

4.10 CULTURAL RESOURCES

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Cultural Resources – Environmental Setting

Cultural resources are the remains and sites associated with human activities and include prehistoric and ethnohistoric Native American archaeological sites, historic archaeological sites, historic buildings, and elements or areas of the natural landscape which have traditional cultural significance.¹

Note that while an EIR is a disclosure document, information about the specific location of archaeological sites and sacred lands is specifically restricted from disclosure under the *State CEQA Guidelines* section 15120(d) pursuant to Government Code section 6254. Therefore, this discussion is a general summary of the cultural resources setting prepared for this EIR.

Some topics discussed in this section overlap with other sections of this EIR, including *Section 4.11 Visual Resources*. Cultural resources impacts are most closely related to the *Draft GP 2020 Land Use and Open Space and Resource Conservation Elements*.

PALEONTOLOGICAL RESOURCES²

Paleontology is the study of the forms of life existing in prehistoric or geologic times, as represented by the fossils of plants, animals, and other organisms.³ Paleontological remains are fairly common in Sonoma County. They include plants, invertebrates, and vertebrates ranging in age from approximately 140 million years to less than 8,000 years before the present. Within the county, paleontological remains have been primarily recovered from the following geologic formations:

- *Franciscan complex (Jurassic)* – This formation largely covers the northern part of the county, with the exception of the Alexander Valley and northern Santa Rosa plain;
- *Wilson Grove Formation (Miocene-Pliocene)* – This is a common location for Paleontological remains, and is largely located in the western part of the county, along with the Ohlson Ranch Formation (Miocene-Pliocene), and the Petaluma Formation. The boundaries of this area are Occidental, Sebastopol, Petaluma, and the Coast. These formations are also present around the base of the Sonoma Mountains; and
- *Sonoma Volcanics (Miocene-Pliocene)* – This is the formation of the Sonoma Mountains and the Sonoma/ Napa Mountains which form the western border of the count.

¹ *What do Cultural Resources Mean to Property Owners?*, Anthropological Studies Center, Sonoma State University, <http://www.sonoma.edu/projects/asc/defaultpage/owners.html>, December 30, 2002.

² This section summarized from *General Plan Update Draft Environmental Impact Report*, page 317, December 19, 1986.

³ *The American Heritage® Dictionary of the English Language, Fourth Edition*.

ARCHAEOLOGICAL RESOURCES ⁴

Archaeology is the systematic study of past human life and culture by the recovery and examination of remaining material evidence, such as graves, buildings, tools, and pottery. ⁵ In Sonoma County this generally involves the study of the Native American inhabitants of the land from roughly 8,000 years ago to the early 1800's when the county was settled by American, Russian, Spanish, and Mexican colonists, and most Native Americans were brought into the mission system.

Centuries before the North Bay region became important in European struggles for empire and profit, four Native American tribes settled in village communities throughout Sonoma County: Pomo / Kashaya, Wappo, Coast Miwok, and Patwin. ⁶ These people inhabited the county for several thousand years. This region of the Pacific coast was occupied at the time of historic contact by peoples representing four language groups: Southern Pomo, Southwestern Pomo, Coast Miwok, and Wappo. Each group was made up of a number of autonomous village communities that held a specific tract of land, often spoke a distinct dialect, and was organized under one or more headmen.

Groups speaking two closely related Pomoan languages, Southwestern Pomo and Southern Pomo, held most of the area which was to become Sonoma County. The Southwestern Pomo occupied about thirty miles of the northwestern Sonoma County coast, extending inland up to 13 miles. This territory consisted primarily of rocky coastline and unbroken redwood forest. Shellfish, sea mammals, and salmon were major resources. Village sites were situated along the coast and on inland ridges.

The Southern Pomo held the Russian River drainage south of the Mendocino-Sonoma County line, except for the mouth of the river. This territory consisted of valleys and foothills with plentiful resources and a temperate climate. The Laguna de Santa Rosa's marshlands and seasonal lake provided year round resources. Permanent occupation sites were most frequently at the confluence of streams, in the valleys, and at the bases of hills.

The Coast Miwok territory included all of present-day Marin County and extended north to that of the Southern Pomo. It included the Petaluma River basin and, during the post-mission period, the Cotati area. It is also believed that they inhabited the Sonoma Valley. The Coast Miwok depended heavily on the gathering of shellfish, primarily mussels and clams. Living sites were generally along the shoreline or near bays and lagoons.

The Wappo held the area in Napa County north of the Coast Miwok. Their territory extended to Middletown in Lake County, east to the divide separating the Napa Valley from the Berryessa Valley, west to include portions of the Geysers area, and south to the headwaters of Sonoma Creek and the Upper Napa River. The Alexander Valley between Healdsburg and Geyserville was taken from the Southern Pomo by the Wappo around 1830.

⁴ This section summarized from *General Plan Update Draft Environmental Impact Report*, pages 317-319, December 19, 1986.

⁵ *The American Heritage® Dictionary of the English Language, Fourth Edition*.

⁶ *Four Tribes of Sonoma County*, Sonoma County Historical Society, <http://www.sonomacountyhistory.org/>, December 2002.

