

Cultural and Historic Resources Element: Table of Contents

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Cultural and Historic Resources Element

INTRODUCTION

PURPOSE

The Sonoma County Coastal Zone has a rich cultural history and contains significant archaeological and paleontological resources as well as historic structures and sites. These resources serve important social, commercial, recreational, and educational roles in the community. Cultural resources are also tied to the identity and practices of Native American peoples, and their relationship to these resources is much different than the relationship the general non-native community has to them. The

Sonoma County coast is rich in cultural resources tied to the identity, history, and practices of tribal peoples, and their unique relationship to the landscape.

“Cultural resources” refers collectively to archaeological and paleontological resources, including Native American cultural and sacred sites, tribal cultural resources, artifacts, and remains. In addition “Tribal cultural resources” includes but is not limited to viewscapes, vistas, landscape features, living vegetation, and species used for cultural practices and subsistence.

“Historic resources” refers to structures, sites and artifacts associated with colonization, settlement, and development of the Coastal Zone by non-Native American cultures. Historic resources are generally structures, sites and artifacts associated with non-Native American cultures during and after the Russian and Spanish colonial periods, but these sites may also contain Native American cultural and sacred sites, tribal cultural resources, artifacts, and remains.

RELATIONSHIP TO OTHER ELEMENTS

Policies that address protection and preservation of significant archaeological, historical, and tribal cultural sites apply to all coastal development policies found in the Land Use Element as well as ground disturbing development related to the Circulation and Transit, Public Fac. Policies for protection of resources from sea level rise and the effects of climate change are found in the Public Safety Element.

RELATIONSHIP TO CALIFORNIA COASTAL ACT

The following California Coastal Act policies inform and guide goals, objectives, policies, programs, and initiatives of the Sonoma County Local Coastal Plan Cultural and Historic Resources Element:

Section 30244 Archaeological or paleontological resources

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

I. CULTURAL AND HISTORIC RESOURCES

I.1 Goal, Objectives, and Policies

GOAL C-CH-I: Protect and preserve historical, archaeological and paleontological resources, including federally and non-federally recognized California Native American Tribes (Tribes) cultural and sacred sites, tribal cultural resources, artifacts, and remains.

Objective C-CH-I.1: Establish and maintain a respectful and effective means of communicating and consulting with Tribes with regard to identification, protection, preservation of, and access to these resources.

Objective C-CH-1.2: Require coastal development projects to identify, preserve, and protect historic and Tribal cultural resources, sacred sites, places, features, and objects, including historic or prehistoric ruins, burial grounds, cemeteries, and ceremonial sites. Ensure appropriate treatment of Native American and other human remains discovered during the project.

Policy C-CH-1a: Refer all applications for coastal development permits to the Northwest Information Center at Sonoma State University to determine if the project site may contain archaeological or historic resources. If a project site is likely to have archeological, or tribal cultural resources the project is to be referred to Tribes which are traditionally and culturally affiliated with the geographic for review and response regarding whether mitigation is required to ensure there are no impacts to cultural resources. (EXISTING LCP REVISED)

Policy C-CH-1b: Refer applications for coastal development permits that involve the removal, demolition, or alteration of a building, structure, site, cemetery, feature, or object identified in a Historic Resource Survey to the Sonoma County Landmarks Commission for review and mitigation, with the exception of such projects within The Sea Ranch, which shall be referred to The Sea Ranch Design Committee. Measures for removal or demolition may include reuse, relocation, preparation of as-built drawings, and photo-documentation. (GP2020)

Policy C-CH-1c: Development projects resulting in new ground disturbance, including but not limited to building, grading, or demolition projects shall provide a study prepared by a qualified professional evaluating historical, archaeological and paleontological resources, including Native American cultural and sacred sites, tribal cultural resources, artifacts, and remains. Studies will be referred to Tribes for early and frequent comment and confirmation of adequacy. If a site is likely to have archaeological, cultural or tribal resources, a field survey and an archaeological resources report that contains the results of the survey and includes appropriate mitigation measures shall be required. If the site is likely to have historic resources, a field survey and an historic resources report that contains an evaluation of whether the historic resources are significant under state and federal criteria shall be required. (NEW)

Policy C-CH-1d: State law regarding tribal consultation shall be considered the minimum standard of review for Local Coastal Program amendments, implementation of programs and initiatives, review of coastal development permits, and CEQA review and shall follow the principles found in Policy C-CH-1e. (GP2020 REVISED)

Policy C-CH-1e: To establish and maintain a respectful and effective means of communicating and consulting with Tribes the following principles shall be followed when evaluating coastal development projects: (NEW)

- (1) Communicate and consult with federally and non-federally recognized California Native American Tribes in a manner that is considerate, respectful, and cognizant of

the Tribes individual rights and interests. Seek tribal input regarding the identification of potential issues, possible means of addressing those issues, and appropriate actions, if any, to be taken by the County.

