19130, Diaz Public Art Display West Sacramento, Yolo County, California (COE_2017_0407_001)	Julianne Polanco and Mark T. Ziminske
S-038635	2010	Cultural Resources Remote Sensing Survey and Diver Investigations at Selected Target Locations, Sacramento River Bank Protection Project (SRBPP), Sacramento River and Tributaries	Andrew D.W. Lydecker
S-038637	2012	Historic Properties Treatment Plan, Sacramento River Bank Protection Project	Christian Havelaar, Melissa Cascella, Patricia Ambacher, and Gabriel Roark
S-045718	2014	The History and Archaeology of the Northern Electric Railway Company; the Sacramento Northern Railroad; the Yolo Shortline; and the Sierra Northern Railroad Company; Located Between Woodland and West Sacramento, Yolo County, California: A Monograph	Scott Crull
S-046943	2015	The History and Archaeology of the California-Pacific; the Central-Pacific; the Southern-Pacific; and the California-Northern Railroad Routes Through Yolo County, California: 1869-Present	Scott Crull and Craig Hanson
S-049424	2017	Archaeological Survey and Extended Phase I Report for the 641 5th Development, West Sacramento, California	Adrian R. Whitaker and Naomi Scher

Table 1. Previous Technical Studies

Report Number	Date	Title	Author
S-049892	2014	Determination of Impact on Historic and Cultural Resources from a mixed-use multifamily affordable housing development funded by CDBG Funds. (letter report)	Kathy Allen
S-049892a	2014	HUD_2014_0508_006, Mixed Use Development Project Located 825 Delta Lane, West Sacramento	Kathy Allen and Carol Roland-Nawi
S-051803	2018	California Department of Water Resources, Levees, Sacramento Maintenance Yard: Sacramento Bypass Unit 1 and Sacramento Bypass Unit 2, Archaeological Survey Report	Benjamin Curry, Ashleigh Sims, and Robin Hoffman
S-051803a	2019	California Department of Water Resources, Sacramento Maintenance Yard Levee Units Archaeological Survey Report	Ashleigh Sims and Robin Hoffman
S-052280	2013	Cultural Resources Inventory Report, Raley's Dock Replacement & Rice Mill Pier Rehabilitation Project, Yolo County, California	Jeremy Adams and Stephen Pappas
S-052280a	2017	Response to Comments and Findings of Effect for the Raley's Dock Replacement Project, City of West Sacramento, Yolo County, California	Jeremy Adams
S-052280b	2018	COE_2017_0404_002, Section 106 Consultation for the issuance of Central Valley Flood Protection Board Permit No. 19032, Sacramento County, California	Julianne Polanco and Mark Ziminske
S-054328	2020	Extended Phase I Archaeological Field Study at 520 Fifth Street (APN 010-462-001), West Sacramento, Yolo County, California (letter report)	Jack Meyer

Previously Identified Cultural Resources

NWIC records indicate that one built-environment resource is on file within the Project site. There are 25 resources on file within the ½-mile records search area (Table 2). All but two of the previously recorded resources within the record search area date to the historic-era with the exception of two precontact habitation sites, both of which are precontact mound sites documented relatively close to the Project site.

Table 2. Previously Recorded Cultural Resources

Primary Number	Trinomial	Period	Name	Type	NRHP/CRHR Status
Resources within the Project Site					
P-57-000608		Historic-era	Capitol Travel Inn	Hotel/motel	Not eligible (6Z)
Resources within the 1/2-Mile Search Site					
P-57-000022	CA-YOL-000019	Prehistoric	S-19	Habitation debris	Unevaluated