It is estimated that the Wappo and Pomo groups may be associated with the ancient millingstone cultures that appeared in California about 8,000 years ago. The Pomo may have emerged from this culture around 5,000 years ago, when some groups began to descend from Clear Lake into the Upper Russian River drainage. It is estimated that the Wappo emerged between 2,000 and 1,000 B.C. The Coast Miwok may have appeared around 500 B.C.

HISTORICAL RESOURCES ⁷

Historical resources, as distinguished from archaeological resources, include antiques, buildings, structures, and sites generally of the past two centuries, marking the successive eras of Russian, Mexican, and North American occupation of Sonoma County. ⁸

Although Spain and England originally claimed the land that is now California, Spain lost the title to Mexico in 1821, before the settlement of Sonoma County began. Russia, although a colonist for about 29 years, was never able to get recognized by foreign powers. The actual staking and settling were largely the efforts of Mexican citizens and of persistent Yankee traders, trappers, adventurers, and seamen who kept slipping in during the last quarter of the eighteenth century.

Over the next century there were numerous attempts by Spanish, Mexican, and Russian governments to colonize various parts of Sonoma County. By the Mid-1840's Americans were present in substantial numbers and in June of 1846 thirty three Americans raised the Bear Flag in Sonoma and declared independence. The war between Mexico and the United States, which had begun a month before the action in Sonoma, ended in 1848 and resulted in the addition of California to the territories of the United States. Statehood came in 1850, and in 1851 California was divided into counties.

Exhibit 4.10-1 shows the Sonoma County Historic Landmarks, State Points of Historical Interest, and National Historic Landmarks, as well as resources listed on the California Register of Historical Resources or the National Register of Historic Places, listed alphabetically by the name of the nearest town or city.

**Exhibit 4.10-1
 Sonoma County Historic Sites**

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
General Joseph Hooker's Ranch	Agua Caliente	x				
Clarks Crossing/#20C-141	Annapolis	x ^b				
Haupt Creek Bridge #20C-224	Annapolis	x ^b				
Old Horicon School House	Annapolis	x				
Asti Chapel / Italian Swiss Colony	Asti	x	x			
Bloomfield Cemetery	Bloomfield	x				
Bloomfield School	Bloomfield	x				

⁷ This section summarized from *General Plan Update Draft Environmental Impact Report*, pages 320-321, December 19, 1986.

⁸ *General Plan Update Draft Environmental Impact Report*, pages 320-321, December 19, 1986.

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
I.O.O.F. Lodge Hall	Bloomfield	x				
Masonic Lodge	Bloomfield	x				
Bodega Historic District	Bodega	x				
Potter School	Bodega	x				
St. Teresa's Church	Bodega		x			
Watson School & Wayside Park	Bodega	x		x	x	
Witham House	Bodega	x				
Bodega Bay	Bodega Bay		x		x	
Kee Ranch House	Bodega Bay	x ^b				
Ranch Site, The	Bodega Bay	x			x	
Agua Caliente Springs Hotel	Boyes Hot Springs	x				
Sonoma Mission Inn & Water Tower	Boyes Hot Springs	x				
Calvin H Holmes House	Calistoga	x ^a				
Franz Valley District School	Calistoga	x ^a				
Jackson Place	Calistoga	x ^a				
Laufenburg Barn & Residence	Calistoga	x ^a				
Meeker Residence	Camp Meeker	x				
Gleason (Mann) Ranch	Carmet	x				
Saw Mill Teepee	Cazadero	x				
Big Sulphur Cr Bridge #20C-05	Cloverdale	x ^b				
Cloverdale Railroad Station	Cloverdale				x	
Gould--Shaw House	Cloverdale				x ^b	
Icaria-Speranza Commune	Cloverdale		x ^b			
Pinschower, Simon, House	Cloverdale				x	
Preston Ranch	Cloverdale	x				
Shaw, Isaac E., Building	Cloverdale				x ^b	
Cotati Downtown Plaza	Cotati		x			
Duncans Mills Depot	Duncans Mills	x				
Duncans Mills Historic District	Duncans mills	x				
Duncans Mills School	Duncans Mills	x				
Superintendent's House	Duncans mills	x				
Kenny Residence	El Verano	x				
Nicholas Carriger Estate	El Verano	x				
Nicholas Carriger Grand View	El Verano	x				
Sonoma State Home-Main Building	Eldridge				x ^b	
Clementi's Inn	Fetter's Hot Springs	x				
Fetter's Hot Springs Depot	Fetter's Hot Springs	x				
Cooper's Sawmill	Forestville		x			
Walker/Case House	Forestville	x ^b				
Wohler Bridge #20C-155	Forestville	x ^b				
Call Ranch	Fort Ross	x				
Fort Ross	Fort Ross	x	x		x	x
Fort Ross Chapel	Fort Ross				x	
Fort Ross Commander's House	Fort Ross				x	x

