

5.4 CULTURAL RESOURCES

This section is based, in part, on the Cultural/Historical Resources section (Section 6.7) of the City of Fortuna General Plan Background Report prepared by Mintier & Associates, June 2007. The Background Report is included in its entirety as Appendix G of this PEIR.

Environmental Setting

Historical Context

Precontact Indigenous Period to 1848

The first inhabitants of the Eel River Valley were Native Americans from the Algonquian and the Athabascan linguistic groups. Descendants of those groups, the Lassik and the Nongatl, lived within the drainage of the Van Duzen Basin, the area now crossed by Highway 36. The Nongatl occupied the drainage of Yager Creek and the Van Duzen River while the Lassik inhabited an area extending from the Eel River at its junction with the South Fork and east to the head of the Mad River and adjacent drainage of the Van Duzen. The calm waters of the sloughs, South Bay and mouth of the Eel provided transportation as well as access to seasonal fishing, hunting and gathering sites. The annual salmon and steelhead runs on the Eel, Elk, and Mad Rivers and the major creeks were a major food source. Enough fish could be obtained to provision a village over the winter, when other foods were scarce.

1849-1870 Settlement Period

Colonists arrived around 1850, settling on lands between the Van Duzen River and Yager Creek near the site of the town of Hydesville. Most of the areas adjacent to Eureka and Bucksport were forested, and the town of Union (Arcata) was surrounded by marshes and not available for farming until the introduction of dikes and levees. In contrast, the landscape along the Eel River and the Van Duzen River was composed of raised tables and bluffs, with open grasslands ringed by forests that had been maintained by the indigenous peoples of the region. The river plains and open prairies of the Eel River Valley attracted prospective farmer. In 1856, Swiss immigrant Henry Rohner constructed the first store in the community of Eel River (Rohnerville). Partnered with Joseph Feiganbaum, a Bavarian immigrant, the Rohner and Feiganbaum was the only store in the area for several years. Travel was difficult since roads were poor and adapted from animal trails and Indian trade routes and could be impassable in the rainy season.

1852-1874 Expansion of Settlements, Conflict and War

Humboldt Bay served first as a shipping point to the Northern Mines, followed by the establishment of a redwood timber industry shortly, and then homesteading of the Eel River and Arcata Bottoms. Within a few years the Gold Rush boom had subsided, and agricultural settlements were beginning to spread out over the open lands around Humboldt Bay and into the interior prairies and coastal valleys. The Eel River Valley was then characterized by small scattered settlements with larger communities near present day Hydesville, Rohnerville, and Fortuna. Many of the former gold miners had originally been from farming communities and,

according to the 1860 census of the Eel River Township, 82 percent listed rancher, stock raiser, farmer or farm laborer. The Eel River was too shallow for commercial shipping lines so ferries and rafts carried travelers and agricultural produce. Until the construction of permanent bridges, floods carrying large downed logs often washed out both ferries and temporary bridges. From 1850 to 1865, the territory of the Wiyot became the center for the largest concentration of Euro Americans in California north of San Francisco. Rapid settlement and competition for resources within the entire region led to warfare with the local Indian populations that escalated around 1861. The 1860s and 1870s saw the growth of Springville, Rohnerville and Hydesville.

1874-1906 “Springville” to Fortuna

Between 1874 and the formal incorporation of the City in 1906 the economy of the region was increasingly dominated by lumber interests. These had been spurred by California’s population and building boom during the Gold Rush era and new markets developed domestically and abroad. The tidewater mills, which had depended on a seasonal supply of logs floated downriver during high water, had been superseded by large mills which operated year round on a steady supply of logs from their own landholdings. Among these was the Eel River Valley Lumber Company, one of the largest in the county. Between 1883 and 1899 there were several technological improvements in the lumber industry. The railroad opened up new markets and previously inaccessible timberland. Crosscut saws, donkey engines, and high-lead yarding increased log production. National, rather than state and local investors dominated the industry. Mechanization increasingly replaced ox and horse logging. Sawmills turned to steam, and soon after to electricity. Real estate investment and speculation produced a land boom in the 1890s. Towns were founded by lumber and rail interests, with temporary lumber settlements along railroad lines. Labor shortages drew immigrants directly from northern Europe, the Maritime Provinces, and newly arrived immigrant workers from New England and the South to supplement American workers.