Table 2. Previously Recorded Cultural Resources

Primary Number	Trinomial	Period	Name	Type	NRHP/CRHR Status
P-57-000023	CA-YOL-000020	Prehistoric	S-20	Habitation debris	Unevaluated
P-57-000030	CA-YOL-000027/H	Historic-era	S-27	Privies/dumps/trash scatters; Lithic scatter; Burials; Habitation debris	Appears Eligible
P-57-000194	CA-YOL-000178H	Historic-era	Southern Pacific Railroad	Roads/trails/railroad grades; Other	Unevaluated
P-57-000195	CA-YOL-000179H	Historic-era	Sacramento Northern Railway	Roads/trails/railroad grades; Engineering structure; Other	Unevaluated
P-57-000196	CA-YOL-000180H	Historic-era	HB-3	Highway/trail	Not eligible (6Z)
P-57-000423		Historic-era	Navigation Obstruction 12	Wharfs; Engineering structure	Unevaluated
P-57-000585		Historic-era	AT&T Building	Industrial building	Not eligible (6Z)
P-57-000631	CA-YOL-000227H	Historic-era	Rice Mill Foundation	Engineering structure	Unevaluated
P-57-000632	CA-YOL-000264H	Historic-era	Sacramento River Levee	Engineering structure; Dam	Contributor to district determined eligible for NRHP (2D2)
P-57-000739		Historic-era	West Sacramento City Subdivision Plan	Other	Not eligible (6Z)
P-57-000749		Historic-era	Pop's Drive-In; Whitey's Jolly Kone	1-3 story commercial building	Not eligible (6Z)
P-57-000750		Historic-era	Picturesque Oaks	Trees/vegetation	Not eligible (6Z)
P-57-000840		Historic-era	500-block Third and 400-block Fourth Streets	Single family property	Not eligible (6Z)
P-57-001272		Historic-era	Northern Electric Railway Route	Roads/trails/railroad grades; AH15; Railroad depot; Bridge; Other	Unevaluated
P-57-001367		Historic-era	Star Auto Court; YOL-HRI-8/231	Hotel/motel	Appears eligible (4)

Table 2. Previously Recorded Cultural Resources

Primary Number	Trinomial	Period	Name	Type	NRHP/CRHR Status
P-57-001368		Historic-era	Marty House; YOL-HRI-8/227	Single family property	Appears eligible (4)
P-57-001369		Historic-era	641 Fifth Street; YOL-HRI-8/225	Hotel/motel	Appears eligible (4)
P-57-001370		Historic-era	John White House; YOL-HRI-8/221	Single family property	Not eligible (6)
P-57-001382		Historic-era	National Rice Mills	Industrial building	Unevaluated
P-57-001398		Historic-era	Washington City; Broderick	Other	Not eligible (6)
P-57-001556		Historic-era	501 F St.	Single family property	Not eligible (6Z)
P-57-001557		Historic-era	521 F St.	Single family property	Not eligible (6Z)
P-57-001558		Historic-era	529 F St	Single family property	Not eligible (6Z)
P-57-001561	CA-YOL-000265H	Historic-era	Maintenance Area-4 Levee	Engineering structure; Dam	Appears eligible (3D)

Archival and Building Development Research

Dudek consulted historic maps and aerial photographs to understand development of the proposed Project site and surrounding properties. Topographic maps were available from 1907, 1913, 1916, 1949, 1956, 1958, 1965, 1968, 1977, 1980, 1997, 2012, 2015, and 2018 (NETR 2023a). The topographic maps and aerial imagery show substantial development in the area surrounding the Project site over time, with the Project site itself having been developed since at least the 1950s.

The topographic maps available show the history of development within the Project site and its vicinity. The 1907 to 1916 topographic maps depict the area primarily undeveloped area, with a pumping station, several canals, and railroad lines the only development depicted in the surrounding area, although the City is depicted to the northeast of the Project site. The 1949 topographic map shows substantially more development in the area surrounding the Project site, including additional roads and residential and business development to the south and east of the site. Within the Project site itself, several buildings are depicted as are the roads to the immediate north and west of the Project site, Capitol Avenue and El Rancho Court. The Project site itself appears unchanged on the 1956 map; however a new road, the Tower Bridge Gateway, is depicted along the southern boundary of the Project site and the number of structures in the surrounding area, particularly on adjacent properties continues to increase. Subsequent maps show increasing development in the surrounding area but no changes within the Project site itself until the 1968 map and subsequent maps, which no longer depict individual

buildings. The next notable development in the vicinity of the Project site is a housing development to the south of the Project, across Tower Bridge Gateway, which is first visible on the 2012 map.

