

Chapter 15. Cultural and Scenic Resources

Introduction

This chapter concerns the protection and preservation of cultural and scenic resources in the county. It is a component of the Conservation and Open Space Element. California Government Code Section 65560(b) lists various types of open space lands subject to protection, including "areas of outstanding scenic, historic and cultural value."

The chapter is divided into two primary sections. The first section focuses on cultural resources and the second section focuses on scenic resources. Each section includes its own set of goals, policies, standards, and implementation measures.

The Cultural Resources Section includes policy options to protect cultural heritage, historic, prehistoric, and architectural resources. These resources may be impacted by development in both rural and urban areas.

The Scenic Resources Section includes policy options to provide scenic resource protection. Scenic resources may be impacted by land use changes caused by development and timber harvesting as well as by open space conservation decisions.

The topic of signs and billboards is addressed in this chapter as well as in Chapter 10 (Community Design). Protection programs and the identification of high-value visual resources are also addressed in this chapter, and elsewhere in the Conservation and Open Space Element.

Section 15.1 Cultural Resources

15.1.1 Background

The phrase "cultural resources" is used in the General Plan to denote vulnerable and irreplaceable resources—cultural heritage, historic, prehistoric, and architectural. These resources have through time been influenced by a mix of natural factors—such as the climate, coast, vegetation, land, and mineral wealth—unique to Humboldt County. These factors have led, in turn, to the development of both diverse life forms and diverse ways of life. What exists today is a fragile legacy of cultures and traces of prehistoric life. It is important that this legacy receive protection for the benefit of current and future generations.

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 661 sites as historical and prehistorical 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 subordinate to and 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, 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 Humboldt County 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.

Besides the need to preserve important archeological finds, there is also 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. The 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 Humboldt County, there are also many other sites of historic worth. For example, some sites may be significant for their architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural value. While state and federal historic registration programs have catalogued many of these historic resources, protection is needed at the local level.

The Humboldt County Historical Society, with over four thousand members, has contributed local input towards protecting many of our historic resources. The organization's newsletters, magazines, and relic collections have also raised our awareness of the county's rich heritage. This awareness is highly observable in the cities of Eureka, Arcata, and Ferndale, where local historical surveys and renovation of historic structures have occurred. As the educational, social, and economic benefits of historic preservation become better known, preservation will undoubtedly attract the support of a greater number of people.

15.1.2 Cultural Resources Goals and Policies

Goal

CU-G1 **Protection and Enhancement of Cultural Resources.** To provide for the protection and enhancement of cultural resources for the historic, scientific, educational, and social contributions they render to the present generation and to generations that follow.

Policies

CU-P1 **Identification and Protection.** Cultural resources, as defined, shall be identified where feasible, assessed as to significance, and if found to be significant, protected from loss or destruction.

CU-P2 **Consultation.** Tribal organizations, historical organizations, and applicable agencies shall be consulted during project review and plan amendments for the identification and protection of cultural resources.

CU-P3 **Avoid Loss or Degradation.** Projects located in areas found to have cultural resources shall be conditioned and designed to avoid loss or degradation of these resources.

CU-P4 **Assessment of Impacts.** Expert opinions and field reconnaissance at the applicant's expense may be required during environmental assessment to determine the presence, extent, and condition of cultural resources and the likely impact upon such resources.

CU-P5 **Findings.** Cultural resources shall not be knowingly destroyed or lost through a 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-P6 **Mitigation.** Mitigation measures shall be required where new development would adversely impact cultural resources, as defined.

15.1.3 Standards

- CU-S1 Cultural Resources.** "Cultural resources" include, but are not limited to, any object, building, structure, site, area, or place which 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 Planning Departments, 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. Changing building and construction sites and/or road locations to avoid sensitive areas; or
 - B. Providing protective cover for sites that cannot be avoided; or
 - C. Where appropriate and with the approval of all parties concerned, providing for the removal or transfer of culturally significant material by a cultural heritage specialist, professional archeologist, or geologist.

15.1.4 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.

NOTE: the section below will fall out of the ‘final’ version found in the GP, but will be critical to the process of review.

12.6 Staff Analysis and Alternatives

Staff Recommendations

The policies of this chapter are largely based on the 1984 Framework Plan. Some updates to the text and standards have been made, primarily to recognize changes in State legislation (SB 18). An implementation measure (CU-IM5) has been added to establish and maintain a system for identifying historic properties.

Alternatives

The body text of the chapter represents Alternative B, the staff recommended proposed project.

Alternative A

Alternative A includes policies, standards and implementation to establish a Historical Resource Commission and review process. This suggested policy set comes out of the Planning Commission’s review of the Samoa town site project. This alternative also includes an implementation measure (CU-IM7) to pursue County certification under the Certified Local Government Program through the State Office of Historic Preservation (SHPO).

Alternative C

Alternative C omits the implementation measure (CU-IM5) to establish and maintain a system for identifying historic properties.