1906-1945 “Garden City of the Redwood Empire”

The completion of the Fern Bridge over the Eel River in 1911 was a major accomplishment for the County, and for the first time created a permanent link between communities on both sides of the Eel River. On October 14, 1914 a golden spike was driven at Cain rock to mark the completion of the Northwestern Pacific Railroad and a direct connection to the rest of California and all points east. Highway 101 through Fortuna was completed in 1921. Burlap bags of cement had arrived by train and wagons of local gravel were used to pave the road. At that time, Main Street was the State Highway so these transportation improvements facilitated a prominent role for the City of Fortuna in the development of the region. In 1926, the entire Redwood Highway linking Humboldt County through Interstate 101 was finally completed and the relative isolation of this region was ended. As the country emerged from the Great Depression, by 1939 Fortunans began to describe their city as a trading and recreation center and as the “Garden Spot of the Redwood Empire.” The Fortuna Theater had been constructed around 1938, and boasted a seating capacity of 900. The water system had been purchased by the city that same year, and immediately undertook major improvements including a new reservoir, pumps, hydrants, and meters. Several new buildings were completed that winter at Fortuna High School, including a new cafeteria, music classrooms, a farm mechanics shop and bus garage with space for industrial

arts classes. The elementary school was housed in two buildings, with upper grades in the building constructed in 1896 and lower grades in a new school that had been completed in 1930.

1946-1965 Growing Regional Commercial Center

In 1940, Fortuna had reached a population of 1,413 and like many rural communities grew slowly for the next decade. Lumber workers were considered essential to the war effort and, while mill workers were discouraged from relocating, many young people enlisted while others went to work in the defense industries located in larger urban areas. After World War II, the region shared in the post-war economic recovery. Between 1950 and 1962, Fortuna experienced a period of major growth and the population more than doubled from 1,762 to 4,000 residents, a growth rate of 227%. Major projects included Campton Heights, developed by the Wood family from the old Campton Ranch, Arnold Manor and the Southern Addition in 1946. In 1963 Fortuna's five largest manufacturing firms, the Fairhurst Lumber Company, Fortuna Veneer Company, Fortuna Wood Products, Crown Redwood Company and Vaughan Lumber Company, had nearly 600 workers, making them the largest employment sector in the local economy.

In 1975, the Fortuna Centennial Committee moved the historic Fortuna Depot and converted it into a municipal museum. In 1981 a community center was added to Rohner Park, and new recreational facilities were added to the newly developing areas of the city, including Newburg Park. The City of Fortuna now incorporates several early communities which share a common history, including Rohnerville, Newberg, Alton, Slide and Springville, within its boundaries.

Archaeological Resources

A records search was not conducted with the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) to determine whether previous archaeological studies have revealed the presence of archaeological resources in the Planning Area. This is because of the programmatic nature of the proposed Fortuna General Plan 2030 (proposed plan). Furthermore, the City has never had a systematic survey conducted for archaeological resources. Therefore, it is unknown the extent to which archaeological sites may occur in the Planning Area. The Native American Heritage Commission (NAHC) conducted two Sacred Lands File Checks of the Planning Area, one in 2007 and one in 2009. The checks did not reveal the presence of Sacred Lands in the Planning Area (NAHC 2007 and 2009). However, NAHC has indicated that "The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area" (NAHC 2009). In addition: (1) the Eel River Valley has a history of Native American occupation; (2) previous NCIC record searches conducted in the Eel River Valley have identified the presence of cultural resources (for example, the records search conducted for the Rio Dell Wastewater Reuse Project; Winzler & Kelly 2007); and (3) archaeological resources have been discovered in the past around Rohnerville Airport (Mintier and Associates 2007). Therefore, it is assumed that the Planning Area has the potential to contain archaeological sites, and that these sites may contain "historically significant" or "unique" archaeological resources (see the "Applicable Plans, Policies, Codes and Regulations" subsection below for definitions).

Historical Resources

According to the National Register Information System (NRIS) website, one building in the Planning Area is listed in the National Register of Historic Places, the Gunshaw-Mudgett House located at 820 9th Street (NRIS 2008).

The California State Historic Preservation Officer (SHPO) was not contacted to determine whether any buildings in the Planning Area are listed in the California Register of Historic Resources. This is because of the programmatic nature of the proposed plan (e.g., CEQA requires less detail in an EIR for a program than for a project). However, the Planning Area does contain one Historic District, the Rohnerville Historic District that contains at least eight buildings in the area of Brown, South Main (nee Rohnerville Rd), Trinity and Webber Streets (Mintier & Associates 2007).

In addition, the Planning Area contains 72 known (plus additional not yet identified) specific buildings, roads or sites that are 45 years of age or older, many of which date from the late 1800s (Table 5.4-1; Mintier & Associates 2007).

Paleontological Resources

The bluffs overlooking the Eel River are made up of massive fine and medium grained sandstones, pebbly conglomerate and siltstone and have been a significant source of fossils (Winzler & Kelly 2007). Ash layers exposed in some areas date from 1.3 to 1.5 million years ago. This formation has produced mollusks, sand dollars fossilized plant, turtle, starfish and agatized whalebone finds (Winzler & Kelly 2007). Therefore, it is assumed that the Planning Area has the potential to contain paleontological resources.

Human Remains

As indicated above, the Eel River Valley has a history of Native American occupation. In addition, human remains have been found associated with archaeological resources around Rohnerville Airport (Mintier & Associates 2007). Therefore, it is assumed that the Planning Area has the potential to contain as of yet undiscovered human remains, including remains that may be Native American in origin.

