

3.11 Cultural Resources

This section presents the environmental setting and assesses the impacts on cultural resources in the Lemoore Planning Area from implementation of the proposed General Plan. The lands encompassed by the Planning Area have a long and rich history of human inhabitation, supported by archeological evidence of prehistoric cultures and a small inventory of historic buildings. The existence of both archaeologically sensitive areas and historic buildings in Lemoore requires the need for policies that preserve such aspects of the City's heritage. Paleontological resources are also discussed in this section.

ENVIRONMENTAL SETTING

Cultural resources are defined as prehistoric and historic sites, structures, and districts, or any other physical evidence associated with human activity considered important to a culture, a subculture, or a community for scientific, traditional, religious, or any other reason. For analysis purposes, cultural resources may be categorized into three groups: archaeological resources, historic resources, and contemporary Native American resources.

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

Historic resources are standing structures of historic or aesthetic significance. Architectural sites dating from the Spanish Period (1529-1822) through the early years of the Depression (1929-1930) are generally considered for protection if they are determined to be historically or architecturally significant. Post-depression sites may also be considered for protection if they could gain significance in the future. Historic resources are often associated with archaeological deposits of the same age.

Contemporary Native American resources, also called ethnographic resources, can include archaeological resources, rock art, and the prominent topographical areas, features, habitats, plants, animals, and minerals that contemporary Native Americans value and consider essential for the preservation of their traditional values.

PHYSICAL SETTING

Lemoore is in an area known to have been the home of the Tachi tribe of the Yokuts. The Tachi Yokuts lived north of Tulare Lake and westward to the hills near Coalinga. Archaeological evidence indicates that the historic Native American people were “the last in a series of hunting or hunting-gathering populations” to live in the Tulare Lake region (Wallace, 1991). Artifacts collected from archaeological sites in the vicinity of the lake, primarily along a former (lower) lake shoreline, include over 325 Clovis-type lithic projectile points (Stepp, 1997). Clovis points are typically considered index fossils of an early North American stone tool technology developed 11,000 to 13,000 years ago. Therefore, human occupation of the Tulare Lake margin probably began more than 10,000 years ago.

Prehistoric Resource Sites

A review of the Lemoore Planning Area conducted by the Southern San Joaquin Valley Archaeological Information Center (SSJVAIC) at California State University in Bakersfield revealed ten archaeological sites listed with the California Historical Resources Information System (CHRIS). Of those, there are five habitation sites with human burials, two of which are completely destroyed--one is being systematically destroyed while the other is destroyed on the surface only. There is one habitation site with no human burials but which contained many artifacts collected by the landowner.

Historic Context

In 1871 Dr. Lovern Lee Moore moved to what was western Tulare County, which is now the City of Lemoore. It was near Tulare Lake, then the largest body of water in central California. This was a vast stretch of virgin land on which sheep, horses and wild animals had grazed but had never been cultivated. Many individual farms were built in the area as the soil was rich and productive. The water level was unusually high, so wells were easy to dig and water was plentiful for irrigation. Sheep and grain crops were principal concerns of farmers in the area.

The pioneers were somewhat isolated. The Grangeville settlement, six miles to the northeast by horse, was the closest place to get mail or newspapers. It was even farther to Kingston for other supplies. So, in 1872 Dr. Moore took the first steps to organize a community. He surveyed a 10-acre subdivision immediately west of the present Lemoore High School. By August 1872 he had established the first real estate development in this district and had laid out and named the streets after other pioneer families. In the summer of 1872 land auctions were held and lots went to the highest bidder. Dr. Moore's home was believed to be situated where the grammar school playground on Bush Street is now located.

The year 1872 was a busy one for the local residents. In addition to sales at the subdivision and new street development, new buildings for homes and businesses began to arise. This was the start of a real community, but it still lacked a school, a definitely accepted name, and a post office. All these developed in 1873. Dr. Moore had presented a signed petition to the U.S. Post Office Department in distant Washington for a post office in the new town in 1872, but his petition was not granted until 1873. The U.S. Post Office combined the founder's name by omitting one letter "e" and called the new post office Lemoore after Lee Moore. In that way, the new community received its name.

The railroad came to what is now Kings County in 1877, and a rail line was built through Lemoore, parallel to Front Street, now called E Street. This re-directed the business growth of the town toward the railroad station. E (Front Street) and D Streets became the main business avenues of the community.