Alternative D

Alternative D, the existing 1984 Framework Plan, is available separately to show the wording and original policy set.

Plan Alternatives Comparison Chart

The “Vote” column is provided for the user to indicate a policy preference. Enter a **R**etain, **D**elete or **M**odify.

[Note: the underlined text below indicates modifications of existing Framework text.]

Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures							
<i>Plan Alternative</i>				<i>Goals & Policies</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>	
A	B	C	D	CU-G1 Protection and Enhancement of Cultural Resources. To provide for the protection and enhancement of cultural resources for the historic, scientific, educational, and social contributions they render to the present generation and to generations that follow.	(FRWK 3530)		
A	B	C		CU-P1 Identification and Protection. <u>Cultural resources, as defined</u> , shall be identified where feasible, assessed as to significance, and, if found to be significant, protected from loss or destruction.	(FRWK 3531.1, <u>modified</u>)		
A	B	C		CU-P2 Consultation. <u>Tribal organizations</u> , historical organizations and applicable agencies shall be consulted during project review <u>and plan amendments</u> for the identification and protection of cultural resources.	(FRWK 3531.2, <u>modified</u>) to reflect current law.		
A	B	C	D	CU-P3 Avoid Loss or Degradation. Projects located in areas found to have cultural resources shall be conditioned and designed to avoid loss or degradation of these resources.	(FRWK 3531.3)		
A	B	C	D	CU-P4 Assessment of Impacts. Expert opinions and field reconnaissance at the applicant's expense may be required during environmental assessment to determine the presence, extent, and condition of cultural resources and the likely impact upon such resources.	(FRWK 3531.4)		
A	B	C		CU-P5 Findings. <u>Cultural resources</u> shall not be knowingly destroyed or lost through a discretionary action unless: A. The site or resource has been found to be of insignificant value by <u>representatives of the cultural resources community and relevant experts</u> ; or B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project. (FRWK 3531.5, <u>modified</u>)	(FRWK 3531.5, <u>modified</u>)		
A	B	C		CU-P6 Mitigation. Mitigation measures shall be required where new development would adversely impact cultural resources, as defined. (FRWK 3531.6, <u>modified</u>)	(FRWK 3531.6, <u>modified</u>)		
A				CU-P7 County Historical Resource Commission. Establish a Historical Resource Commission to review projects related to historical resources. Require a Historic Resource Assessment Report for discretionary projects which may impact historic resources. The report shall be			

<p align="center">Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures</p>					
			reviewed by the Historical Resource Commission, which will provide recommendations regarding preservation of historic resources to the Planning Commission.		
A			CU-P8 CEQA Review. As part of the review of discretionary projects under the California Environmental Quality Act (CEQA), a determination must be made as to whether a project will have a significant impact on historical resources. Historical resources as provided in Section 15064.5 of the State CEQA Guidelines include: 1) a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources; 2) a resource listed in a local register of historical resources; or 3) any object, building structure, site, area or place which the County Planning Division determines to be historically significant.		
A			CU-P9 Historic Assessment Study. Projects with a potential to impact a historic resource will require a preliminary assessment report (Historic Assessment Study), consisting of a visual examination of the property and literature review conducted by a professional historic resource consultant who then prepares a written report that contains findings and recommendations. The report will also describe any further actions that might be needed to avoid or lessen development related impacts to any historical resources encountered.		
<i>Alternative</i>			<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	CU-S1 Cultural Resources. "Cultural Resources" include, but are not limited to, any object, building, structure, site, area, or place which is <u>culturally</u> , historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, education, 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. <u>Cultural resources also include cultural places as defined by PRC 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</u>	(FRWK 3532.1, modified)	

<p align="center">Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures</p>						
				<p><u>Register of Historic Resources, including any historic or prehistoric ruins, any burial ground, and any archeological or historic site.</u></p>		
A	B	C	D	<p>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.</p>	(FRWK 3532.2)	
A	B	C		<p>CU-S3 Tribal Organizations, Historical Organizations and Applicable Agencies. "<u>Tribal organizations, historical organizations, and applicable agencies</u>" should include, but <u>are</u> not be limited to, <u>tribal governments</u>, the Humboldt County Historical Society, <u>North Coastal Information Center</u>, California Archeological Site Survey at Sonoma State University, Humboldt County Public Works and Planning Departments, the California State Office of Historic Preservation, and other Native American groups and affected citizens.</p>	(FRWK 3532.3, <u>modified</u>)	
A	B	C	D	<p>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. Changing building and construction sites and/or road locations to avoid sensitive areas; or B. Providing protective cover for sites that cannot be avoided; or C. Where appropriate and with the approval of all parties concerned, providing for the removal or transfer of culturally significant material by a cultural heritage specialist, professional archeologist, or geologist.</p>	(FRWK 3532.4)	
A				<p>CU-S5 Historic Assessment Study Contents. The historic assessment study should, at the minimum, contain: (1) Evidence of a full background literature search through the depository at the Humboldt County Historical Society. Whether the resource is on any federal, State or local list of designated historic resources. Whether the resource is identified in any information in the historical archives; (2) A brief description of the project parcel(s) and the expectations of the consultant at the onset of the inventory report; (3) A clear description of the methods and results of</p>		