Applicable Plans, Policies, Codes and Regulations

Federal

National Historic Preservation Act. Preserving important historic properties as reflections of our American heritage became a national policy through passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act (NHPA) of 1966, as amended (16 I.J.S.C. 470). In part, the NHPA instructed the Federal Government to assist local governments to expand and accelerate their historic preservation programs' and activities.

**Table 5.4-1
Known Potential Historic Resources in the Fortuna Planning Area¹**

Name and Date (if available)	Address (if available)
Sunrise Cemetery (1870s)	Newburg Rd.
Old Rohnerville Cemetery	--
Rohnerville Catholic Cemetery	Rohnerville Rd.
Masons and IOOF Cemetery	Rohnerville Rd.
Odd Fellows Cemetery	A St.
Town Cemetery	--
Main Street	--
Fortuna Theater	1241 Main St.
Bowman's Hall	--
Masonic Hall	922 Main St.
Monday Club	Main St. and 7th
Old Fellows Lodge	1502 Rohnerville Rd.
Rohner Grange	Rohnerville Rd.
Campton Heights Baptist Church	1655 Cecil Ave.
First Baptist Church of Fortuna	1975 Scenic Dr.
St. Joseph Church of Fortuna	14 th and N St.
St. Francis Episcopal Church	3296 SR 36
Hydesville Community Church	3296 SR 36
Wood Street Chapel-Foursquare Church	1649 Wood
Christ Lutheran Church-ELCA	2132 Smith Ln.
Fortuna Seventh Day Adventist Church	2301 Rohnerville Rd.
Fortuna Unified Methodist Church (1898)	922 N St.
Calvary Chapel of Fortuna	9 th and O St.
Fortuna High School	379 12 th St.
Toddy Thomas Elementary School (1849-55)	Thomas St.
Town School (prior to 1937)	8 th St.
Adventist Junior Academy	Ross Hill Rd,
SR 36 (graveled until 1950s)	--
Rohnerville Road	--
Main Street (HWY 101 until 1950s)	--
Rohner Park (1907)	Park St.
Clendenin Apply Orchards	96 12 th St.
Rohnerville Airport (circa 1893)	Airport Rd.
Residence	510 15 th St.
Residence	814 O St.
Residence	884 8 th St.
Residence	812 O St.
Residence	945 6 th St.
Residence	968 9 th St.
Residence	856 8 th St.
Residence	136 Main St.
Residence (1880)	822 O St.
Residence	1350 L St.
Residence	557 13 th St.
Residence	1357 Main St.
Residence (1905)	1449 Main St.

Name and Date (if available)	Address (if available)
Residence (1914)	2020 Main St.
Residence (1906)	2054 Main St.
Residence (circa 1890)	524 Main St.
Residence (1877)	1058 Main St.
McIntyre-Jewell House (1902)	O St.
Residence (circa 1905)	806 13 th St.
Residence (1919)	1523 Main St.
Residence (1911)	2443 Rohnerville Rd.
Jasper House (1930)	105 Main St.
George Allen House (circa 1877)	3292 Trinity Ave.
Parsons-Nesbit House (circa 1875)	1311 Brown St.
Matthew Perrott House (circa 1865)	2000 S. Main St.
Reynolds House (circa 1879)	1584 Webber St.
Coates House (1875)	1395 Brown St.
Wheat House (circa 1875)	Main St.
Johnson-Fielder House (circa 1876)	1360 Webber St.
George Stone House (circa 1876)	1308 Brown St.
French House (circa 1888)	1657 Main St.
Whitmore-Oliver House (circa 1866)	School St.
Whitmore-Perrott House (circa 1873)	3520 School St.
Reynolds-Ackerson House (circa 1874)	3252 Trinity Ave.
Simonds-Calihan-Wendt House (circa 1872)	Trinity Ave.
William Campton House (circa 1875)	3181 west College Ave.
Elizabeth Wright House (circa 1896)	1398 Main St.
Residence (circa 1903)	3510 Trinity Ave.
Residence (circa 1903)	3542 Trinity Ave.
McNeil House (circa 1915)	1413 Main St.
Bernard Degnan House (circa 1910)	1730 Rohnerville Rd.
Rooney House (1897)	3427 Drake Hill Rd.
Lewis Nason House (circa 1910)	3607 School Rd.
Gundlach-Etheridge House (circa 1910)	3354 Church St.
George Patmore House (Prior to 1889)	3619 School St.
Gibson Blaney House (circa 1875)	3310 School St.
Stone-Lehman House (circa 1875)	1376 own St.
¹ "Known Potential Historic Resources" are buildings, roads or sites that are at least 45 years of age. These resources are not necessarily listed in the National Register of Historic Places or the State Register of Historic Resources, but meet the age criteria for listing (although they may not meet other listing criteria). This list is not intended to be construed as a local register or a landmark list. ² Source: City of Fortuna General Plan Background Report, Mintier & Associates, June 2007.	