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
Freestone Country Store	Freestone	x				
Freestone Historic District	Freestone	x				
Freestone House	Freestone	x			x	
Freestone School House	Freestone	x				
Hinds Hotel	Freestone				x	
Alexander Valley Community Hall	Geyserville	x ^b				
Bosworth Residence	Geyserville	x				
Geyserville School (demolished)	Geyserville	x			x	
Heart's Desire Nursery	Geyserville	x				
Old Geyserville Hotel	Geyserville	x				
Arnold Dr Bridge #20C-213	Glen Ellen	x ^b				
Beltane Ranch	Glen Ellen	x				
Calabezas Bridge	Glen Ellen	x				
Chavet Building	Glen Ellen	x				
Dunbar School	Glen Ellen	x				
Gaige House	Glen Ellen	x				
Glen Oaks	Glen Ellen	x			x ^b	
Hotel Chauvet	Glen Ellen	x			x ^b	
Jack London Ranch & State Historic Park	Glen Ellen	x ^b	x		x	x
Joshua Chauvet House	Glen Ellen	x				
Mervyn Hotel Site	Glen Ellen	x				
Shone's Country Market	Glen Ellen	x				
Stone Winery Building	Glen Ellen	x				
Superintendent's House/Sonoma State	Glen Ellen	x				
Ten Oaks Ranch	Glen Ellen	x				
Thompson Ranch and Cemetery	Glen Ellen	x				
Trinity School	Glen Ellen	x				
Valley of the Moon Winery	Glen Ellen	x ^b				
Wake Robin Lodge	Glen Ellen	x				
Wegnerville Resort	Glen Ellen	x				
Green Valley School	Graton	x ^b				
Hicks House	Graton	x			x ^b	
North Fork Bridge #10C-46	Gualala	x ^b				
Belden House	Guerneville	x				
Guerneville Bridge #20C-91	Guerneville	x ^b			x ^b	
Hacienda Bridge #20C-37	Guerneville	x ^b				
Alexander School	Healdsburg	x				
Alexander Valley Community Church	Healdsburg	x				
Chalk Hill/Maacamas Br #20C-242	Healdsburg	x ^b				
Cyrus Alexander Adobe & Cemetery	Healdsburg	x				
Daniles School	Healdsburg	x ^b				
Dry Creek Store	Healdsburg	x				
Dry Creek-Warm Springs Valleys Archeological District	Healdsburg				x	

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
Healdsburg Carnegie Library	Healdsburg				x ^b	
Jimtown Store	Healdsburg	x ^b				
Lambert Bridge #20C-248	Healdsburg	x ^b				
Madrona Knolls Rancho	Healdsburg	x			x ^b	
Rose Villa (Powell's Place)	Healdsburg	x				
Sweetwater Springs Historic District w/ Walter's Hop Kiln & Sheep Barn & Griffin Residence	Healdsburg	x	x		x	
Wohler Ranch	Healdsburg	x				
Washoe House	Hessel	x				
Duncan's Landing Site	Jenner				x	
Chateau St. Jean	Kenwood	x				
Kenwood Community Church	Kenwood	x				
Kenwood Depot	Kenwood	x				
Kenwood Winery	Kenwood	x				
Monroe Ranch/Coops House	Kenwood	x ^b				
Partis Residence	Kenwood	x				
Wildwood Vineyards	Kenwood	x				
Highland Dell Resort	Monte Rio	x ^b				
Church of Occidental	Occidental	x				
Coleman Valley Ranch	Occidental	x				
Occidental Historic District	Occidental	x				
St. Phillips Church	Occidental	x				
Taylor Building	Occidental	x				
Union Hotel	Occidental	x				
Denman Creamery	Penngrove	x				
Penngrove Historic District	Penngrove	x				
Wharff House	Penngrove	x ^b				
Dunham School	Petaluma	x				
Free Public Library of Petaluma	Petaluma				x ^b	
Freeman Parker Ranch	Petaluma	x				
Haystack Ranch	Petaluma	x				
Holy Ghost Hall	Petaluma	x ^b				
Kastania Ranch	Petaluma	x				
Liberty Cemetery	Petaluma	x				
Niemela Ranch	Petaluma	x ^b				
Octagon House	Petaluma	x				
Old Petaluma Opera House	Petaluma				x	
Petaluma Adobe	Petaluma		x		x	
Petaluma Historic Commercial District	Petaluma				x ^b	
Petaluma Silk Mill	Petaluma				x	
Skillman House	Petaluma	x ^b				
Stump Ranch	Petaluma	x				
Sweed, Philip, House	Petaluma				x ^b	