The railroad also turned Lemoore into an important shipping point for wheat and wool, and fruit. By 1883 the town had a flouring mill with 200 barrels daily capacity. However, fires limited the overall growth during this early period.

Historic Resources Sites

The City of Lemoore is a classic example of late 19th and early 20th-century Central Valley railroad town, particularly notable for its high school south of Downtown, and its tall, wooden mill east of Downtown.

According to SSJVAIC at California State University Bakersfield, there are currently no buildings or structures listed in the National Register of Historic Places or as California Historic Landmarks. However, the Lemoore Canal is likely eligible for listing on the National Register of Historic Places. The Canal, previously known as the Lower Kings River Ditch, was the first irrigation system to be constructed in what is now Kings County (then Tulare County), and continues to play a critical role in the agricultural development of the County.

There are 37 historic building and structures that are listed by the City of Lemoore as having historical significance. Lemoore's historic resources are illustrated in **Figure 3.11-1** and listed in more detail in **Table 3.11-1**. Many of these local historic sites are located within the downtown district, bounded by railroad tracks to the north, Lemoore Avenue to the east, C Street to the south, and Hill Street to the west. The City's historic buildings reflect its changing role through time as a center of agriculture and commerce.

Paleontological Resources

Paleontological resources are the mineralized (fossilized) remains of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and leaves are found in geologic deposits (rock formations) where they were originally buried. Fossil remains are important as they provide indicators of the Earth's chronology and history. These limited and nonrenewable resources provide invaluable scientific and educational data, and are afforded protection under CEQA. The University of California Museum of Paleontology lists 751 sites where fossils have been found in Kings County.¹

¹ University of California Museum of Paleontology Website: <http://ucmpdb.berkeley.edu/cgi>. June 7, 2007.

Table 3.11-1 Locally Designated Buildings of Historic Significance

<i>Map No.</i>	<i>Name</i>	<i>Year Built</i>
1	1st National Bank Building	1914
2	3-span Wood Bridge	1910
3	4-span Wood Bridge - Lemoore canal	1940
4	Aaron S. Mooney Mercantile	1910
5	Antler Hotel/ Belnaps Saloon	1908
6	Brownstone's Store	-
7	Byron House	1905
8	City Hall	1924
9	Civic Auditorium	1943
10	Day	1904
11	Doc Bill Byron House	1910
12	Doctor Yates House	1912
13	Eagles Fraternal Hall	1920
14	Fire Department Historical Display (Model T Ford)	1917
15	Fox and "D" Building	-
16	Fox Family House	1938
17	Hi Clawsen Home	1916
18	Historic Front Street ("E" Street)	-
19	G.B. Chinn Home	1916
20	Judge Henley Home	1904
21	L.S. Stepp Store	1920
22	L.S. Stepp/ Advance Building	1920
23	Lemoore City Park	-
24	Lemoore High School	1924
25	Lucerne Hotel	1895
26	Charles (Lemoore's first Mayor) and Hattie Bailey Home	1923
27	Meyer's Ranch House (Transitional Home)	1898
28	Midtown Market	1960s
29	Mrs. Fox/ Machado	1938
30	Oak Rooms Hotel/ Ruby's	1894
31	Odd Fellows Hall	1904
32	Sarah A. Mooney Museum	1893
33	Site of Lemoore Opera House	1889
34	St. Peter's Catholic Church	1912
35	Stanley Home	1915
36	United Presbyterian Church	1932
37	Veterans Memorial	1919

Source: Southern San Joaquin Valley Archeological Information Center, 2006; City of Lemoore, 2006.

Chapter 3: Settings, Impacts, and Mitigation Measures



Note: Wooden railroad bridges east and west of downtown not shown on map.



Figure 3-11-1
Cultural and Historic Resources

Source: City of Lemoore, 2006.

REGULATORY SETTING

Federal Regulations

The National Historic Preservation Act (NHPA) is the most prominent federal law dealing with historic preservation. The NHPA established guidelines to “preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice.” The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. All projects that are subject to the National Environmental Policy Act (NEPA) are also subject to compliance with Section 106 of the NHPA. At the federal level, the Office of Historic Preservation (OHP) carries out reviews under Section 106 of the NHPA. Additionally, the NHPA authorizes the Secretary of the Interior to establish a National Register of Historic Places (The National Register), an inventory of districts, sites, buildings, structures, and objects significant on a national, State, or local level in American history, architecture, archeology, engineering, and culture. The National Register is maintained by the National Park Service, the Advisory Council on Historic Preservation, State Offices of Historic Preservation, and grants-in-aid programs.