National Register of Historic Places. The NHPA established the National Register of Historic Places to identify and recognize resources that are significant to the local, state or national history and heritage of the United States. The National Register of Historic Places: (16 U.S.C. 470a, 36 C.F.R. Parts 60, 63) is the official inventory of districts, sites, buildings, structures and objects significant in American history, architecture, archeology and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 (16 U.S.C. 461-467 (1935) (amended)) and the National Historic Preservation Act of 1966 (16 U.S.C. 470 (1966) (amended)).

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and at least one the following criteria:

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

The Secretary of the Interior's Standards for the Treatment of Historic Properties. The Secretary of the Interior is responsible for establishing professional standards and providing advice on the preservation of cultural resources listed in, or eligible for listing in, the National Register of Historic Places. The Secretary of the Interior's Standards for Historic Preservation Projects were developed in 1976. They consisted of sets of standards for the acquisition, protection, stabilization, preservation, rehabilitation, restoration, and reconstruction of historic buildings. Since their publication, the Secretary's Standards have been used by State Historic Preservation Officers and the National Park Service to ensure that projects receiving federal money or tax benefits were reviewed in a consistent manner nationwide. In California, the Standards are referenced in the State Historic Building Code and in CEQA.

In 1992, the Standards were revised so that they could be applied to all historic resource types included in the National Register of Historic Places-buildings, structures, sites, objects, districts, and landscapes. The Secretary of the Interior's Standards for the Treatment of Historic Properties, addresses four treatments: preservation, rehabilitation, restoration, and reconstruction. The Guidelines for the Treatment of Cultural Landscapes illustrate how to apply these four treatments to cultural landscapes in a way that meets the Standards. The Secretary of the Interior's Standards for the treatment of Historic properties, revised in 1992, were codified as 36 CFR Part 68 in 1995.

State

The California Register of Historical Resources. The State Historical Resources Commission has designed this program for use by state and local agencies, private groups and citizens to identify, evaluate, register and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The California Register includes resources of local, regional, state or national significance and automatically includes all resources listed on the National Register of Historical Places.

State Historical Building Code (SHBC). One of California's most valuable tools for the preservation of historic resources is the California Historical Building Code. While the California Building Code (CBC, §3403.5) makes provisions for the special treatment of qualified historic buildings, the SHBC codifies this protection under statutory law (Health and Safety Code of 18950, et.seq.) as well as regulation (Part 8 of the Title 24, California Code of Regulations). The SHBC governs all other statues or regulations as they may apply to qualified historical buildings (H&S 19956).

A "qualified historical building" is defined as any building, group of buildings, district, site or object, which is listed by any level of government as having historic importance. This also includes those resources listed in the State of California's inventory of historical resources, and given any level of significance other than "not eligible". Also included are ships and railroad rolling stock of historical significance.

California Environmental Quality Act (CEQA). The California Environmental Quality Act (CEQA) is intended to evaluate and mitigate the effects a proposed project [or plan] on the environment, including on cultural resources (e.g., archaeological, historical and paleontological resources and human remains). To determine whether a proposed project [or plan] would have a significant impact on cultural resources, CEQA applies a two-part test: (1) the resource must be "historically significant", "unique", or include human remains; and (2) the project [or plan] must have the potential to result in a "substantial adverse change" to the resource (Bass et al 1999).

According to CEQA Guidelines §15064.5(a)(3), "historically significant" resources are archaeological and historical resources that meet one of the following criteria for listing in the California Register of Historic Resources (California Register):

- (1) Are 45 years of age or older;
- (2) Are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (3) Are associated with the lives of persons important in our past;
- (4) Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic value; or
- (5) Have yielded, or may be likely to yield, information important in history or prehistory.

Per CEQA §21083.2(g), "unique" archaeological (e.g., Native American) and paleontological (e.g., prehistoric fossils) are those that meet one or more of the following criteria:

- (1) Contain information needed to answer important scientific research questions in areas of demonstrable public interest;
- (2) Have a special and particular quality such as being the oldest of their type or the best available example of their type; or
- (3) Are directly associated with a scientifically recognized prehistoric or historic event.

CEQA Guidelines 15064.5(b)(1) defines “substantial adverse change” as either: (1) the physical demolition, destruction, or relocation of a cultural resource such that the significance or uniqueness of the resource is “materially impaired”; or (2) the disturbance of human remains. Per CEQA Guidelines §15064(b)(2), the significance of a resource is considered to be “materially impaired” if a project [or plan] demolishes the resource or effects the characteristics of the resource that justify its inclusion in the California Register.

CEQA also sets forth measures to be implemented should human remains be discovered during project [or plan] implementation. CEQA §21083.2 (c): (1) protects native American burials, skeletal remains and any associated grave goods regardless of their antiquity; (2) provides for the sensitive treatment and disposition of such remains; and (3) requires proper coordination with the County Coroner and appropriate Native American group upon accidental discovery of such remains and grave goods.

California Senate Bill 18 (SB 18). SB 18 (2004) requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places ("cultural places"). SB 18 requires cities and counties to: (1) send their proposed general plans to those California Native American Tribes that are on the Native American Heritage Commission's (NAHC) contact list and have traditional lands located within the city or county's jurisdiction; and (2) consult with these tribes prior to adopting or amending their general plan.