Aerial photographs were available for the Project area from 1947, 1957, 1964, 1966, 1984, 1993, 1998, 2002, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2020 (NETR 2023b). The aerial images are consistent with the topographic maps, with the 1947 image showing several structures and small roads within the Project site and Capitol Avenue to the north. The 1957 aerial shows the project site as completely developed, with many of the existing buildings depicted within the CDR campus and the surrounding properties. No significant changes are evident within the Project site on subsequent aerial images.

NAHC and Tribal Correspondence

On May 2, 2023, Dudek requested a NAHC search of their Sacred Lands File for the Project site. The NAHC results, received June 7, 2023, indicate the Sacred Lands File search was positive within the records search area (Appendix B). The NAHC then provided a list of Native American tribes culturally affiliated with the location of the Project site and recommended contacting them for further information. None of the Native American tribes were contacted by Dudek; follow-up communication and formal consultation with Native American tribes pursuant to Assembly Bill (AB) 52 will be the responsibility of the City.

The proposed Project is subject to compliance with Assembly Bill 52 (PRC Section 21074), which requires consideration of impacts to "tribal cultural resources" as part of the CEQA process and requires the CEQA lead agency to notify any groups (who have requested notification) of the Project who are traditionally or culturally affiliated with the geographic area of the Project site. Because AB 52 is a government-to government process, all records of correspondence related to AB 52 notification and any subsequent consultation shall be on file with the City.

Intensive Pedestrian Survey

On June 22, 2023, Dudek archaeologist Nicholas Hanten conducted an intensive pedestrian survey of the Project site using standard archaeological procedures and techniques that meet the Secretary of Interior's Standards and Guidelines for cultural resources inventory. Exposed ground surfaces, including areas between landscaping, were observed for surface artifacts, undisturbed areas, archaeological deposits, and midden soils. Evidence of artifacts and archaeological deposits were also opportunistically sought after in animal burrows.

Surface visibility was very low (less than 5-percent) throughout the Project site, due to existing development, landscaping, and vegetation. No archaeological resources were observed within the Project site during the field survey.

Geomorphology

Potential for yet identified cultural resources in the vicinity was reviewed against geologic and topographic GIS data for the area and information from other nearby projects. The "archaeological sensitivity," or potential to support the presence of a buried prehistoric archaeological deposits, is generally interpreted based on geologic landform and environmental parameters (i.e., distance to water and landform slope).

The Project site is located within the Great Valley Geomorphic Province of California, a large basin comprised of the Sacramento and San Joaquin Valleys, bounded by the Serra Nevada and Coast Ranges to the east and west respectively. Specifically, the Project site is situated in the floodplain of the Sacramento River, which is approximately 800 meters (2,525 feet) to the east of the Project site.

Soils within the site are primarily (99.8%) Valdez silt loam clay substratum with a small portion (0.2%) of Sycamore silt loam in the easternmost edge of the Project site (USDA 2023). Valdez silt clay loam substratum comprised of fine-silty alluvium derived from igneous, metamorphic and sedimentary rock over clayey alluvium derived from igneous, metamorphic and sedimentary rock which forms in the delta. Sycamore silt loam is also alluvium derived from similar parent material, forming in flood-plain splays and natural levees. Slopes within the Project site are between 0–2 percent.

Buried Site Sensitivity

Natural levee soils are commonly associated with buried cultural deposits in the region and do have the potential to support the presence of cultural resources, however they are also common throughout areas near the river. The Sycamore silt loam soils within the Project site are associated with previously recorded resources in the vicinity (P—57-000022, -000023, and-000030), however, previous cultural resource studies, referenced by Peak (2005), confirmed that those resources did not extend beyond the recorded resource boundary in the direction of the Project site. As such, absent additional data, it should not be assumed that archaeological resources will be directly associated with all soils of this type

Not taking into account the historical development on site, the flat topography and proximity to the Sacramento River indicate the Project site would have a low-to-moderate suitability to support the formation of buried cultural deposits. However, substantial archaeological resources, such as those discussed above, would very likely have archaeological evidence observable on the surface. Further, there is a history of considerable development and disturbance to native soils within the Project site. Therefore, it is unlikely that intact or otherwise significant (as defined by CEQA) cultural deposits are present within the Project site.