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
Sweeney Ranch	Petaluma	x				
US Post Office--Petaluma	Petaluma				x	
Watson Ranch (Pepper Farm)	Petaluma	x				
Carrington Ranch	Salmon Creek	x				
Stage Stop	Salmon Creek	x				
Benjamin Ranch	Santa Rosa	x				
Bennett Valley Cemetery	Santa Rosa	x				
Bennett Valley Grange Hall	Santa Rosa	x				
Cnopius House	Santa Rosa				x	
Finley Hop Ranch	Santa Rosa	x				
Gables, The	Santa Rosa	x			x	
Hood, William, House	Santa Rosa		x		x ^b	
Hotel La Rose	Santa Rosa				x	
James Kruse House	Santa Rosa	x				
Jim Voss Cottonwood Grove	Santa Rosa	x				
John Medica Gardens	Santa Rosa		x			
John Rosseter Stables	Santa Rosa	x				
Laughlin House	Santa Rosa	x				
Lumsden, W. H., House	Santa Rosa				x	
Luther Burbank Home and Garden	Santa Rosa		x		x	x
Maddux Home	Santa Rosa	x				
Mark West Lodge	Santa Rosa	x				
Martinelli	Santa Rosa	x ^b				
Massey House	Santa Rosa	x				
McDonald Mansion	Santa Rosa				x	
Old Post Office	Santa Rosa				x	
Park Apartments	Santa Rosa				x	
Petrified Forest	Santa Rosa		x			
Railroad Square District	Santa Rosa				x	
Rosenburg's Department Store	Santa Rosa				x ^b	
Sweet House	Santa Rosa				x ^b	
Wasserman House	Santa Rosa				x	
Del Mar Ranch	Sea Ranch	x ^b				
Sea Ranch Condominium #1	Sea Ranch	x				
Sea Ranch Stable & Barn	Sea Ranch	x			x ^b	
Eucalyptus School	Sebastopol	x				
Gold Ridge Farm	Sebastopol				x	
John Taber Home	Sebastopol	x				
Llano Road House	Sebastopol	x			x	
Pitkin Ranch	Sebastopol	x				
Sanders House	Sebastopol	x ^b				
Sebastopol Depot of the Petaluma and Santa Rosa Railway	Sebastopol				x ^b	
Strout, George A., House	Sebastopol				x	

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
Petaluma and Santa Rosa Railway Powerhouse	Sebastopol				x ^b	
Bear Flag Monument	Sonoma		x			
Blue Wing Inn	Sonoma		x			
Buena Vista Winery	Sonoma	x	x		x	
C.F. Leiding House	Sonoma	x				
Carriger, Nicholas, Estate	Sonoma				x ^b	
Cavedale Road Marker	Sonoma		x			
Circle Bar Ranch Barn	Sonoma		x			
Cooper House	Sonoma		x			
Cutter House	Sonoma	x				
Harazthy Ranch	Sonoma	x				
Kiser Residence	Sonoma	x				
Laidlaw House	Sonoma	x				
Leveroni Ranch	Sonoma	x ^b				
Magnolia Farm	Sonoma	x				
Mission San Francisco Solano	Sonoma	x				
Nash Adobe	Sonoma	x				
Rosser Ranch	Sonoma	x				
Salt Ranch & Residence	Sonoma	x				
Schellville Baptist Church	Sonoma	x				
Sobre Vista Farm Bath/Pool House	Sonoma	x				
Sobre Vista Farm Guest House	Sonoma	x				
Sobre Vista Farm Main House	Sonoma	x				
Sobre Vista Farm Tennis Court	Sonoma	x				
Sobre Vista Overview Farm	Sonoma	x				
Sonoma Depot	Sonoma				x	
Sonoma Grammar School	Sonoma				x	
Sonoma Plaza	Sonoma		x		x ^b	x
Sonoma Plaza (Boundary Increase)	Sonoma				x ^b	
Swiss Hotel / Salvador Vallejo Adobe	Sonoma	x	x			
Temelec Hall	Sonoma	x ^b	x			
Union Hotel and Union Hall	Sonoma		x			
Vallejo Estate	Sonoma		x		x	
Vella House	Sonoma	x				
Vineyard and winery (San Francisco Solano Mission Vineyard)	Sonoma		x			
Watmaugh Road Bridge	Sonoma	x				
Fort Ross School	Stewarts Point	x				
Salt Point State Park Archeological District	Stewarts Point				x	
Stewarts Point Hotel	Stewarts Point	x				
Stewarts Point School	Stewarts Point	x				
Stewarts Point Store	Stewarts Point	x				
Bufano Statue	Timber Cove	x				
Presbyterian Church Cemetery	Two Rock	x				

Name / Description	Location	SCHL	CRHR	SPHI	NRHP	NHL
Two Rock Grange Hall	Two Rock	x				
Christo Running Fence	Valley Ford	x				
Greek Revival Cottage	Valley Ford	x				
Italianate Cottage	Valley Ford	x				
James Fowler House	Valley Ford	x				
Kirkland House	Valley Ford	x				
Valley Ford Hotel	Valley Ford	x				
Laughlin, James H. and Frances E., House	Windsor				x	
Total	230 listings	174	26	1	59	5
<i>New listings since 1986</i>	<i>52 new listings</i>	<i>30</i>	<i>1</i>	<i>0</i>	<i>21</i>	

SCHL – Sonoma County Historic Landmarks
 CRHR – California Register of Historical Resources
 SPHI – State Point of Historical Interest
 NRHP – National Register of Historic Places
 NHL – National Historic Landmark

^a These sites are in Sonoma County, to the west of Calistoga.

^b These sites were listed after 1986.

