Cultural Resources as part of the Environmental Planning Process

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WHY:

**FEDERAL**
NHPA (16 USC 470 *et seq.* )

**STATE**
PUBLIC RESOURCES CODE 5020
CEQA (PRC §21000 *et seq.* )

**LOCAL LAND USE PLANNING**
LONG RANGE PLANNING
LOCAL ORDINANCES
What: Historical Resources

(PRCS§21084.1)

• Listed in, or eligible for listing in, the California Register of Historical Resources (CRHR).

• Listed in a Local register of historical resources
CRHR Eligibility:

1) Events

2) Big People

3) “Cute” architecture, work of a master

4) Data

(PRCS§5024.1(c))
# Types of Historical Resources

<table>
<thead>
<tr>
<th>Archaeological Resources</th>
<th>Tribal Cultural Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Historic/Prehistoric</td>
<td>• Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe</td>
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<tr>
<td>• Artifacts</td>
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<tr>
<td>• Objects</td>
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<td>• Sites</td>
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<td>• Districts</td>
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<td>• Landmarks</td>
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Who:

- CEQA Lead/Local Agency
  – Planning Staff
- Project Proponents
  – Consultants
- California Native American tribes
- Public
When

• Early

• Proactive Planning

• Listing on a Local Register

• When a project may cause a substantial adverse change in the significance of an historical resource.
How:
Best Practices

• Qualified Professionals

• Identification
  o Archival Research
  o Consultation
  o Field Investigation and Documentation

• Evaluation
  (Eligibility & Effect)
Confidentiality

• Do not disclose the locations of:
  – Archaeological sites
  – Sacred lands
  – Native American graves

(Cal. Code Regs. §15120(d))
Native American Human Remains

• Highly Sensitive
• Legally mandated process
  (HSC §7050.5 & PRC §5097.98)
  1) Stop work
  2) Contact County Coroner
     • Criminal investigation or Native American grave?
  3) Coroner contacts the NAHC
  4) NAHC appoints Most Likely Descendent (MLD)
  5) MLD works with property owner to treat the human remains with the appropriate dignity and respect
  6) Reinternment
Parting Thoughts

• Early consideration of historical resources most effective for preservation.
• Importance of conducting preemptive inventories and nominating to local registers.
• Stewardship ethic.
• Commitment to recognizing the value of archaeological and tribal cultural resources to those who find them important.
• See the OPPORTUNITY!