**Table 15-1. Plan Alternatives Comparison Chart:
 Goals and Policies, Standards and Implementation Measures**

			<p>the field inventory including rationale for surface coverage and a brief discussion of any historic resources encountered. This treatment should be patterned after the <i>Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION</i> [As Amended and Annotated] - http://www.cr.nps.gov/local-law/arch_stnds_0.htm ;</p> <p>(4) A generally accurate map (7.5' USGS topographic, parcel map or engineers map) in a scale sufficient to show the intensity and coverage of the field inventory as well as the location of any resources encountered;</p> <p>(5) A description and evaluation of any structures and a determination of whether or not they qualify as historical resources. This evaluation should answer the following questions with respect to possible historic significance:</p> <p>a) Is it associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California, or the United States;</p> <p>b) Is it associated with the lives of persons important to local, California, or national history;</p> <p>c) Does it embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master or possess high artistic values;</p> <p>d) Has it yielded, or does it have the potential to yield, information important to the prehistory or history of the local area, California, or the nation.</p> <p>(6) a) Given the answers to 5. a. through d., Does the resource qualify as an historic resource? If the answer to 6a is no, and any of the answers to 5a through 5d is yes, explain why, in your assessment, the resource does not qualify as historic.</p> <p>b) Does the resource have integrity for the period of significance? The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance.</p> <p>c) Identify whether or not the resource retains enough of its historic character of appearance to be</p>		
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Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures							
				recognizable as an historical resource and able to convey the reasons for significance. If it is determined that a resource has lost its historic character or appearance, does it still have the potential to yield significant scientific or historical information or specific data? d) Is the historic resource located within a historic district or a concentration of historic buildings, structures, objects, or sites with precise boundaries that share a common historical, cultural or architectural background? If so, and if it is determined that the resource lacks individual significance as an historic resource, could the resource be considered a contributor to the significance of the historic district or concentration of historic structures? (7) If the resource is historic, provide recommended means to avoid or lessen development related impacts to any historical resources encountered on the parcel(s); (8) The names of any local persons consulted during the preparation of the report; (9) Statement of Qualifications (education, employment, field experience, previous reports and publications in historic resources).			
A				CU-S6. Historic Resource Commission Recommendations & Mitigation. The conclusions, findings and recommendations of the historic assessment study will be evaluated during the environmental review process, and will be referred to the Historic Resource Commission. The Historic Resource Commission will make recommendations on historic resources to the Planning Commission. Applicants should be encouraged to avoid impacts to historical resources where feasible. When this is not feasible, mitigation measures shall be incorporated into the project to lessen the impact of the project on these resources. Mitigation shall be in accordance with Appendix K of the State CEQA Guidelines.			
<i>Alternative</i>				<i>Implementation Measures</i>	<i>Staff Remarks</i>		<i>Vote: R, D, M</i>
A	B	C	D	CU-IM1 Review Existing Protections. Review existing ordinances and guidelines and make necessary amendments to assure the protection of cultural resources.	(FRWK 3530.1)	5-	

<p align="center">Table 15-1. Plan Alternatives Comparison Chart: Goals and Policies, Standards and Implementation Measures</p>						
A	B	C		<p>CU-IM2 Implementation Guidelines. Adopt <u>implementation guidelines for cultural heritage, archeological, or paleontological resources and for historic resources.</u></p>	(FRWK 5-3530.2 modified)	
A	B	C		<p>CU-IM3 Historical Registration. Encourage and actively support federal, state, <u>and local</u> historical registration programs.</p>	(FRWK 5-3530.3 modified)	
A	B	C	D	<p>CU-IM4 Historic Building Code. Promote the use of the Historic Building Code of the State of California for historical sites.</p>	(FRWK 5-3530.4)	
	B			<p>CU-IM5 Historic Building Identification. Establish and maintain a system for identifying historic properties.</p>		
A				<p>CU-IM6 Historical Resource Protection Regulations. Historical resources and sites shall be protected through zoning (e.g. Design Review combining zone for historic resources in historic communities such as Samoa or Scotia) and other suitable regulatory means to ensure that new development shall be compatible with existing historical resources and to maintain the special values and unique character of the historic properties. Repair or rehabilitation of historic structures may be permitted upon determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure or that appropriate mitigation measures have been taken to minimize impact of the repair or rehabilitation.</p>		
A				<p>CU-IM7 Certified Local Government Program. Pursue County certification under the Certified Local Government Program through the State Office of Historic Preservation (SHPO). Requirements of the program include:</p> <ul style="list-style-type: none"> -Enforce appropriate legislation for the designation and protection of historic properties. -Establish and maintain a qualified historic preservation commission. -Maintain a system for identifying historic properties. -Provide for public participation and perform other agreed functions delegated by SHPO. 		