Sources: *California State Historical Landmarks in Sonoma County*, available on California Environmental Resources Evaluation System (CERES) website, http://ceres.ca.gov/geo_area/counties/Sonoma/landmarks.html, January 14, 2003; *Historic Properties Directory for Sonoma County*, available from the California Office of Historic Properties, January, 2003; *Index by State and County*, available on National Register Information System website database, <http://www.cr.nps.gov/nr/research/nris.htm>, January 14, 2003; *Landmarks Sorted by Street Name then Number*, Sonoma County Landmarks Commission Database, October 17, 2002

Cultural Resources – Regulatory Setting

COUNTY REGULATIONS

Zoning

Historic Resources are currently regulated by the County through the use of the Historic Combining District (HD). The HD zoning requires that any exterior alteration, repair, or addition to a structure on a site zoned HD, which requires a building permit, is subject to review and approval by the Landmarks Commission. A new building constructed within the boundaries of a historic district also requires approval of the Commission. A demolition permit is also subject to the Commission’s review.⁹ County procedures for environmental review of public projects include referral to the Northwest Information Center (NWIC) in order to determine whether or not the project site might contain archeological resources. Field surveys and mitigation measures may be required if resources are located on or near the project site.

⁹ *Sonoma County Historic Preservation Program*, Sonoma County Landmarks Commission, October 1999 revision.

Landmarks Commission

The Landmarks Commission was established by the Board of Supervisors in 1976 for the purpose of protecting historic resources and implementing a grants program for historic preservation projects. Specifically the Commission functions as Design Review for historic resource sites and reviews all building permits on HD zoned properties for demolition, new construction, or remodeling. The Commission is required by ordinance to approve a zoning permit for the project prior to issuance of the building or demolition permit.¹⁰

In addition the Commission maintains a list of historic sites in Sonoma County.¹¹ There are currently 189 designated County Landmarks and about 1,000 sites listed on the County inventory of historic sites.¹²

The Landmarks Commission has a limited amount of funds (usually \$50,000/year) available for the restoration of landmarks. Matching funds are required, and priority is given to public buildings and those with some program of public access. Structures must be either on the National Register, a State Landmark, or a Sonoma County Landmark. Grants may also be used to fund historic building surveys for specific areas of the county.¹³

STATE REGULATIONS

California Register of Historical Resources

The California Register of Historical Resources, created by State legislation in 1993,¹⁴ is an authoritative guide to California's significant historical and archeological resources to be used in identifying the existing historical resources of the state. The California Register program identifies historical resources for state and local planning purposes and defines threshold eligibility for State historic preservation grand funding. The State Historical Resources Commission (SHRC) oversees the California Register program, which the State Office of Historic Preservation (OHP) administers. The California Register includes sites listed or eligible for listing in the National Register of Historic

¹⁰ *Landmarks Commission Zoning Permit – Application/Information*, Sonoma County Permit and Resource Management Department, December 2002.

¹¹ *Sonoma County Board of Supervisors, Landmarks Commission*, accessed online at <http://www.sonoma-county.org/board/maddy/results.asp?ID=44>, December 30, 2002.

¹² Nichols • Berman communication with Kathi Jacobs, Planner III, PRMD, October, 2003.

¹³ *Sonoma County Historic Preservation Program*, page 2, Sonoma County Landmarks Commission, October 1999 revision.

¹⁴ *Technical Assistance Series #10, California State Law and Historic Preservation: Statues, Regulations and Administrative Policies Regarding Historic Preservation and Protection of Cultural and Historical Resource*, page 67, California Office of Historic Preservation, Department of Parks and Recreation, May 23, 2001.

Places, State Historical Landmarks (numbered 770 or higher), and California Points of Historical Interest.¹⁵

Listing of a property on the California Register does not prevent the use, sale, or transfer of the property, nor does it prevent the alteration or demolition of a historic resource. Because land use authority in California resides with the local government, listing does not give either the State or the federal government any additional authority over the property. Listing on the California Register may, however, qualify the owner to benefit from historic preservation grants and other preservation programs such as the Mills Act. Listing also allows the State Historical Building Code to be applied when requirements of the Uniform Building Code threaten the historical integrity of a designated resource, and listed sites are considered significant resources for the purposes of CEQA.¹⁶

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).¹⁷

Mills Act

The Mills Act is a local property tax incentive for historic preservation.¹⁸ To obtain the benefits of the Mills Act, a formal agreement, generally known as a Mills Act contract, is executed between the local government and the owner of a qualifying property for a minimum ten-year term. Contracts are automatically renewed each year and are transferred to new owners when the property is sold. Property owners agree to protect, preserve, and maintain the property in accordance with specific historic preservation standards and conditions identified in the contract. In exchange, the County Assessor is required to calculate the assessed value of the property tax savings for Mills Act properties on the capitalization of income method rather than on market value.¹⁹

The Mills Act is a permissive program subject to approval and adoption by city and county governments and provides local governments the flexibility to design preservation programs to

¹⁵ *Technical Assistance Series #3 California Register of Historical Resources: Questions and Answers*, California Office of Historic Preservation, Department of Parks and Recreation, September 9, 2002.