The City of Fortuna undertook its obligation to consult with the relevant Native American tribes under SB 18 by sending Wiyot Tribe of the Table Bluff Reservation and the Bear River Band of the Rohnerville Rancheria the Notice of Preparation (NOP) for this PEIR on June 21, 2007, and by considering any comments from these tribes (during the preparation of this PEIR).

Methodology

Policy Background

The following policy background is used to assess the visual resource impacts of the proposed plan:

- The growth of the City of Fortuna is limited by several factors, i.e. floodplains, steep slopes, and the Rohnerville Airport. This will cause the City to focus growth within the City limits, into areas that are currently served by current City services and infrastructure or immediately adjacent.
- Four proposed annexations, and proposed changes to the Land Use Diagram from Agriculture and Timber to low-density residential designations within the northern and eastern peripheries of the Planning Area, will result in the eventual development of undeveloped areas.
- New road construction or modification of automobile transportation corridors to reconnect the city with the Eel River and improve access Riverwalk, to support the reuse of the Mill District, the Alton interchange, and the Airport Business Park will impact historic streetscapes and historic transportation corridors.

- Expansion of the Central Business District will increase the density of development; impact the residential areas immediately adjacent, with a potential to displace affordable housing and alter historic streetscapes; negatively impact remaining historical agricultural landscape along Main Street at the gateway to the city.

Thresholds of Significance

Impacts to cultural resources would be significant if the proposed plan would:

- Cause a substantial adverse change in the significance of an archaeological resource as defined by CEQA Guidelines §15064.5;
- Cause a substantial adverse change in the significance of a historical resource as defined by CEQA Guidelines §15064.5;
- Directly or indirectly destroy a unique paleontological resource ; or
- Disturb any human remains, including Native American remains interred outside of formal cemeteries.

Implications of the Draft Land Use Diagram

Four proposed annexations, and proposed changes to the Land Use Diagram from Agriculture and Timber to low-density residential designations within the northern and eastern peripheries of the Planning Area, will result in the eventual spread of urban development into undeveloped areas. In addition, the increases in density and intensity of land within the urban core will eventually lead to more compact development within the City. New development has the potential to: (1) disturb subsurface archeological and paleontological resources as well as human remains, including those interred outside of formal cemeteries; and (2) alter existing historic structures to a degree that the historic integrity of the structures is “materially impaired”; and/or (3) relocate or remove existing historic structures.

General Plan Policy Response

The proposed General Plan includes the following policies and programs relevant to cultural resources.

Policy NCR-7.1 Historic, Archaeological and Paleontological Resources. The City shall maintain a record of significant historic archaeological and paleontological resources and use applicable State and Federal Standards to evaluate the significance of development on those resources. For historic, archaeological and paleontological resources determined to be significant, the City shall require that these resources be studied, curated, and/or otherwise preserved as required by federal and state regulations.

Policy NCR-7.3 Historic Resources Evaluation. The City shall require the use of appropriate State and Federal standards to evaluate the significance of historic resources in the City.

Policy NCR-7.7 Local Historic Landmark Preservation. The City shall designate and preserve significant buildings, structures, sites and objects that are representative of the city's social and physical development; are reminders of past eras, events, and persons important in local, State, or national history; provide significant examples of cultural landscapes and architectural styles of the past; or are unique and irreplaceable assets to the city and the neighborhood in which the historical resource is located.

Policy NCR-7.9 State Historic Building Code. The City shall follow the State Historic Building Code for historic properties.

Policy NCR-7.14 Native American Consultation Regarding Archaeological Resources. Where proposed development activities have the potential to impact archaeological resources, the City shall request Native American consultations.

Policy NCR-7.15 Discovery of Human Remains. If human remains are discovered during construction activities, applicable agency notifications shall be made (County Coroner, Native American groups, etc.) and remains treatment protocols followed.

Program NCR-30. The City shall develop a program to designate buildings, structures, sites, and objects, and cultural landscapes having special character or historic, architectural, or aesthetic interest or value as local Historic Landmarks. Such properties shall be protected from demolition and inappropriate alterations. A current inventory or database of buildings, structures, sites, and objects eligible for designation as a Local Historic Landmark shall be developed and maintained by the City. One or more of the following criteria shall be required for a property to be eligible for listing:

- The property is particularly representative of a distinct historical or architectural period, type or style, or illustrative of a way of life;
- The property is of a type or style that once common but now is rare;
- The property is at least 50 years old;
- The property or site is connected with a person or event important to local history;
- The property or builder is considered to be of significance in the field or well-recognized in the community;
- The style, construction method, or materials are determined to be of unusual merit or significance to the history of the community, regional, State or local history;
- The overall composition, design, or details of the property or landscape are determined to be of unusual merit or significance to the history of the community, or regional, State or local history; or
- The property contains original materials or displays workmanship determined to be of significance to the history of the community; or regional, State or local history; or of unusual merit.

