

This section of the Draft EIR discusses the existing historical and cultural resources present at the project site and potential impacts to those resources that could result with implementation of the proposed project. Archaeological Consulting prepared the *Project Review and Evaluation for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, in July 2006 on behalf of the project applicant. This report was peer reviewed by John Nadolski, M.A., a cultural resource specialist with PMC, in December 2006. Based on the peer review, the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, was prepared by Archaeological Consulting in November 2007. This document was peer reviewed in 2007 by John Nadolski. A previous study of the property had suggested that the project site may have served as a stage stop on the route between Monterey and the Salinas Valley. Therefore, a *Phase One Historic Assessment* was performed on the Ferrini Ranch complex by JRP Historic Consulting LLC in August 2008. These reports are included in **Appendix D** of this Draft EIR.

#### CONCEPTS AND TERMINOLOGY FOR EVALUATION OF CULTURAL RESOURCES

The following definitions are common terms used to discuss the regulatory requirements and treatment of cultural resources:

*Cultural resource* is a term used to describe several different types of properties: prehistoric and historical archaeological sites; architectural properties such as buildings, bridges, and infrastructure; and resources of importance to Native Americans.

*Historic properties* is a term defined by the National Historic Preservation Act (NHPA) as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on, the National Register of Historic Places (NRHP), including artifacts, records, and material remains related to such a property.

*Historical resource* is a CEQA term that includes buildings, sites, structures, objects, or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance, and is eligible for listing or is listed in the California Register of Historical Resources (CRHR).

*Paleontological resources* are defined as fossilized remains of vertebrate and invertebrate organisms, fossil tracks and trackways, and plant fossils. A unique paleontological site would include a known area of fossil bearing rock strata.

#### 3.4.1 ENVIRONMENTAL SETTING

##### REGIONAL SETTING

##### Prehistory

Two archaeological “patterns” exist for the Monterey Bay area: the Sur Pattern and the Monterey Pattern. The Sur Pattern represents an early “forager” subsistence strategy and a

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very generalized economy. The Sur Pattern appears prior to 3000 years before the present (B.P.) and may be associated with Hokan-speaking ancestors of historic Esselen populations. The Monterey Pattern represents a “collector” subsistence strategy that appears in the Monterey Bay area after 2450 B.P. The Monterey Pattern highlights exploitation of marine resources and may be associated with Penutian-speaking ancestors of historic Costanoan populations.

#### **Ethnography**

At the time of Euroamerican contact (ca. 1769), Native American groups of the Costanoan language family occupied the area from San Francisco Bay to southern Monterey Bay and the lower Salinas River. The Costanoan language family consists of eight separate and distinct languages, and approximately 50 tribelets. The tribelets of Kalendaruc and Guachiron dominated the central Monterey Bay area. A wide variety of ecological zones, including foothills, valleys, sloughs, and coastal areas, were exploited by Costanoans to obtain subsistence. These resources included various seeds, nuts (e.g., acorn, buckeye, laurel, and hazelnuts), berries, grasses, corms, roots, insects, birds (e.g., geese, mallard, and coot), fish (e.g., steelhead, salmon, and sturgeon), shellfish (e.g., abalone, mussel, and clam), and both marine and terrestrial mammals (e.g., sea otter, sea lion, harbor seal, deer, elk, grizzly bear, rabbit, antelope, raccoon, and squirrel). Unfortunately, Costanoan culture was dramatically affected by missionization, and information (e.g., mission records and travelers logs) regarding its pre-contact organization is incomplete and inconsistent. Costanoan languages were probably extinct by 1935, and in 1971 the remaining Costanoan descendants united as a corporate entity identified as the Ohlone Indian Tribe.