State Regulations

In the State of California, the process of reviewing projects and decisions that may impact cultural resources, including historic, archaeological, and paleontological resources, is conducted under several different federal, State, and local laws. CEQA requires that public agencies consider the effects of their actions on historical resources eligible for listing on the California Register of Historical Resources. Additionally, California Public Resources Code 5024 requires consultation with OHP when a project may impact historical resources located on State-owned land. California State law (SB 18) 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”).

CEQA Guidelines. Section 15064.5 of the CEQA Guidelines further defines criteria for determining the significance of impacts on archaeological and historic resources. Section 15064.5 provides that, in general, a resource not listed on state or local registers of historical resources shall be considered by an agency to be historically significant if the resource meets the criteria for listing on the California Register of Historical Resources.

CEQA guidelines define three ways that a property can qualify as a significant historical resource for the purposes of CEQA review: (1) if the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR); (2) if the resource is included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code, or is identified as significant in a historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code unless a preponderance of evidence demonstrates that it is not historically or culturally significant; or (3) if the lead agency determines the resource to be significant as supported by substantial evidence (California Code of Regulations, Title 14, Division 6, Chapter 3, section 15064.5).

For a historical resource to be eligible for listing on the CRHR, it must be significant at the local, state, or national level under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. It is associated with the lives of persons important in our past;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual or possesses high artistic values; or
4. It has yielded, or may be likely to yield, information important in prehistory or history.

Historical resources automatically listed in the CRHR include those historic properties listed in, or formally determined eligible for listing in, the NRHP (PRC Section 5024.1).

Section 15126.4 of the CEQA Guidelines states that "Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resources of an archeological nature." The guidelines further state that preservation in place is the preferred approach to mitigating impacts on archaeological resources. However, according to Section 15126.4, if data recovery through excavation is "the only feasible mitigation," then a "data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resources, shall be prepared and adopted prior to any excavation being undertaken."

Data recovery is not required for a resource of an archaeological nature if "the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource.

The section further states that its provisions apply to those archaeological resources that also qualify as historic resources.

California Register of Historic Resources (CRHR). California State law also provides for the protection of cultural resources by requiring evaluations of prehistoric and historic resources identified in CEQA documents. Under CEQA, a cultural resource is considered an important historical resource if it meets any of the criteria found in Section 15064.5(a) of the CEQA Guidelines. Criteria identified in the CEQA Guidelines are similar to those described under the NHPA. The State Historic Preservation Office (SHPO) maintains the CRHR. Historic properties listed, or formally designated for eligibility to be listed, on The National Register are automatically listed on the CRHR. State Landmarks and Points of Interest are also automatically listed. The CRHR can also include properties designated under local preservation ordinances or identified through local historical resource surveys.

Health and Safety Code, Section 7050.5. Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California

Native American Heritage Commission (NAHC). CEQA Guidelines (Public Resources Code Section 5097) specify the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

Native American Heritage Commission. Additional state regulations include the Native American Heritage Act (NAHA) of 1976, which established the Native American Heritage Commission (NAHC) and protects Native American religious values on state property (see California Public Resources Code 5097.9). In accordance with the Tribal Consultation Guidelines and SB 18, government to government consultation between local governments and Native American tribes prior to the adoption or amendment of a general plan is required. The Lead agency is required to request consultation with responsible and trustee agencies, such as NAHC, during initial study and EIR process (PRC 21080.3, 21080.4). The NAHC has jurisdiction with regard to treatment and disposition of human remains (PRC 5097.94, 5097.98).

California Historical Resources Information System. The California Historical Resources Information System (CHRIS) is a statewide system for managing information on the full range of historical resources identified in California. CHRIS is a cooperative partnership between the citizens of California, historic preservation professionals, twelve Information Centers, and various agencies. This system bears the following responsibilities: integrate newly recorded sites and information on known resources into the California Historical Resources Inventory; furnish information on known resources and surveys to governments, institutions, and individuals who have a justifiable need to know; and supply a list of consultants who are qualified to do work within their area.