Summary and Management Recommendations

Archaeological Resources

The current archaeological resources study was negative for resources within the Project site. No archaeological resources were identified within the site through the records search or during the intensive pedestrian survey. However, given the presence of recorded resources in the vicinity and the underlying geomorphology of the Project site, there remains the potential for the presence of archaeological resources within the site. As such, the following recommendations are made for the management of unanticipated discoveries.

Unanticipated Discovery of Archaeological Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a

qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

Unanticipated Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within 2 working days of notification of the discovery, if the potential remains are human in origin. If the County Coroner determines that the remains are, or are believed to be, Native American, the County Coroner shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) from of the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

If you have any questions about this report, please contact me at nhanten@dudek.com

Sincerely,



Nicholas Hanten, MA
Archaeologist

cc: Adam Giacinto, MA, RPA, Dudek

References Cited

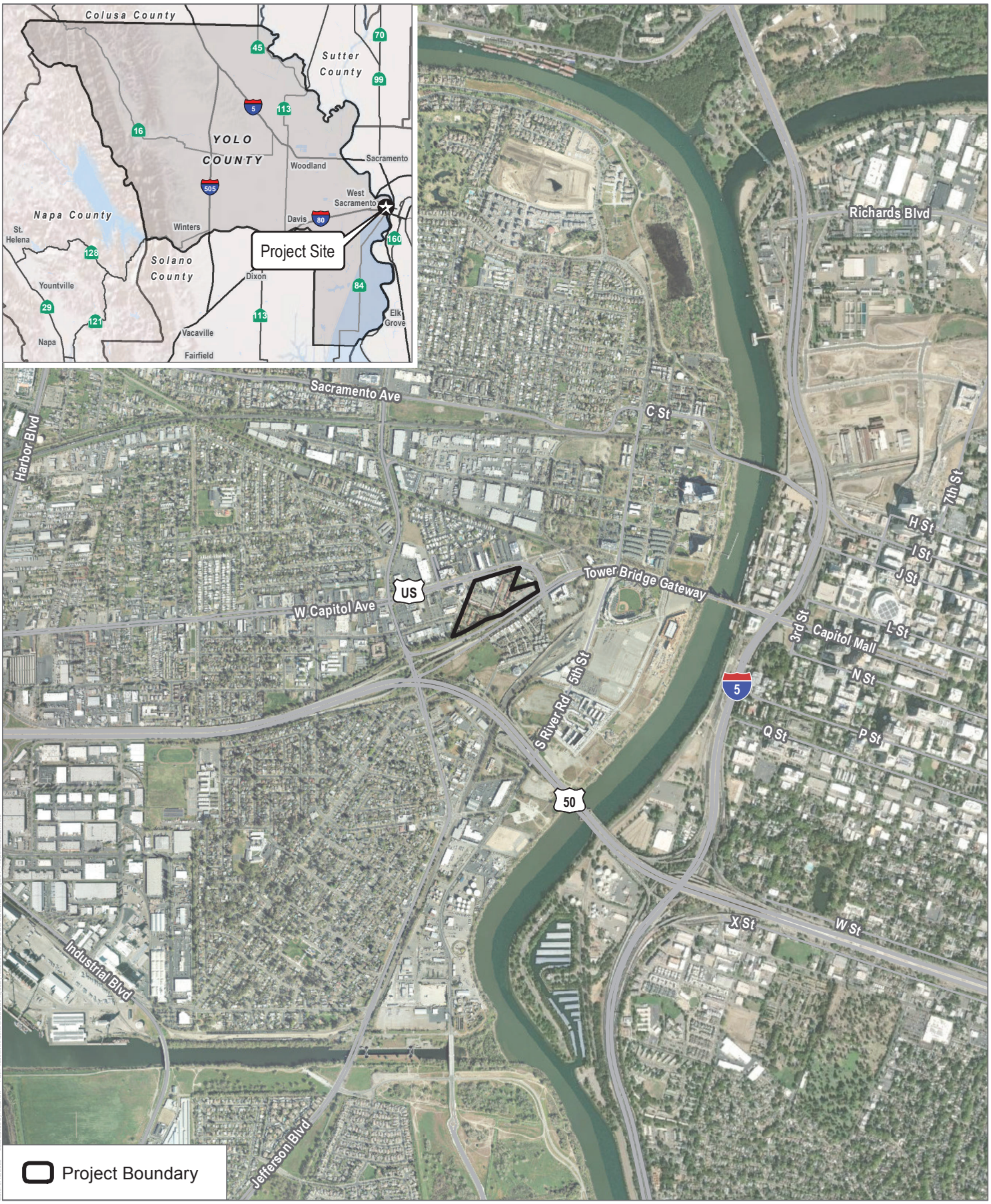
NETR (Nationwide Environmental Title Research). 2023. Historical Topographic Maps 1907, 1913, 1916, 1949, 1956, 1958, 1965, 1968, 1977, 1980, 1997, 2012, 2015, and. Accessed July 25, 2023. www.historicaerials.com.