¹⁶ *Technical Assistance Series #3 California Register of Historical Resources: Questions and Answers*, California Office of Historic Preservation, Department of Parks and Recreation, September 9, 2002.

¹⁷ *Technical Assistance Series #1, CEQA and Historical Resource*, California Office of Historic Preservation, Department of Parks and Recreation, May 23, 2001.

¹⁸ *Technical Assistance Series #3 California Register of Historical Resources: Questions and Answers*, California Office of Historic Preservation, Department of Parks and Recreation, September 9, 2002.

¹⁹ *Technical Assistance Series #12, Mills Act Property Tax Abatement Program*, Pages 1-2, California Office of Historic Preservation, Department of Parks and Recreation, May 23, 2001.

accommodate specific community needs and priorities.²⁰ Neither Sonoma County nor any city government within the county has adopted an ordinance to implement the Mills Act although Sonoma County is preparing an ordinance for consideration.²¹

State Historic Building Code

The State Historical Building Code (SHBC) is a special building code adopted in 1979 by the State of California.²² The SHBC was developed to accommodate changes necessary for the continued use of historic buildings, while preserving their historic character and significant architectural features. Applicants may elect to use the SHBC as an alternative to standard construction codes such as the Uniform Building Code or the Uniform Mechanical Code. Sections of the SHBC include: occupancy and use, structural (including seismic), mechanical, plumbing, electrical, exiting, fire protection, use of historic building materials and building systems (e.g., elevators), accessibility, and other construction-related topics.²³

In order to qualify for the SHBC, a property must be a federal, State, or local landmark, or be listed on an official inventory of historic properties. For qualified historical properties governed by the SHBC, the degree or amount of rehabilitation work, the preceding length of vacancy, or even a change of occupancy may not be used as justification for an automatic requirement for other types of additional upgrading, or for full regular code compliance.²⁴

FEDERAL REGULATIONS

National Historic Landmarks

National Historic Landmarks are buildings, sites, districts, structures, and objects that have been determined by the Secretary of the Interior to be nationally significant in American history and culture. There are fewer than 2,500 National Historic Landmarks in the United States, with five in Sonoma County: Sonoma Plaza, Luther Burbank Home and Garden, Jack London Ranch & State Historic Park, Fort Ross, and the Fort Ross Commander's House.²⁵ The National Historic Landmarks Program is operated through a partnership of the National Park Service and the National Historic Landmark

²⁰ *Technical Assistance Series #12, Mills Act Property Tax Abatement Program*, Pages 1-2, California Office of Historic Preservation, Department of Parks and Recreation, May 23, 2001.

²¹ Nichols • Berman communication with Kathi Jacobs, Planner III, Sonoma PRMD, February, 2003.

²² *California's State Historical Building Safety Code*, California's State Historical Building Safety Board.

²³ *The State Historical Building Code*, City of Pasadena Planning Division website, December 30, 2002, <http://www.ci.pasadena.ca.us/planning/deptorg/dhp/shbc.asp>.

²⁴ *California's State Historical Building Safety Code: Code Upgrading "Triggers" and the SHBC*, California's State Historical Building Safety Board website, December 30, 2002, http://www.dsa.dgs.ca.gov/StateHistoricalBuildingSafetyBoard/shbsb_triggers.htm.

²⁵ Nichols • Berman research on the National Historic Landmarks Program online database, January 8, 2003, <http://tps.cr.nps.gov/nhl>.

Stewards Association.²⁶ All National Historic Landmarks are listed on the National Register of historic places which is the official list of the Nation's historic properties worthy of preservation.²⁷ Benefits available for properties listed as National Historic Landmarks include limited federal grants through the Historic Preservation Fund and federal income tax incentives available for donating easements and for rehabilitating income-generating historic buildings.²⁸

National Register of Historic Places

Administered by the National Park Service, the National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. Properties listed on the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. There are a total of 25 properties within the unincorporated area of Sonoma County which are listed on the National Register.

Listing on the National Register contributes to preserving historic properties by giving the property owner eligibility for federal tax benefits and qualifying them for federal assistance for historic preservation when funds are available.²⁹ Properties listed only on the National Register, and not designated as National Historic Landmarks, are primarily of state and local significance, while Historic Landmarks are sites of national significance.³⁰

Federal Historic Preservation Tax Incentives Program

This program offers tax credits to owners who rehabilitate historic buildings in accordance with their historic character. The Tax Reform Act of 1976 created the first federal tax incentives for the preservation of historic buildings. It made historic preservation more competitive with new construction. The incentives contained in the law were modest – building owners were allowed to claim accelerated depreciation on rehabilitated buildings – but they made a difference immediately.

Subsequent changes in the law in 1978, 1981, and 1986 made the modest benefits of the 1976 law much more attractive to property owners. Under the current law, an owner who rehabilitates a historic

²⁶ *National Historic Landmarks Program*, homepage, January 8, 2003, <http://www.cr.nps.gov/nhl/>.

²⁷ *Frequently Asked Questions*, National Historic Landmarks Program website, January 8, 2003, <http://www.cr.nps.gov/nhl/QA.htm>.