- (2) Assess the potential impact of proposed County actions on Tribal rights and interests and ensure, to the maximum extent feasible and required by law, that tribal concerns are considered before such actions are taken, such that impacts are avoided, minimized, or mitigated in conformity with Coastal Act and other applicable legal requirements.
- (3) Provide Tribes with meaningful opportunities to respond and participate in County decision-making processes that affect Tribal rights and Interests. Consult with Tribes early and often to ensure Tribal rights and interests are protected and enforced.
- (4) Acknowledge and respect both the confidential nature of information concerning cultural practices, traditions, beliefs, tribal histories, and Tribal lands, and legal protections of the confidentiality of certain tribal cultural information (e.g., Gov. Code §§ 6254(r), 6254.10, Pub. Res. Code § 21082.3(c)). The County will take all lawful and necessary steps to ensure confidential information provided by a Tribe is not disclosed without the prior written permission from the Tribe.
- (5) Encourage collaborative and cooperative relationships with Tribes in matters affecting coastal resources.
- (6) Acknowledge and seek ways to accommodate Tribes with limited financial and staffing resources, and staffing resources of the County and the California Coastal Commission to ensure effective communication and consultation, including joint consultation with the Coastal Commission Tribal Liaison staff.
- (7) Identify and recommend means to remove procedural impediments to working directly and effectively with Tribes.
- (8) Consultation should not be viewed as a one-time, one-meeting activity, but rather an iterative process.

Policy C-CH-1f: New development shall avoid impacts to cultural resources through siting and design measures to the extent feasible or required by law. Any unavoidable impacts, disturbance, or substantial adverse changes caused by development on cultural resources shall be mitigated through measures such as preservation in place or site sampling and salvage in coordination with Tribal representatives. The preferred and required alternatives for mitigating impacts, if feasible, are avoidance or preservation in place. Consult with affected Tribe(s) on appropriate alternatives. (EXISTING LCP REVISED)

Policy C-CH-1g: Continue to apply standard conditions requiring notification and evaluation in the event of the discovery of a burial or suspected human remains or other cultural resources, including consultation with the Most Likely Descendant as identified by the California Native American Heritage Commission, in the event that the remains are determined to be Native American. (GP2020 REVISED)

Policy C-CH-1h: Require all known and newly discovered cultural resources to be reported to the appropriate tribe or tribal community, agency, or organization. These may include but are not limited to the California Native American Heritage Commission, the State Historical Resources Commission, or the California Office of Historic Preservation. (NEW)

Policy C-CH-1i: Require all known and newly discovered cultural resources to be reported to the appropriate tribe or tribal community, agency, or organization. These may include but are not limited to the California Native American Heritage Commission, the State Historical Resources Commission, or the California Office of Historic Preservation. (NEW)

Policy C-CH-1j: Ensure that cultural resources are protected from the impacts of environmental hazards, including sea level rise and climate change, especially risk from wildfire. Work with the State Historic Preservation Officer to identify actions such as mitigation and monitoring programs to protect archaeological and paleontological resources including Native American artifacts at risk from hazards such as erosion, inundation, and sea level rise in a manner consistent with the policies of the LCP and other applicable provisions of the Coastal Act. (CCC REVISED - NEW)

Policy C-CH-1k: Where a project has the potential to impact a tribal cultural resource a cultural conservation easement may be utilized as a potential means of mitigation. Tribal access easements shall be encouraged.

1.2 Program

Program C-CH-1: In coordination with Tribes develop a comprehensive procedure for review of projects and activities including public land acquisitions that may impact archeological or cultural resources or have the potential to provide opportunities to increase and protect the access of the Tribes to cultural resources. This procedure should include referral processes for projects which are potentially exempt from formal consultation under state law, and identify best management practices for ensuring the protection of cultural resources.