#### **History**

Sebastian Vizcaino’s landing at present day Monterey in 1602 is the earliest documented contact with Native Americans in the area. Gaspar de Portolá founded Monterey in 1769, and in 1770 Padre Junipero Serra founded Mission San Carlos de Borromeo, which was later relocated to Carmel. The Spanish attempted to convert the Native American population to Catholicism and incorporate them into the “mission system.” The process of missionization disrupted traditional Salinan cultural practices, and they were generally slow to adapt to the mission system. The Spanish, however, were intent on implementing it, and by 1810 most Native Americans in the area were either incorporated or relocated into local missions. This factor, coupled with exposure to European diseases, virtually ended the traditional life of Native Americans in the area.

In 1833 the missions were secularized and their lands divided into land grants called “ranchos.” These ranchos facilitated the growth of a semi-aristocratic group that controlled the larger ranchos. Owners of ranchos used local populations, including Native Americans, essentially as forced labor to accomplish work on their large tracts of land. Consequently, Costanoans, and other Native American groups across California, were forced into a marginalized existence as “vaqueros” on the large ranchos.

The latter half of the nineteenth century witnessed an ongoing and growing immigration of Anglo-Americans into the area, an influx also accompanied by regional cultural and economic changes. Anglo-American culture expanded at the expense of Hispanic culture. Dispersed farmsteads slowly replaced the immense Mexican ranchos, and the farming of various crops slowly replaced cattle ranching as the primary economic activity in the region. Larger and larger tracts of land were opened for farming, and these agricultural developments demanded a large labor force, sparking a new wave of immigration into the region. These trends (i.e., expansion of agriculture and immigration of workers to work on farms) have continued into the twenty-first century and generally characterize the development of the area to the present.

#### PROJECT SITE SETTING

According to the *Toro Area Plan* (Monterey County 1983), the project site is located within a high archaeological sensitivity zone. Figure 6 of the *Toro Area Plan Inventory and Analysis* identifies two historic sites within the project site including: an “old stage stop” and State Route 68 dedication marker. Archaeological Consulting conducted cultural resources investigations for the proposed project and documented the existing known extent of archaeological, paleontological, and historical resources on the project site.

#### Archaeological Resources

Several archaeological investigations have occurred at the site, with resources formally recorded as early as 1948 and other evidence of archeological significance documented as early as 1929. Identified archaeological sites CA-MNT-3, CA-MNT-4/267, CA-MNT-661, and CA-MNT-954 are located within the project site (Archaeological Consulting 2006). Locations and other specifics are generalized in order to protect the integrity of the resources.

Sites CA-MNT-3 and CA-MNT-4/267 are both large prehistoric midden sites with subsurface deposits. Based on the studies conducted at these sites in 1975 (Breschini) and 1980 (Archaeological Consulting), and subsequent studies conducted for nearby roadway and bridge projects in 1994, subsurface evaluation determined that the sites contain evidence of shell, flaked stone, bone and stone tools, and a wide range of terrestrial and marine mammals, invertebrates, and fish.

The totality of the investigations concludes that the midden deposits represent significant archaeological information, with resources dating to A.D. 1000 to 1525, and with major portions of at least one site relatively unaffected by historic disturbance and ranching practices.

These sites have yielded evidence of human remains and past burials. The presence of human remains adds to the significance of a cultural site, particularly under federal guidelines. Under those standards, a determination of eligibility for inclusion on the

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National Register of Historic Places is made using the criteria set forth in Title 36, Part 60-National Register of Historic Places.

Sites CA-MNT-661 and CA-MNT-954 are also prehistoric sites consisting of bedrock mortars.

#### **Paleontological Resources**

Paleontology is the science dealing with past geological periods and fossil remains. Paleontological resources include fossil remains, as well as fossil localities and formations that have produced fossil material. Such locations and specimens are important nonrenewable resources. CEQA offers protection for these sensitive resources and requires that they be addressed during the EIR process.

A search of the University of California Museum of Paleontology (UCMP) collections database identified previously recorded paleontological resources in Monterey County. These resources primarily consist of microfossils and invertebrates, but also include a small number of vertebrates and plants.