²⁸ *Frequently Asked Questions*, National Historic Landmarks Program website, January 8, 2003, <http://www.cr.nps.gov/nhl/QA.htm>.

²⁹ *Welcome to the National Register*, National Register of Historic Places website, January 8, 2003, <http://www.cr.nps.gov/nr/about.htm>.

³⁰ *Frequently Asked Questions*, National Historic Landmarks Program website, January 8, 2003, <http://www.cr.nps.gov/nhl/QA.htm>.

building may qualify for a tax credit equal to 20 percent of the rehabilitation costs. Federal income tax credits lower the amount of federal income taxes owed by individual and corporate taxpayers.³¹

National Historic Preservation Act

Federal funding or licensing of activities that affect historic properties are regulated principally by Sections 106 and 110(f) of the National Historic Preservation Act. Under Sections 106 and 110(f) of the Act, federal agencies must "take into account" the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (Council) an opportunity to comment on the undertaking and its effects. Implementing regulations of the Council may be found in 36 CFR Part 800, *Protection of Historic Properties*, which establish a process of consultation with the State Historic Preservation Officer and the Council leading, in most instances, to agreement on how the undertaking will proceed. Steps in the process include identification and evaluation of historic properties that may be affected, assessment of the effects of the federal action, and resolution of any adverse effects that would occur. If a federal activity will "directly and adversely affect" a National Historic Landmark, Section 110(f) of the Act also calls for federal agencies to undertake "such planning and actions as may be necessary to minimize harm to such Landmark". As with Section 106, the agency must provide the Council with a reasonable opportunity to comment in accordance with 36 CFR Part 800.³²

Economic Recovery Act of 1981

The Economic Recovery Act of 1981 contains substantial tax incentives for the rehabilitation of historic buildings, including a 25 percent tax credit and full depreciation for commercial and multi-family residential properties. To qualify, a structure must be listed in the National Register or located in a Historic District.³³

Cultural Resources - Significance Criteria

According to the *State CEQA Guidelines*, the project would have a significant cultural resources impact if it would:³⁴

- Cause a substantial adverse change in the significance of a historical resource;
- Cause a substantial adverse change in the significance of an archaeological resource;

³¹ *Federal Tax Incentives for Rehabilitating Historic Buildings*, U.S. Department of the Interior, National Park Service, National Center for Cultural Resources.

³² *Frequently Asked Questions*, National Historic Landmarks Program website, January 8, 2003, <http://www.cr.nps.gov/nhl/QA.htm>.

³³ *Sonoma County Historic Preservation Program*, page 2, Sonoma County Landmarks Commission, October 1999 revision.

³⁴ This is an abbreviated discussion of significance criteria contained in section 15064.5 of the *CEQA Guidelines*.

- Disturb any human remains, including those interred outside of formal cemeteries; or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Cultural Resources – Impacts and Mitigation Measures

Impact 4.10-1 Historic Resources

Land uses and development consistent with the Draft GP 2020 could result in the disturbance of historic resources. This would be a significant impact. (S)

As shown in **Exhibit 4.10-1**, Sonoma County has historic sites that are designated on local, State, and national historical lists as well as undesignated potential historic resources. As land uses and development and redevelopment continue, the potential demolition, destruction, alteration, or relocation of historic resources may occur that could result in the disturbance of historic resources.

The *Draft GP 2020* includes several policies in the Open Space and Resource Conservation Element which if adopted and implemented would reduce adverse changes to historic resources resulting from implementation of the *Draft GP 2020*. Policies **ORSC-19a** through **ORSC-19e** would reduce impacts to historic resources by designating the Landmarks Commission, the foundation of the Sonoma County Historic Preservation Program, as the advisory body on decisions governing projects within the Historic Combining District (HD) zoning designation. These policies direct the Landmarks Commission to review projects, encourage the designation of landmarks, recommend structures based on identification and review of Historic Building Surveys as potential county landmarks, continually update historic resource inventories, and mitigate the removal, destruction, or alteration of an identified historic resource.

The *Draft GP 2020* also contains policies vital to the long-term success of the Historic Preservation Program. Implementation of Policy **ORSC-19h** would result in the continued pursuit of grant funding for the preparation and updating of the historic resources inventory. Policy **ORSC-19i** would reduce impacts to historic resources through a Landmarks Commission administered preservation program designed to stabilize, rehabilitate, and restore designated historic structures.

The *Draft GP 2020* proposes no changes to historical preservation policies contained in the existing *General Plan* or to the role of the Landmarks Commission. Specifically, the Landmarks Commission currently has review and approval authority over all exterior alteration, repair, and addition to or demolition of a structure, on a site zoned HD. Additionally, any new building constructed within the boundaries of a historic district requires approval of the commission and must comply with adopted architectural design standards.³⁵ These standards would continue to promote architectural and aesthetic consistency of new development with existing historic structures and ensure preservation of buildings already protected as historic resources.