Program NCR-36. Decisions regarding the stewardship and disposition of any Native American cultural resources discovered during the planning and implementation of development

projects under the proposed General Plan shall be made in consultation with the appropriate culturally affiliated tribal representatives.

Program NCR-37. The City shall require that historic building preservation efforts subject to City permit procedures conform to applicable Secretary of the Interior's Standards.

Program NCR-38. For new development projects in areas that may contain archeological resources and for all projects more than 5 acres, the City shall require an archaeological records search at the North Coast Information Center (NCIC). Should the NCIC report determine the potential for archaeological resources, appropriate Native American consultation is required and Tribal Historic Preservation Officer (THPO) recommendations followed.

Program NCR-39. For new development projects in areas that may contain archeological resources and for all projects more than 5 acres, the Bear River Band of Rohnerville Rancheria and the Wiyot tribe shall be informed of subsurface construction activities at least one week prior to the proposed activity. If requested, tribal cultural resource monitors shall be allowed on-site. Should archaeological resources be encountered during subsurface construction activities, all work within 50 feet of the find shall be stopped or redirected and THPO recommendations followed.

Program NCR-40. The City shall require that, where evidence suggests that a project might disturb paleontological resources, a reconnaissance-level ground survey and records search be conducted by a paleontologist, who shall also identify appropriate monitoring procedures and mitigation.

Program NCR-41. The following provisions shall be added to the Fortuna City Code to address the potential impacts of proposed development on historic, archaeological and paleontological resources:

- For development projects of 5 acres or more in size which are determined to have moderate to high sensitivity based on a North Coast Information Center (NCIC) cultural resources record search, the developer shall have an archaeological study prepared that evaluates the potential for significant impacts to archaeological resources and identifies mitigation measures to reduce any significant impacts;
- For development projects of 5 acres or more in size, the City shall consult with the Bear River Band of Rohnerville Rancheria and the Wiyot tribe on the potential archaeological resources impacts, and the tribes shall be informed of subsurface construction activities in advance so that tribal representatives may be present;
- The City shall condition development to suspend construction work if human remains are uncovered, immediately notify the Fortuna Community Development Department, Humboldt County Coroner, Native American Heritage Commission and the relevant Native American representative, and adhere to NAHC treatment and disposition requirements.
- If archaeological resources are encountered during subsurface construction activities, all work within 50 feet of the find be stopped or redirected until a qualified archaeologist paid for by the developer determines significance and identifies mitigation;

- Prior to approval of development that would alter or demolish existing buildings of 45 years of age or older, the developer shall have a historical resources study prepared to determine whether the building is eligible for listing in the National Register of Historic Places or the California Register of Historic Resources, and if yes, that identifies mitigation measures consistent with the *Secretary of Interior's Standards for the Treatment of Historic Properties, Standards for Rehabilitation, 1995*;
- Where evidence suggests that a proposed development project would be constructed within a soil or rock formation that has yielded paleontological resources in the area in the past, the developer shall have a paleontological study shall prepared to determine whether significant paleontological resources are present, and if yes, that identifies mitigation measures required to avoid significant impacts to these resources;¹
- If paleontological resources are encountered during subsurface construction activities, all work within 50 feet of the find shall be stopped or redirected, and a qualified paleontological consultant paid for by the developer shall evaluate the find, determine significance, and identify any required mitigation.

Impacts

Impact 5.4-1: Archeological Resources

Proposed General Plan implementation will not cause a substantial adverse change in the significance of an archaeological resource as defined by CEQA Guidelines §15064 (e.g., archaeological resources determined to be “historically significant” or “unique” as defined by CEQA).

Discussion

As noted previously, a records search was not conducted with the NCIC to determine whether previous archaeological studies have revealed the presence of archaeological resources in the Planning Area, and the City has never had a systematic survey conducted for archaeological resources, so it is unknown the extent to which archaeological sites may occur in the Planning Area. The NAHC did conduct a Sacred Lands File Check of the Planning Area with negative results. However, NAHC indicated that negative results do not necessarily mean that archaeological resources are absent. In addition: (1) the area is located within the Eel River Valley which has a history of Native American occupation; (2) previous record searches conducted in other parts of the Eel River Valley have identified the presence of archaeological resources; and (3) archaeological resources have been discovered in the past around Rohnerville Airport. Therefore, it is assumed that “historically significant” or “unique” archaeological resources may occur in the Planning Area.

¹ Generally in areas with past known resources, a pre-development paleontological study includes: a literature review and a field survey to gather data on the potential paleontological productivity of each rock unit, and the potential for each rock unit exposed at the project site to contain a unique paleontological resource. This is a standard requirement in regions that have produced paleontological resources in the past.

The proposed plan will facilitate future development within the Planning Area, and, if such resources are present, ground disturbing activities associated with the construction of this development could affect “historically significant” or “unique” archaeological resources. This is especially true in the northern and eastern portions of the Planning Area where large expanses of undeveloped land would be designated for low-density residential development, the area around Rohnerville Airport where agricultural land would be designated for industrial, and areas along the Eel River where vacant land would be designated for industrial and mixed use.