#### **Historic Resources**

According to the *Phase One Assessment* prepared by JRP Historical Consulting in August 2008, Ferrini Ranch was a portion of the former Rancho El Toro, a much larger rancho containing most of the stage route between Monterey and San Juan Bautista via the Salinas Valley. Prominent Monterey businessman and landowner David Jacks, who owned several ranchos in Monterey County, purchased Rancho El Toro in 1880.

In 1917, Battista Ferrini purchased a portion of the rancho stretching from the Salinas River to San Benancio Creek along the south side of the Monterey-Salinas Road. Arriving in the United States in 1872, Ferrini was one of the many Swiss-Italian immigrants to the Central Coast of California in the late nineteenth and early twentieth centuries. He operated a general farm and ranch on the subject property, cultivating hay on the land east of El Toro Creek. Ferrini lived at the ranch with his family and farmed the surrounding acres until his death in 1969. The present owners, Domain Corporation of Santa Monica, purchased the property from Ferrini's heirs in 1972 and continue to operate it as a cattle ranch and hay farm (JRP 2008).

According to the *Toro Area Plan* (Figure 6 of the *Toro Area Plan Inventory and Analysis*), there was an "old stage stop" in the vicinity of the project site, near San Benancio School. According to the report titled *Cultural Resources of Toro Vista* prepared by Archaeological Consulting in October 1980, between 1860 and 1879 the stage route between Salinas and Monterey passed through the headquarters of the ranch (now known as the Ferrini Ranch complex) that was operated on the project site between 1847 and 1880, which likely incorporated stops for mail, merchandise, and passengers. The location of the ranch headquarters is in a slightly different location than shown in Figure 6 of the *Toro Area Plan Inventory and Analysis*. Based on this 1980 preliminary report, JRP

Historical Consulting conducted a *Phase One Historic Assessment* in August 2008 to analyze the Ferrini Ranch complex. The Ferrini Ranch complex is located on Parcel A-2, at the intersection of State Route 68 and San Benancio Road, on the northwestern portion of the project site.

The Ferrini Ranch complex consists of two single-family residences and several outbuildings and sheds. According to the *Phase One Assessment*, one of the single-family residences was constructed in 1925 and the other was constructed sometime prior to 1925, but not earlier than 1900. Sheds and outbuildings are estimated to have been constructed concurrently or after the residence dating to 1925. While stages may have stopped in the vicinity of the Ferrini Ranch complex as indicated above, there are no buildings in the current Ferrini Ranch complex that date to the nineteenth century or appear to have been related to stage operations. All of the structures were constructed during the Ferrini ownership period, beginning in 1917, with the possible exception of the single-family residence dating to before 1925. Photographs of these buildings are included in the *Phase One Assessment*.

#### 3.4.2 REGULATORY SETTING

STATE

##### **California Environmental Quality Act**

Under CEQA, public agencies must consider the effects of their actions on “historical resources,” “unique archaeological resources,” and “paleontological resources.” Pursuant to Public Resources Code (PRC) Section 21084.1, a “project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (OPR 2011) Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources. Appendix G of the CEQA Guidelines requires that a determination be made as to whether a project would “directly or indirectly destroy a unique paleontological resource or site or unique geologic feature” (OPR 2011)

##### Historical Resources

“Historical resource” is a term with a defined statutory meaning (PRC, Section 21084.1 and State CEQA Guidelines, Section 15064.5 [a], [b]) (OPR 2011). The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, 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 CRHR and are presumed to be historical resources for purposes of CEQA unless a preponderance of evidence indicates

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otherwise (PRC, Section 5024.1 and California Code of Regulations, Title 14, Section 4850). Unless a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process (PRC 5024.1[g]), lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources (PRC, Section 21084.1 and State CEQA Guidelines, Section 15064.5 [a][3]) (OPR 2011). Following CEQA Guidelines Section 21084.5 (a) and (b), a historical resource is defined as any object, building, structure, site, area, place, record, or manuscript that:

- a) Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and
- b) Meets any of the following criteria:
  - 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - 2) Is associated with the lives of persons important in our past;
  - 3) 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) Has yielded, or may be likely to yield, information important in prehistory or history.