NETR 2023b. Historical Aerials 1947, 1957, 1964, 1966, 1967, 1984, 1993, 1999, 2002, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2020. Accessed July 25, 2023. www.historicaerials.com.

Peak, Melinda A. 2005. Department of Transportation: Archaeological Survey Report, Highway 275, Yolo County. On file with the Northwest Information Center

USDA (Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture). 2023. Web Soil Survey. Accessed July 25, 2023. http://websoilsurvey.sc.egov.usda.gov/.

Appendix A
Figures



SOURCE: ESRI World Imagrey

DUDEK

0 1,000 2,000 Feet

FIGURE 1

Project Location

City of Dharma Realm Project



SOURCE: ESRI World Imagery 2023; Open Street Map 2023

DUDEK

0 125 250 Feet

FIGURE 2

Project Site

City of Dharma Realm Project

Appendix B
NCIC Record Search Results (Confidential)

Appendix C
NAHC SLF Search Results

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
[VAVANT]

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
[VAVANT]

COMMISSIONER
[VACANT]

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

June 7, 2023

Ross Owen
Dudek

Via Email to: rowen@dudek.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, City of Dharma Realm (15226) Project, Yolo County

Dear Mr. Owen:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

    - Any report that may contain site forms, site significance, and suggested mitigation measures.

      All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the tribes on the attached list for more information.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
Yolo County
6/7/2023

Cortina Rancheria - Kletsel Dehe Band of Wintun Indians
Charlie Wright, Chairperson
P.O. Box 1630 — Wintun
Williams, CA, 95987
Phone: (530) 473 - 3274
Fax: (530) 473-3301

Shingle Springs Band of Miwok Indians
Regina Cuellar, Chairperson
P.O. Box 1340 — Maidu
Shingle Springs, CA, 95682 — Miwok
Phone: (530) 387 - 4970
Fax: (530) 387-8067
rcuellar@ssband.org

United Auburn Indian Community of the Auburn Rancheria
Gene Whitehouse, Chairperson
10720 Indian Hill Road — Maidu
Auburn, CA, 95603 — Miwok
Phone: (530) 883 - 2390
Fax: (530) 883-2380
bguth@auburnrancheria.com

Wilton Rancheria
Jesus Tarango, Chairperson
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
Fax: (916) 683-6015
jtarango@wiltonrancheria-nsn.gov

Wilton Rancheria
Dahlton Brown, Director of Administration
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
dbrown@wiltonrancheria-nsn.gov

Wilton Rancheria
Steven Hutchason, THPO
9728 Kent Street — Miwok
Elk Grove, CA, 95624
Phone: (916) 683 - 6000
Fax: (916) 863-6015
shutchason@wiltonrancheria-nsn.gov

Yocha Dehe Wintun Nation
Anthony Roberts, Chairperson
P.O. Box 18 — Patwin
Brooks, CA, 95606
Phone: (530) 796 - 3400
thpo@yochadehe-nsn.gov

Yocha Dehe Wintun Nation
Yvonne Perkins, THPO, Cultural Resources Chairman
P.O. Box 18 — Patwin
Brooks, CA, 95606
Phone: (530) 796 - 3400
thpo@yochadehe-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed City of Dharma Realm (15226) Project, Yolo County.