The proposed plan contains the following policies and programs designed to minimize impacts to archaeological resources:

- Policy NCR-7.1 requires the City to maintain a record of significant archaeological resources, use applicable standards to evaluate the impacts on these resources, and study, curate and/or otherwise preserve archaeological resources determined to be significant;
- Policy NCR-7.14 requires the City to conduct Native American consultations where proposed development could impact archaeological resources;
- Program NCR-36 requires the City to consult with the appropriate culturally affiliated tribal representatives concerning the stewardship and disposition of any Native American cultural resources discovered during development;
- Program NCR-38 requires archaeological records searches for new development;
- Program NCR-39 requires that the appropriate Native American representatives be informed of subsurface construction activities that could impact archaeological resources, that these representatives be permitted to monitor construction activities, and that work stop within the construction area and THPO recommendations be followed should archaeological resources be encountered;
- Program NCR-41 requires that, were archaeological records searches indicate the presence or potential presence of archaeological resources, the developer have an archaeological study prepared that evaluates the potential presence of “historically significant” or “unique” archaeological resources, the potential impacts to these resources, and mitigation required to reduce any significant impacts; and
- Program NCR-41 requires that, if archaeological resources are encountered during construction, all work within 50 feet of the find shall stop until an archaeologist determines the significance of the find and identifies any required mitigation. In addition, there are comprehensive federal and state regulations which protect archaeological resources, including but not limited to the National Historic Preservation Act, NHPA, THPO regulations, and SB 18.

Adherence to existing federal and state laws and regulations, along with implementation of the listed policies and programs, will result in the identification of archaeologically-sensitive sites, the identification of any archaeological resources identified during archaeological field surveys or unearthed during construction activities, the assessment of these resources for significance, and the application of required mitigation measures for any identified/unearthed resources determined to be “historically significant” or “unique”. Thus, implementing the proposed plan will not cause a substantial adverse change in the significance of an archaeological resource as defined by CEQA Guidelines §15064, and the impact would be less-than-significant.

Determination of Level of Significance

Less-Than-Significant

Mitigation

No mitigation necessary

Impact 5.4-2: Historical Resources

Proposed General Plan implementation could cause a substantial adverse change in the significance of a historical resource as defined by CEQA Guidelines §15064.5 (e.g., historic resources determined to be “historically significant” as defined by CEQA).

Discussion

As described previously, the Planning Area contains one building listed in the National Register of Historic Places (the Gunshaw-Mudgett House at 820 9th Street), one historic district (the Rohnerville Historic District containing at least eight buildings), and 72 other buildings, roads and sites known to be 45 years of age or older (Table 5.4-1). The Planning Area may also contain other buildings, roads or sites of 45 years of age or older which have not yet been identified. The Gunshaw-Mudgett House and the Rohnerville Historic District represent resources that are “historically significant”; the balance of the referenced buildings, roads and sites represent resources that are potentially “historically significant”.²

The proposed plan will not facilitate major changes in land use in the Gunshaw-Mudgett House because the current land use designation (Residential Single Family) and the proposed land use designation (Residential Low) permit similar development types and densities. Similarly, the proposed plan will not facilitate major changes in land use in the Rohnerville Historic District because: (1) the current (Residential Single Family) and proposed (Residential Low) land use designations in this area permit similar development types and densities; and (2) the district is within the proposed Rohnerville Focus Area. Goal LU-13 and Policies LU-13.1 through -13.3 specifically require preservation of the unique character of the Rohnerville area and its historic resources. Furthermore, as “historically significant” resources listed in the National and California Registers, any modifications of the Gunshaw-Mudgett House or the buildings in the Rohnerville Historic District will require review for compliance with SHBC, Secretary of the Interior, and other regulatory standards designated to protect the historic integrity of listed historic resources. Therefore, the proposed plan will not cause a substantial adverse change in the historical significance of the Gunshaw-Mudgett House or the Rohnerville Historic District, and the impact will be less-than-significant.

² For buildings, roads and sites that are 45 years of age or older, National Register and State Register eligibility evaluations are required to determine whether they qualify for listing in these registers and thus represent “historically significant” historic resources.