Typically, the initial step in addressing cultural resources in the project review process involves contacting the appropriate Information Center to conduct a record search. A record search should identify any previously recorded historical resources and previous archaeological studies within the project area, as well as provide recommendations for further work, if necessary. Depending on the nature and location of the project, the project proponent or lead agency may be required to contact appropriate Native American representatives to aid in the identification of traditional cultural properties.

If known cultural resources are present within the proposed project area, or if the area has not been previously investigated for the presence of such resources, the Information Center may recommend a survey for historical, archaeological and paleontological sites. Cultural resources that may be adversely affected by an undertaking should be evaluated for significance. For archaeological sites, a significance evaluation typically involves conducting test excavations. For historical sites or standing structures, historical research should be conducted and an architectural evaluation may be warranted. If significant, the resource should be protected from adverse impacts. Data recovery excavations may be warranted in the case of unavoidable damage to archaeological sites. If human burials are present, the appropriate Coroner's office should be contacted. A professional archaeologist and appropriate Native American representatives should also be consulted.

When an initial study identifies the existence, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native

Americans as identified by the Native American Heritage Commission as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

IMPACT ANALYSIS

SIGNIFICANCE CRITERIA

Implementation of the proposed General Plan would have a potentially significant impact if it would:

- Change substantially the significance of a historical resource, defined as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historic resource would be materially impaired;
- Change substantially the significance of an archaeological resource;
- Destroy, directly or indirectly, a unique paleontological resource or unique geological feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 of the CEQA Guidelines further defines criteria for determining the significance of impacts on archaeological and historic resources. Section 15064.5 provides that, in general, a resource not listed on state or local registers of historical resources shall be considered by an agency to be historically significant if the resource meets the criteria for listing on the California Register of Historical Resources. The section also provides standards for determining what constitutes a "substantial adverse change" that must be considered a significant impact on a historic resource. The section states further that its provisions apply to those archaeological resources that also qualify as historic resources.

METHODOLOGY AND ASSUMPTIONS

A complete records search was conducted by the SSJVAIC at California State University in Bakersfield, which reviewed the State of California Office of Historic Preservation records, base maps, historic maps, and literature for Kings County.

The Native American Heritage Commission (NAHC) was contacted in May 2006 and August 2007 and was asked to review its sacred lands file and provide a list of Native American representatives potentially interested in the Planning Area. Letters briefly describing the General Plan update, including a map of the Planning Area, were sent to three Native American representatives. The letters requested that the representatives provide comments and express any concerns about the project. To date, no comments or concerns have been received. The representative from the Table Mountain Rancheria tribe indicated that the City of Lemoore is beyond their area of interest. A record of the correspondence associated with tribal consultation is provided as Appendix F.

Because this EIR is a Program EIR on a general plan, site-specific analysis of potential impacts on cultural, historical, and paleontological resources is not appropriate. Instead, this analysis identifies the type and magnitude of impacts that may result from the proposed General Plan as a whole.

SUMMARY OF IMPACTS

One impact that may occur is the disturbance of cultural resources during development subsequent to the adoption of the General Plan. Specific projects are required by Plan policy to conduct supplemental environmental analysis in line with CEQA requirements prior to construction.

The NAHC has stated that a records search failed to indicate the presence of Native American cultural resources in the Planning Area.

According to the SSJVAIC at California State University in Bakersfield, the Lemoore Planning Area is considered highly sensitive due to the number of recorded cultural resources. It can be assumed that there is a probability of uncovering and identifying additional archaeological deposits. Existing national, state and local laws as well as policies in the proposed General Plan reduce these potential impacts on historic and archaeological resources to less than significant levels.

Paleontological resources have been documented in the Lemoore region. As such, there is a likelihood of encountering or damaging unidentified fossils during construction of new development. Since fossils are considered to be nonrenewable resources, such impacts would be considered significant.