With respect to undesignated historic resources, because the County ordinance only deals with sites that are zoned HD (about 400 sites), a building or other ministerial permit affecting such a resource

³⁵ *Standards and Criteria for Architectural Review*, Sonoma County Landmarks Commission, 1979.

would not be subject to review by the Landmarks Commission. However, the County does maintain an inventory of approximately 1,000 sites that have had some level of survey work performed and qualify as historic resources even though they are not zoned HD. The inventory list is consulted during the environmental review process for discretionary projects subject to CEQA. If the inventory list or other source of information provides any indication that a historic resource would be located on the project site, the applicant may be required to perform a survey and, if necessary, to protect the historic resource. While some protection would be afforded to undesignated historic resources, impacts to undesignated historic resources may be significant. Therefore, the following mitigation would be required.

Mitigation Measure 4.10-1 Add a new policy in the Open Space and Resources Conservation Element as follows:

Policy OSRC-19j Develop a Historic Resources Protection Program that provides for an ongoing process of updating the inventory of historic resources. Such a program should include:

- (1) Periodic historic building surveys;
- (2) Formalized recognition of the inventory of historic resources as recommended by the State Office of Historic Preservation, including, rezoning to the Historic Combining District (HD); and
- (3) Procedures for the protection of recognized historic resources for both ministerial and discretionary permits.

Significance After Mitigation Implementation of Mitigation Measure 4.10-1 would reduce the impact to undesignated historic resources to a less-than-significant level. **(LTS)**

Responsibility and Monitoring The Board of Supervisors would be responsible for adopting the above policy as part of the *GP 2020*. The PRMD would be responsible for monitoring the implementation of this program.

Impact 4.10-2 Archeological and Paleontological Resources and Human Remains

Land uses and development consistent with the Draft GP 2020 could result in the disturbance of subsurface archeological and paleontological resources as well as human remains, including those interred outside of formal cemeteries. This would be a significant impact. (S)

As previously described, Sonoma County has a rich archeological and paleontological history with numerous recorded sites throughout the nine planning areas. These resources, which include deposits and remains left by local Native Americans and other early inhabitants, represent an important part of the history of Sonoma County and the Native American community. Without proper regulations and monitoring, excavation and grading activities resulting from land use activities consistent with the *Draft GP 2020* could result in the significant disturbance of an archaeological resource (e.g., the loss of integrity or information), the disturbance of human remains, or the destruction of a unique paleontological resource. Such alteration of cultural resources may prevent potentially eligible sites from being listed on the California Register of Historical Resources.

Policy **ORSC-19f** would continue to reduce these impacts to cultural resources from some proposed development by referring project applications to the Northwest Information Center (NWIC) for

discretionary permits in order to determine if the site might contain archeological resources. If, based on the initial consultation, a site is likely to contain these resources; the NWIC recommends additional field surveys and protective mitigation measures.

Accordingly, the PRMD typically follows the following procedures to reduce the degradation of cultural and paleontological deposits.³⁶ As described in Policy **OSRC-19f**, a referral is sent to the NWIC for new discretionary development proposals. If the NWIC responds with a request for an archeological or paleontological survey, the PRMD generally requires it from the project applicant before proceeding with the environmental review. When the survey is prepared, the archaeologist and / or paleontologist typically include a recommendation that, in the event resources are discovered during ground disturbance, work is to stop, an archaeologist and / or paleontologist consulted, and their recommendations followed. Occasionally, the NWIC might not request such a study but would recommend this same condition (i.e., work stoppage in the event resources are discovered).

If the NWIC does not respond to a referral, there may be no mitigation to protect previously unidentified archeological and / or paleontological resources that are found during ground disturbing activities. As a result, future ground disturbing activities may result in the loss of integrity and information of previously unidentified, buried, or otherwise obscured archaeological and paleontological deposits. In addition, ministerial projects (e.g., agricultural cultivation, single family dwellings on existing lots, or land use activities not subject to permit requirements) would not be subject to these review procedures. Conduct of these uses could disturb remains or archeological and paleontological resources.

Therefore, substantial disturbance of archaeological resources, human remains, or unique paleontological resources from ground disturbing activities resulting from implementation of the *Draft GP 2020* would be a significant impact.

Mitigation Measure 4.10-2 Add new policy to the Open Space and Resource Conservation Element in order to develop and adopt a countywide program for the protection of archeological and paleontological resources. This program would provide guidelines for land uses on parcels identified by the Northwest Information Center (NWIC) as likely to contain human remains or archeological and paleontological resources.

Policy OSRC-19k: Develop an archeological and paleontological resource protection program that provides:

- (1) Guidelines for land uses and development on parcels identified as containing such resources;
- (2) Standard project review procedures for protection of such resources when discovered during excavation and site disturbance; and
- (3) Educational materials for the general public on the identification and protection of such resources.

³⁶ Nichols • Berman communication with Kathi Jacobs, Planner III, Sonoma County PRMD, February 2005.

Significance After Mitigation While implementation of Mitigation Measure 4.10-2 would reduce the *Draft GP 2020* impact on human remains and archeological and paleontological resources, it would not do so to a less-than-significant level. This would be a significant unavoidable impact. (SU)

Responsibility and Monitoring The Board of Supervisors would be responsible for adopting the above policy as part of the *GP 2020*. The PRMD would be responsible for monitoring the implementation of this program.