The proposed plan could potentially facilitate major changes in land use at the locations of some of the 72 potential historic resources listed in Table 5.4-1. The proposed plan could also potentially facilitate major changes in land use at the locations of other potential historic resource sites that have not yet been identified. While addressing the potential impacts at each of the 72 potential historic resources and currently any currently unknown historic resource sites is outside the scope of this programmatic analysis, areas where impacts to potential historic resources are most likely to occur are in the urban core of Fortuna where the proposed plan would permit the intensification of land uses. This includes in the Mill District, Central Business District, and Riverwalk District, along Fortuna Boulevard between Rohnerville Road and Kenmar Road, and in some of the residential areas of the City where up-designations are proposed (e.g., along Rohnerville Road north of Renner Road, along School Road between Boone Street and Ronald Avenue, etc.). If any of these potential historic resources were to represent “historically significant” resources as defined by CEQA, and were to be affected by the proposed plan, a significant impact could occur. However, the proposed plan contains policies and programs designed to avoid such impacts. These policies and programs include:

- (1) Policy NCR-7.3 requires the use of appropriate State and Federal standards to evaluate the significance of historic resources;
- (2) Policy NCR-7.7 and Program NCR-30 require the City to develop an inventory of local buildings, structures, sites and objects eligible for listing as local Historic Landmarks, to list those that meet given criteria as local Historic Landmarks, and to protect these landmarks from demolition and inappropriate alteration;
- (3) Policy NCR-7.9 requires compliance with the SHBC;
- (4) Program NCR-37 requires that historic building preservation efforts subject to City permit procedures conform with applicable Secretary of the Interior standards; and
- (5) Program NCR-41 requires that, prior to approval of development that would alter or demolish existing buildings of 45 years of age or older, a historical resources study is prepared to determine whether the subject building eligible for listing in the National and California Registers, and if yes, that mitigation measures are implemented consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties.

Adherence to existing federal and state laws and regulations, along with implementation of the above policies and programs, would result in the identification of potential historic resources before they are affected, assessment of such resources to determine whether they are “historically significant” and thus eligible for listing in the National and California Registers, and the application of required mitigation measures (SHBC standards, Secretary of the Interior’s Standards, etc.) for any such resources to be affected. Thus, the proposed plan would not cause a substantial adverse change in the significance of a historical resource as defined by CEQA, and the impact would be less-than-significant.

Determination of Level of Significance

Less-Than-Significant

Mitigation

No mitigation necessary

Impact 5.4-3: Paleontological Resources

Proposed General Plan implementation will not directly or indirectly destroy a “unique” paleontological resource.

Discussion

As noted earlier in this chapter, the bluffs overlooking the Eel River are a significant source of fossils in the Eel River Valley including mollusk, sand dollar, fossilized plant, turtle, starfish and agatized whalebone finds. Therefore, it is assumed that the Planning Area has the potential to contain paleontological resources.

The proposed plan will facilitate additional development within the planning area. Associated with this development will be subsurface construction activities which could potentially unearth, disturb, and/or otherwise destroy any “unique” paleontological resources which may be present. However, the proposed plan contains the following programs designed to minimize impacts to paleontological resources:

- Program NCR-40 requires that, where evidence suggests that a development might disturb paleontological resources, a reconnaissance-level ground survey and records search be conducted by a paleontologist who will identify appropriate monitoring procedures and mitigation;
- Program NCR-41 requires that, a proposed development would be constructed within a soil or rock formation that has yielded paleontological resources in the past, the development shall have a paleontological study prepared to determine whether significance (e.g., “unique”) paleontological resources are present, and if yes, that identifies mitigation to avoid significance impacts;
- Program NCR-41 requires that, if paleontological resources are encountered during construction, work within 50 feet of the find is stopped and a paleontologist shall be called to evaluate the find, determine significance, and identify any required mitigation.

With adherence to existing federal laws and regulations formulated to protect paleontological resources (e.g., CEQA, etc.), and with implementation of these programs, the proposed plan will not directly or indirectly destroy a “unique” paleontological resource as defined by CEQA. Therefore, the impact will be less-than-significant.

Determination of Level of Significance

Less-Than-Significant

Mitigation

No mitigation necessary

Impact 5.4-4: Human Remains

Proposed General Plan implementation will not disturb human remains, including Native American remains interred outside of formal cemeteries.

Discussion

The Eel River Valley has a history of Native American occupation, and human remains have been found associated with archaeological resources around Rohnerville Airport. Therefore, the Planning Area has the potential to contain as of yet undiscovered human remains, including human remains interred outside of formal cemeteries that may be Native American in origin.

The proposed plan will facilitate additional development within the planning area. Associated with this development will be subsurface construction activities that could unearth, disturb, and/or destroy human remains that may be present. This is especially true around Rohnerville Airport where human remains have been unearthed in the past and where a large area of existing agricultural land is designated as Industrial under the proposed plan. However, the proposed plan contains the following policies and programs designed to minimize impacts to human remains:

- Policy NCR-7.15 requires that, if human remains are discovered during construction, required agency notifications be made (e.g., County Coroner, Native American groups, etc.) and the required treatment protocols followed; and
- Program NCR-41 requires that work be suspended if human remain are uncovered during construction, the required agency notifications be made, and NAHC treatment and disposition requirements be complied with.

With adherence to existing federal laws and regulations formulated to protect human remains (e.g., NAHC, CEQA, etc.), and with implementation of the listed policy and program, the proposed plan will not disturb human remains, including Native American remains interred outside of formal cemeteries. Therefore, the impact will be less-than-significant.

Determination of Level of Significance

Less-Than-Significant

Mitigation

No mitigation necessary

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