IMPACTS AND MITIGATION MEASURES

Impact

3.11-1 New development under the proposed General Plan has the potential to adversely affect historic resources that appear on National or State historical or archaeological inventories or may be eligible for inclusion on such lists. (*Less than Significant*)

Most of the City's historic resources are located in proximity to the Downtown District, in an area bounded by the railroad, C Street, Lemoore Avenue and Hill Street. While registered historic sites are protected by State law, downtown intensification could potentially threaten additional historic structures not yet registered or deemed eligible for the National Register of Historic Places, but which are sites of local importance. Subsequent project-related demolition or alteration of historic buildings or structures or their immediate surroundings could impair the significance of a historic resource or adversely alter its physical characteristics. Proposed General Plan policies, such as CD-I-3, which calls for coordination with the Lemoore Canal and Irrigation Company and other canal companies to retain open canals and restore the Lemoore Canal to its natural appearance, and CD-I-24 which requires site and building design be consistent with

Downtown's historic character, would ensure any impacts to historical resources are less than significant.

Proposed General Plan Policies that Reduce the Impact

The following proposed General Plan policies would ensure protection of these sites of local historical importance and overall character by requiring new development downtown to be compatible with existing historic character. Implementation of the following policies will mitigate any potentially significant adverse impacts below the level of significance.

LU-I-31 Promote the rehabilitation of historic structures in the Downtown in order to preserve the historic identity of the City for future generations.

COS-I-32 Establish an inventory of historical buildings in Lemoore, including schools, churches, commercial buildings, public buildings, and residential buildings.

A historic preservation checklist is the primary planning tool used to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. The checklist may include items to determine a building's architectural significance, age, historic importance, structural integrity, cost of restoration and other attributes. The inventories generated from these survey activities form an important component in local preservation programs, and ultimately contribute to local knowledge of historical resources.

COS-I-33 Require that new development analyze and avoid potential impacts to archaeological, paleontological, and historic resources by:

- Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
- Determining the potential effects of development and construction on archeological or paleontological resources (as required by CEQA);
- Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity; and
- Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

In the event that historical, archaeological, or paleontological resources are accidentally discovered during construction, grading activity in the immediate area shall cease and materials and their surroundings shall not be altered or collected. A qualified archaeologist or paleontologist must make an immediate evaluation and avoidance measures or appropriate mitigation should be completed, according to CEQA Guidelines. The State Office of Historic Preservation has issued recommendations for the preparation of Archeological Resource Management Reports that will be used as guidelines.

- COS-I-35 Provide technical assistance with the registration of historic sites, buildings, and structures in the National Register of Historic Places, and inclusion in the California Inventory of Historic Resources.
- COS-I-36 Adopt a Landmarks and Historic Preservation District Overlay Zone or Ordinance to preserve all City, State, and federally-designated historic sites and structures to the maximum extent feasible.
- COS-I-37 Establish an interim design review process for proposed demolitions and exterior alterations and additions to non-residential buildings that are more than 75 years old. The Planning Commission will be the review authority, with their decisions subject to appeal to the City Council. Criteria to be considered in approving or conditionally approving the proposed change will include:
- *For proposed alterations and additions:* The project design is compatible with Secretary of the Interior Standards for the Treatment of Historic Properties and with the Downtown Revitalization Plan; and
 - *For proposed demolitions:* The applicant has demonstrated that the existing use can not generate a reasonable rate of return; the existing building constitutes a hazard to public safety and is economically infeasible to rehabilitate, the design quality of the replacement building will be superior to the existing building and will be compatible with adjacent buildings and the character of Downtown Lemoore, or the proposed demolition or removal is necessary to allow a project that will have public benefits outweighing the public benefits of retaining the existing building.
- This process will be in place until the inventory of potential landmarks and historic buildings is completed and zoning for Landmarks and Historic Districts is adopted.*
- CD-I-3 Work with the Lemoore Canal and Irrigation Company and other canal companies to retain open canals and restore the Lemoore Canal to its natural appearance, and study the possibility of providing a bicycle trail along the canal.
- The Lemoore Canal historically has formed the eastern edge of the City and is an important landmark of Lemoore. However, annual dredging activity by the Lemoore Canal and Irrigation Company and a fence erected along its length prevent public enjoyment of this natural resource. To accomplish this policy, the City will need to revise their contract with the Lemoore Canal Company which requires the undergrounding of all canals as development takes place. Where undergrounding of a canal is required to accommodate development, the City will strive for trail access.*
- CD-I-4 Maintain scenic vistas to the Coalinga Mountains, other natural features, and landmark buildings.
- CD-I-24 Require site and building design be consistent with Downtown’s historic character:

- *Design*: All new and renovated buildings must follow the traditional design patterns found along D Street, with large window openings on the lower floor for retail, and regularly spaced windows in upper floors.
- *Massing*: Buildings must follow the rhythm of bays found in the district, each spaced approximately 20 to 30 feet apart.
- *Setbacks*: Buildings must be built to the property line to create a uniform edge and a continued pedestrian path. They may include recessed entry doors.
- *Access*: All new buildings must be orientated to face primary streets and be accessible by a pedestrian entry. Access for loading and unloading may be via the rear of the building only.
- *Corners*: Vertical volumes and changes in height to break up long facades are encouraged at corners. Corner buildings may be provided with special architectural features, including but not limited to: Larger towers, gables, and turrets, a rounded or angled facet, pilasters, overhangs, a corner entrance, corner arcades, or street furniture.
- *Landscaping*: Visible setbacks must be paved or landscaped, and parking lot landscaping will require canopy shade trees.

Overall, current federal, State and local laws as well as policies summarized above would reduce these impacts on historic resources to levels that are less than significant. No additional mitigation is needed.

Impact

3.11-2 New development within the Planning Area has the potential to disrupt undiscovered archaeological resources and human remains. (*Less than Significant*)

A records search revealed ten recorded archaeological sites within the Lemoore Planning Area. As indicated earlier, of the ten sites, there are five habitation sites with human burials. Two of those are completely destroyed. The remaining habitation site contains artifacts but no human burials.

According to the SSJVAIC, the Lemoore region is highly sensitive, and there is a high possibility of uncovering and identifying additional archaeological resources in the Planning Area. While project-specific studies will be necessary to determine the actual potential for significant impacts on archaeological resources resulting from the implementation of the proposed General Plan, some general impacts can be identified based on the probable locations of new development in the Planning Area and known geographic features near which prehistoric resources are most likely to be located. Projects in the vicinity of ridgelines, midslope terraces, alluvial flats, ecotones, and sources of water have the greatest possibility of encountering a prehistoric archaeological resource. Therefore, new development occurring outside of existing urban areas may adversely affect archaeological resources during ground preparation or other construction activities.

Pursuant to CEQA Guidelines 15064.5(f), if potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction,

or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Kings County and other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and locational information to the California Historical Resources Information Center office (Southern San Joaquin Valley Archaeological Information Center). The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, the Planning Department staff shall be notified and a data recovery plan shall be prepared.

All future development in the Planning Area will be in accordance with State laws pertaining to the discovery of human remains. Accordingly, if human remains of Native American origin are discovered during project construction, the developer and/or the Planning Department would be required to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (PRC Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- a. The Kings County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- b. If the remains are of Native American origin,
 - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98; or
 - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

Proposed General Plan Policies that Reduce the Impact

Overall, current federal, state and local laws as well as policies summarized above under Impact 3.11-1 would reduce these impacts on archaeological resources to less-than-significant levels. No additional mitigation is needed.

Impact

3.11-3 Implementation of the proposed General Plan could adversely affect unidentified paleontological resources. (*Less than Significant*)

The University of California Museum of Paleontology lists 751 localities where fossils have been found in Kings County. At least one of these localities is documented to be in the Planning Area and others can be assumed. Therefore, there is the potential to encounter unidentified fossils during construction of new development. Since fossils are considered to be nonrenewable resources, such impacts would be considered significant. Adverse impacts on paleontological resources could occur when earthwork activities such as mass excavation on geological formations or below the soil layer, which is generally six feet deep. These impacts are in the form of physical destruction of fossil remains. The proposed Plan which requires new development to analyze and avoid any potential impacts on paleontological resources by requiring CEQA review on a project-by-project basis and appropriate mitigation measures, such as on-site evaluation and possible fossil recovery in the event fossils are discovered, would reduce the potential of adverse impacts on paleontological resources.

Proposed General Plan Policies that Reduce the Impact

COS-I-34 If, prior to grading or construction activity, an area is determined to be sensitive for paleontological resources, retain a qualified paleontologist to recommend appropriate actions. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources.

Overall, current federal, State and local laws as well as policies summarized above and under Impact 3.11-1 would reduce these impacts on paleontological resources to less than significant levels.

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