Archaeological resources may also qualify as historical resources, and PRC Section 5024 requires consultation with the Office of Historic Preservation (OHP) when a project may impact historical resources located on State-owned land.

For historic structures, State CEQA Guidelines Section 15064.5, subdivision (b)(3), indicates that a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995) shall mitigate impacts to a level of less than significant (OPR 2011). Potential eligibility also rests upon the integrity of the resource. Integrity is defined as the retention of the resource's physical identity that existed during its period of significance. Integrity is determined through considering the setting, design, workmanship, materials, location, feeling, and association of the resource.

#### Unique Archaeological Resources

As noted above, CEQA also requires lead agencies to consider whether projects will impact unique archaeological resources. PRC Section 21083.2, subdivision (g), states that “‘unique archaeological resource’ means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.”

Treatment options under Section 21083.2 include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation under Section 21083.2 include excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a unique archaeological resource).

Advice on procedures to identify cultural resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor’s Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including, but not limited to, museums, historical commissions, associations, and societies, be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains.

Section 7050.5(b) of the California Health and Safety code specifies protocol when human remains are discovered. The code states:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the

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human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

State CEQA Guidelines Section 15064.5, subdivision (e), requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains (OPR 2011). If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. At that time, the lead agency must consult, in a timely manner, with the appropriate Native Americans, if any, as identified by the NAHC. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

In addition to the mitigation provisions pertaining to accidental discovery of human remains, the State CEQA Guidelines also require that a lead agency make provisions for the accidental discovery of historical or archaeological resources, generally. Pursuant to Section 15064.5, subdivision (f), these provisions should include an immediate evaluation of the find by a qualified archaeologist (OPR 2011). If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.

As of March 1, 2005, Senate Bill 18 (Gov. Code, Sections 65352.3, 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction. The provisions of SB 18 do not apply to the current project.

#### Paleontological Resources

Paleontological resources are classified as non-renewable scientific resources and are protected by state statute (PRC Chapter 1.7, Section 5097.5, Archeological, Paleontological, and Historical Sites, and Appendix G). No state or local agencies have specific jurisdiction over paleontological resources. No state or local agency requires a paleontological collecting permit to allow for the recovery of fossil remains discovered as a result of construction-related earth moving on state or private land in a project site.

LOCAL

#### **Monterey County General Plan**

The Monterey County General Plan provides goals, objectives, and policies for the identification and protection of significant cultural resources. General Plan goals, objectives, and policies include Goal 12 and its associated Policies 12.1.1 through 12.1.7



and Goal 52 and its associated Policies 52.1.1 through 52.1.8, 52.2.1 and 52.2.2, and 52.3.1. These goals and policies emphasize avoidance of cultural resources as the preferred means of reducing potentially significant effects.

#### **Monterey County Zoning Code**

The Monterey County Zoning Code provides for the identification and protection of significant cultural resources. Applicable ordinances include Titles 21.54, 21.64.270, and 21.66.050. These ordinances emphasize avoidance of cultural resources as the preferred means of reducing potentially significant effects.

#### **3.4.3 IMPACTS AND MITIGATION MEASURES**

##### STANDARDS OF SIGNIFICANCE

Following PRC Sections 21083.2 and 21084.1, and Section 15064.5 and Appendix G of the State CEQA Guidelines, cultural resource impacts are considered to be significant if implementation of the project considered would result in any of the following:

- 1) A substantial adverse change in the significance of an archaeological resource or an historical resource as defined in Public Resources Code Section 21083.2 and CEQA Guidelines Section 15064.5, respectively.
- 2) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- 3) Disturb any human remains, including those interred outside of formal cemeteries.

State CEQA Guidelines Section 15064.5 defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource is materially impaired.

