

Section 10.6 Cultural Resources

10.6.1 Purpose

This is the Cultural Resources subsection of the Conservation and Open Space Element. It includes policies to protect cultural heritage, including historic, prehistoric, and architectural resources.

10.6.2 Background

Cultural resources are elements of cultural heritage. From a land use perspective, important cultural resources include archaeological sites, historic architecture, industrial relics, artifacts, cultural landscapes, spiritual places, and historic districts. These elements provide traces of Humboldt County's rich history and add to the unique character and identity of the county.

The importance of history to local residents can be seen in the activities of the 3,700 member Humboldt County Historical Society, the architectural preservation efforts of numerous local homeowners, and the many celebrations and expressions of Native American cultural heritage. The educational, social, and economic benefits of historic preservation to the county are tremendous; protecting outstanding cultural resources and the legacy they represent is a priority of this Plan.

Resource Inventories

Over one thousand sites of cultural significance have been surveyed and officially designated as cultural resources in Humboldt County. The participation of state and federal historic registration programs include 13 sites as California Historical Landmarks, 16 sites included on the National Register of Historic Places, 58 sites as California Historical Resources, and nearly 700 sites as historical and prehistoric archeological sites. Many of these sites, as well as numerous unlisted sites, are of cultural and religious significance for Native American populations. Any scientific archeological interest in such sites must be respectful of the cultural and religious significance they may hold.

Site Preservation

Protection of cultural resources has become recognized as a vital part of planning and environmental assessment. The passage of the National Environmental Policy Act of 1969 (NEPA), the California Environmental Quality Act (CEQA), the California Public Resources Code (commencing with Section 5097.5), and the establishment of the Scenic Highways Element in 1971 (California Government Code Section 65302(h)) all speak to the importance of protecting and preserving these essential resources.

Both NEPA and CEQA provide environmental policy guidance to preserve important aspects of our cultural legacy. Section 101(b)(4) of NEPA stresses the preservation of important historic, cultural, and natural aspects of our national heritage. Similarly,

Section 21001(b) of CEQA states that it is a California policy to "take all action necessary to provide the people of this state with... enjoyment of aesthetic, natural, scenic, and historic environmental qualities."

The protection of the cultural environment in general and heritage resources in particular is also given priority in the California Public Resources Code. Sections 5097.9 et seq. provide protection from damage to Native American historic, cultural, or sacred sites and features, artifacts, and objects. Moreover, California Government Code Sections 65351 et seq. provide for public involvement and required consultation with Native American tribes during the preparation of a general plan for purpose of preserving or mitigating impacts to California Native American cultural places.

The County's Board of Supervisors established a policy in 1971 to evaluate archeological sites not only for their scientific value, but also for their importance to the Native American community (Resolution No. 71-14.1). The County currently maintains an agreement with the North Coastal Information Center (a Yurok tribal facility in Klamath, California) to review development proposals to assess any potential impact to culturally sensitive areas. The County also refers development proposals to local tribes within their defined area of interest for review and recommendation.

In addition to the need to preserve important archeological finds, there is a need to protect paleontological resources from loss or destruction. Whereas archeological resources provide a link with the people of the past, paleontological resources tell us about prehistoric life from past geologic time periods. Protection of these resources is required by law and can lead to valuable scientific information.

In addition to numerous sites of archeological or paleontological significance in the county, there are many other sites of historic worth. For example, sites may be significant for their architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural value. Judgment of significance and the need for protection is straightforward if a site is eligible for, or listed in, state or federal historic registration programs. Determining significance and the need for protection of uncataloged sites must be assessed on a case-by-case basis to avoid adverse change in the significance of a historical resource. Determination can require cultural resource studies prepared by historians with professional qualifications to inform the judgment of decision makers.

10.6.3 Goals and Policies

Goal

CU-G1. Protection and Enhancement of Cultural Resources. Protected cultural resources providing significant historic, scientific, educational, social, and economic contributions to present and future generations.

Policies

CU-P1. Identification and Protection. Cultural resources shall be identified during ministerial and discretionary permit review, assessed as to significance, and if found to be significant, protected from deterioration, loss, or destruction.

CU-P2. Consultation. Tribal organizations, historical organizations, and applicable agencies shall be consulted during discretionary project review, zone

reclassifications, and Plan amendments for the identification and protection of cultural resources. Consultation on ministerial permits shall be initiated if it has been determined the project may create a substantial adverse change in the significance of a historical resource.

- CU-P3. Avoid Loss or Degradation.** Projects located in areas found to have cultural resources shall be conditioned and designed to avoid loss or substantial degradation of these resources.
- CU-P4. Findings.** Cultural resources shall not be knowingly destroyed or lost through a ministerial or discretionary action unless:
- A. The site or resource has been found to be of insignificant value by representatives of the cultural resources community and relevant experts; or
 - B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.
- CU-P5. Mitigation.** Mitigation measures shall be required where new development would adversely impact cultural resources.

10.6.4 Standards

- CU-S1. Cultural Resources.** Cultural resources include, but are not limited to, any object, building, structure, site, area, or place that is culturally, historically, or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of Humboldt County. Sites, resources, or structures placed in federal, state, or local historic registration programs shall also be recognized as historical resources. Cultural resources also include cultural places, as defined by California Public Resources Code Sections 5097.9 and 5097.993, including any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine or any Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources, including any historic or prehistoric ruins, any burial ground, and any archeological or historic site.
- CU-S2. Confidentiality.** The exact location of archeological, paleontological, and grave sites shall not be publicly identified in order to prevent the possibility of theft or vandalism.
- CU-S3. Tribal Organizations, Historical Organizations, and Applicable Agencies.** Tribal organizations, historical organizations, and applicable agencies, include, but are not be limited to, tribal governments, the Humboldt County Historical Society, North Coastal Information Center, California Archeological Site Survey at Sonoma State University, Humboldt County Public Works and the Planning Division, the California State Office of Historic Preservation, and other Native American groups and affected citizens.
- CU-S4. Conditioning, Designing, or Mitigating Projects to Avoid Loss.** Conditioning, designing, or mitigating projects to avoid loss of cultural resources in general,

but archeological or paleontological resources in particular, shall include, where applicable:

- A. Change building and construction sites and/or road locations to avoid sensitive areas; or
- B. Provide protective cover for sites that cannot be avoided; or
- C. Provide for removal or transfer of culturally significant material by a cultural heritage specialist, professional archeologist, or geologist where appropriate and with the approval of all parties concerned.

CU-S5. Assessment of Impacts. A cultural resources study prepared by a professional who meets the U.S. Secretary of the Interior's professional qualification guidelines (36 Code of Federal Regulations Part 61 as amended) may be required during environmental assessment to determine the presence, extent, and condition of cultural resources and the likely impact upon such resources.

10.6.5 Implementation Measures

CU-IM1. Review Existing Protections. Review existing ordinances and guidelines and make necessary amendments to assure the protection of cultural resources.

CU-IM2. Implementation Guidelines. Adopt implementation guidelines for cultural heritage, archeological, or paleontological resources and for historic resources.

CU-IM3. Historical Registration. Encourage and actively support federal, state, and local historical registration programs.

CU-IM4. Historic Building Code. Promote the use of the Historic Building Code of the State of California for historical sites.

CU-IM5. Historic Building Identification. Establish and maintain a system for identifying historic properties.