

2.1.6 CULTURAL AND HISTORIC RESOURCES

This section summarizes information concerning known cultural resources (e.g., prehistoric sites, historic sites, features, artifacts, buildings, or bridges) located within the archaeological and architectural Area of Potential Effects (APE) for the Sheldon Road/SR 99 Interchange Improvement project. The APE was delineated to include all areas that would likely be subjected to ground disturbing project activity.

REGULATORY SETTING

Federal

Federal funding will be used for the project, consequently cultural resources investigations were completed in compliance with the stipulations for the identification and protection of historic properties presented in the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act (January 1, 2004)* (PA).

Criteria for determining the significance and eligibility of prehistoric and historic sites for inclusion in the National Register of Historic Places (NRHP) are presented in the Code of Federal Regulations (CFR) at 36 CFR Part 60.4 [a-d]. The significance and eligibility for inclusion in the NRHP of the cultural resources located within APE were considered following those criteria, guidance in the PA, and in relation to appropriate historic themes.

State

Criteria for determining the significance and eligibility of prehistoric and historic sites for inclusion in the California Register of Historical Resources (CRHR) are presented in the California Environmental Quality Act (CEQA) and other codes (cf., § 15064.5 of the CEQA Guidelines and Public Resources Code § 5020.1 and 5024.1). The significance and eligibility for inclusion in the CRHR of the historic sites located within project boundaries were considered following criteria presented at Public Resources Code § 5024.1 and in relation to appropriate historic themes.

CEQA also requires planning agencies to consider the effects of a project on unique archaeological resources. If an archaeological artifact, object, or site meets the definition of a unique archaeological resource, then the artifact, object, or site must be treated in accordance with the special provisions for such resources as presented at Public Resources Code 21083.2(e).

CEQA, at §15064.5(b), defines a significant effect as one that may cause a substantial adverse change in the significance of an historical resource. A “substantial adverse change” means physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of an historical resource is materially impaired. The Lead Agency shall identify potentially feasible mitigation measures to mitigate significant adverse changes in the significance of an historical resource.

California law also 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. (cf., California Health and Safety Code Section 7050.5 and California Public Resources Code Sections 5097.94 et seq.).

AFFECTED ENVIRONMENT

The Area of Potential Effects (APE) encompasses the same area in both alternative 2A and 3A. The archaeological APE Map was delineated to include all areas that would likely be subjected to ground disturbing project activity. The APE for built environment resources was delineated to include parcels that occur within the archaeological APE and buildings/structures that would likely be affected by any project related activity.

Within the APE, archaeological and historical investigations for the Sheldon Road/SR 99 Interchange Improvement project identified Bridge 24-0137, the San Joaquin Cemetery, three previously recorded historic sites (i.e., CRU-93-Sac-1H, CRU-93-Sac-6H, and CRU-93-19H), and 13 other properties (i.e. private residences and/or businesses) built prior to 1957. Sites CRU-93-Sac-1H, CRU-93-Sac-6H, and the San Joaquin Cemetery are associated with agricultural and ranching activities in the project area and represent regional patterns of settlement and agricultural development from the mid-nineteenth through the mid-twentieth century.

IMPACTS

No Build Alternative

Under the No Build alternative no archeological or historical resources would be disturbed because the project would not be implemented.

Build Alternatives (2A and 3A)

Implementation of any of the Design Alternatives would require the demolition of some existing commercial and residential structures. Under each of the proposed design alternatives, the existing commercial buildings located on West Stockton Blvd would be demolished to accommodate the realignment of West Stockton Blvd. Several residential structures along West Stockton Blvd and Sheldon Road would be removed to accommodate the realignment of East Stockton Blvd as well as West Stockton Blvd.

Implementation of any design alternative will require the demolition of the existing Sheldon Road/ SR99 overpass (Bridge 24-0137), which was built in 1956. The complete replacement of the Bridge 24-0137 is one of the main objectives of the project in order to increase the capacity and operation of the Sheldon Rd/ SR-99 intersection.

The San Joaquin Cemetery is within the project limits. Implementation of this project would change the access to the cemetery and add a retaining wall adjacent to the cemetery. No project related activity will disturb any burials or grave markers within the San Joaquin Cemetery.

None of the historical sites or other properties (i.e., CRU-93-Sac-1H, CRU-93-Sac-6H, and CRU-93-19H, the San Joaquin Cemetery, and 13 private residences and/or businesses) in the

2.1 HUMAN ENVIRONMENT

APE is listed in the NRHP. Bridge 24-0137 was previously determined ineligible for inclusion on the NRHP as part of the Caltrans 1988 statewide bridge inventory and current historical investigations reaffirmed this determination. Current research determined that none of the archeological sites, structures or the cemetery in the APE meet any of the eligibility criteria for inclusion in the NRHP. Similarly, none of the cultural resources in the APE: are historical resources for the purposes of CEQA; are listed in the CRHR; meet any of the eligibility criteria for inclusion in the CRHR; or are unique or significant resources under CEQA.

Impact 2.1.6-1 Earth moving during construction could potentially disturb previously undiscovered cultural resources. Mitigation Measure 2.1.6-1 below shall be implemented to address this potential impact.

MITIGATION MEASURES

MM 2.1.6-1 While there are no historic properties or historical resources in the project APE, the following measures will be implemented to reduce any potential impacts to undiscovered cultural resources:

- If buried cultural materials are encountered during construction, work shall stop in that area until a qualified archaeologist can evaluate the nature and significance of the find(s). In addition, further investigations may be needed if the project changes to include areas not previously surveyed.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease in vicinity of the find and the County Coroner must be notified of the find immediately so that he/she may ascertain the origin of the remains. The provisions of 36 CFR 800.13 shall be followed to avoid, minimize, or mitigate adverse effects to the discovered remains.

CEQA FINDING

Impacts to cultural resources may be considered significant if the project will:

- Adversely affect the significance of a historical or archaeological resource (defined by Guidelines sec. 15064.5)
- Destroy a unique paleontological resource or geologic feature
- Disturb any human remains

The possibility for the late discovery of historical resources during ground disturbing activities is considered a **potentially significant impact**. Implementation of mitigation measure 2.1.6-1 will reduce the potential for harm to a **less than significant impact**.