##### METHODOLOGY

#### **Cultural Resources**

Archaeological Consulting prepared the *Project Review and Evaluation for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, in July 2006 on behalf of the project applicant. This report was peer reviewed by John Nadolski, M.A., a cultural resource specialist with PMC, in December 2006. Based on the peer review, the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, was prepared by Archaeological Consulting in November 2007, which was also peer reviewed by PMC. These investigations included a records search at the Northwest Information Center at Sonoma State University, Rohnert Park, a sacred lands search conducted by the Native American Heritage Commission, consultation with the Native American community,

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survey of the project area, and recording of the archaeological sites within the project site. The entire project area was surveyed, and Archaeological Consulting identified sites CA-MNT-3, CA-MNT-4/267, CA-MNT-661, and CA-MNT-954 within the project area.

Additionally, Archaeological Consulting contacted the Indian Canyon Band of Costanoan, the Amah Mutsun Tribal Band, and the Ohlone/Costanoan and Esselen Nation regarding the proposed project. PMC conducted a search of the University of California Museum of Paleontology collections database. The search of the UCMP paleontological database did not identify any paleontological resources within the project site.

#### Historic Resources

In August 2008, JRP Historical Consulting conducted a *Phase One Historic Assessment* of the Ferrini Ranch complex located on Parcel A-2, at the intersection of State Route 68 and San Benancio Road, on the northwest portion of the site. The *Phase One Assessment* used criteria from the National Register of Historic Places, the California Register of Historic Resources, and Monterey County Register of Historic Resources to determine if the Ferrini Ranch complex was eligible for listing on one or more of these registers. This included preparation of State of California Department of Parks and Recreation (DPR) 523 forms.

#### PROJECT IMPACTS AND MITIGATION MEASURES

#### Potential Adverse Change or Impact to Known Cultural Resources and Human Remains

**Impact 3.4-1** Implementation of the proposed project could result in the disturbance and direct physical impact to known prehistoric sites CA-MNT-3, CA-MNT-4/267, and CA-MNT-661, including impacts to areas known to contain human remains. This would be a **significant impact**.

According to the cultural resources investigations that have been conducted, there are four identified prehistoric sites (CA-MNT-3, CA-MNT-4/267, CA-MNT-661, and CA-MNT-954) within project site. CA-MNT-3, CA-MNT-4/267, and CA-MNT-661 are located in an area proposed for development. CA-MNT-954 is a prehistoric site located on a steep slope outside the proposed area of development. Archaeological Consulting identified that sites CA-MNT-3 and CA-MNT-4/267 are large prehistoric sites that consist of significant subsurface deposits of cultural material and that human remains were recovered from these sites. Although none of these sites are listed in the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR), Archaeological Consulting determined that sites CA-MNT-3 and CA-MNT-4/267 are eligible for inclusion in the NRHP and the CRHR due to the nature of data recovered.

Archaeological Consulting consulted with the Indian Canyon Band of Costanoan, the Amah Mutsun Tribal Band, and the Ohlone/Costanoan and Esselen Nation regarding the proposed project. All of these tribal groups expressed concerns about the potential discovery of (or disturbance to) significant cultural resources and human remains within sites CA-MNT-3 and CA-MNT-4/267, which would be considered a **significant impact**.

Implementation of the following mitigation measures would be required to reduce this impact to a **less than significant** level.

Mitigation Measures

**MM 3.4-1a** The project applicant shall modify the proposal to avoid site CA-MNT-661 in accordance with the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, prepared by Archaeological Consulting in November 2007 (**Appendix D** of this Draft EIR). Avoidance will require the relocation of roadway and utility improvements as necessary, and the site shall not be used for construction staging, material borrow, or other uses that would otherwise result in physical impacts. This site shall be placed within an archaeological easement with restricted access to ensure long-term protection. The easement shall be recorded on the project's final maps. Site CA-MNT-954 will not be impacted and warrants no specific mitigation.

**MM 3.4-1b** The project applicant shall modify the proposal to avoid disturbance to site CA-MNT-3 in accordance with the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, prepared by Archaeological Consulting in November 2007 (**Appendix D** of this Draft EIR). Avoidance will require the relocation of several residential lots and all project infrastructure (roadways, berms and utility improvements). The site shall not be used for construction staging, material borrow, or other uses that would otherwise result in physical impacts. This site shall be placed within an archaeological easement with restricted access to ensure long-term protection. The easement shall be recorded on the project's final maps.

Full avoidance is considered the most effective mitigation strategy for this site. However, this impact can also be mitigated by a combination of full avoidance of the primary deposit, plus implementation of the detailed data recovery, analysis, and monitoring plan as specified within the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, prepared by Archaeological Consulting in November 2007 (**Appendix D** of this Draft EIR) for the secondary deposit.

**MM 3.4-1c** The project applicant shall modify the proposal to avoid disturbance to site CA-MNT-4/267 in accordance with the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, prepared by Archaeological Consulting in November 2007 (**Appendix D** of this Draft EIR). Avoidance

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will require the relocation of several residential lots and roadway and utility improvements as necessary, and the site shall not be used for construction staging, material borrow, or other uses that would otherwise result in physical impacts. This site shall be placed within an archaeological easement with restricted access to ensure long-term protection. The easement shall be recorded on the project's final maps.

Full avoidance is considered the most effective mitigation strategy for this site. However, impacts to this site can also be mitigated by a combination of relocation of lots within primary deposit, plus relocation of the access road and other improvements such that excavation into the deposit is not required and the site is effectively capped. Any mitigation other than full avoidance also requires implementation of the detailed data recovery, analysis and monitoring plan.

**MM 3.4-1d** If it is not feasible to fully avoid CA-MNT-3 and/or CA-MNT-4/267 and if physical development is to be considered by the applicant and Monterey County on any portion of these sites, the project applicant shall implement the detailed data recovery, analysis, and monitoring plan as specified within the *Cultural Resources Mitigation and Monitoring Plan for the Proposed Ferrini Ranch Development, South of Salinas, Monterey County, California*, prepared by Archaeological Consulting in November 2007 (**Appendix D** of this Draft EIR). The data recovery and mitigation plan identifies specific measures and techniques for professional analysis and recordation of excavated resources. Any reports resulting from the data recovery, analysis, and monitoring efforts shall be submitted to the County of Monterey Planning Department and any affected Native American representatives.

In summary, implementation of mitigation measures **MM 3.4-1a** through **MM 3.4-1c** will effectively mitigate known cultural resources to a **less than significant** level by avoiding the most sensitive resources and placing these areas within recorded archaeological easements.

Avoidance through design is the most effective approach to mitigate culturally sensitive sites, and design revisions are required to fully mitigate these impacts. The data recovery, analysis and monitoring measures alone (**MM 3.4-1d**) will not fully mitigate the impacts of the project as currently proposed.

#### **Potential Destruction or Damage to Known Historic Resources**

**Impact 3.4-2** Implementation of the proposed project will result in the demolition and removal of the remaining Ferrini Ranch complex. This would be a **less than significant impact**.

Implementation of the proposed project would include demolition of existing buildings and structures referred to as the Ferrini Ranch complex, the former ranch headquarters through which the stage line between Monterey and Salinas passed and may have stopped for mail, merchandise, and passengers. The Ferrini Ranch complex consists of two single-family residences and several outbuildings and sheds located on the northwest portion of the project site at the intersection of State Route 68 and San Benancio Road. A *Phase One Historic Assessment* was prepared by JRP Historical Consulting in August 2008 to analyze the historic significance of the Ferrini Ranch complex.

According to the *Phase One Assessment*, one of the single-family residences was constructed in 1925 and the other was constructed sometime prior to 1925, but not earlier than 1900. Sheds and outbuildings are estimated to have been constructed concurrently or after the residence dating to 1925. These sheds and outbuildings include a tank house, utility shed/garage, barn, tack room, and two sheds. While stages may have stopped in the vicinity of the Ferrini Ranch complex, there are no buildings in the current Ferrini Ranch complex that date to the nineteenth century or appear to have been related to stage operations. All of the structures associated with the Ferrini Ranch complex were constructed during the Ferrini ownership period, beginning in 1917, with the possible exception of the single-family residence dating to before 1925. A brief description of these buildings is provided below.

**Residence #1.** This residence is a single-story building that rests on a concrete foundation, is clad in horizontal wood lap siding, has a medium pitch cross gable roof covered by composite shingles, and a brick chimney protrudes from the roof on the east side of the building.

**Residence #2.** This residence is a small, single-story side gable building that is clad in a combination of board and batten, horizontal wood lap, and vertical plywood siding. The roof is covered by wood shingles and has a saltbox shape and a slight overhang with fascia board and exposed rafter ends.

**Tank House.** The tank house consists of a rectangular, single-story building clad in horizontal wood lap siding and plywood panels. It has a cylindrical wood tank on the east half of the roof and the remains of a windmill frame stand on the west half of the roof. The section below the water tank has a flat wood plank roof that is a platform supporting the tank and a concrete foundation. The section below the windmill frame has a similar flat roof that appears to be covered by both wood shingles and corrugated metal and has a wood foundation.

**Utility Shed/Garage.** The utility shed/garage is a single-story side gable building that is clad in a combination of board and batten and vertical wood siding that has been patched with particle board. The building has a concrete foundation and a slightly off-center roof peak covered by corrugated metal that has been replaced in spots by corrugated plastic. A V-shaped wood chute has been attached to the north side of the building.

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**Barn.** The barn is a large, transverse-crib barn clad in vertical wood planks, with a concrete foundation and a front gable roof covered by wood shingles. The peak of the gable has a slightly steeper pitch and is separated from the rest of the roof by a ventilation opening. A hay hood projects from the gable on the southeast end of the barn, sheltering a hayloft opening. A double personnel door is located in the center of the southeast side and is flanked by exterior-mounted sliding doors. A single window frame is the only opening on the northwest (rear) side of the barn, while a row of window openings (now covered by boards) is located on both the northeast and southwest sides.

**Tack Room.** A small tack room stands beside the barn on the southwest side. It is a small, front gable building clad in board and batten siding with a moderate pitch roof covered by composite shingles. A wooden porch with a shed roof covered by corrugated metal extends from the east side of the tack room and provides the single entrance to the building, which is an unglazed wood door.

**Sheds.** Shed 1 is clad in plywood panel siding and has a shed roof covered by a sheet of plywood. A small, wood-frame structure with a shed roof covered by corrugated metal shelters a modern water tank and pump that are located east of shed 1. Shed 2 is a wood-frame building with a small front gable roof covered by corrugated metal.

According to the *Phase One Assessment*, the architectural styles of the residences and outbuildings are typical of their periods, but have been modified over time and do not embody “outstanding attention to architectural or engineering design, detail, material, or craftsmanship,” according to the assessment (JRP 2008). The Ferrini Ranch complex does not have a unified plan, nor is it part of a larger unified plan of development or part of a historic district. Also, due to its remote and visually concealed situation, the complex does not contribute to the character of the community or neighborhood. Finally, the historical record does not suggest that owners of the Ferrini Ranch were historically significant individuals.

Due to the dates of construction, the *Phase One Assessment* concluded that the structures could not have been associated with the stage route, which was active in the 1800s but withdrew to the southern and mountainous area with the extension of the Southern Pacific rail line to Salinas in 1872. Consequently, the Ferrini Ranch complex does not exemplify or embody a historically important way of life and is not historically significant in American history, including the former stage operation. Therefore, the Ferrini Ranch complex does not meet national, state, or Monterey County criteria for historical significance, and the proposed project (and demolition of these structures) would be considered a **less than significant impact** of the proposal. No specific mitigation strategies are recommended by JRP Historical Consulting.

**Potential Destruction or Damage to Unknown/Previously Undiscovered Prehistoric, Paleontological, or Historic Resources or Human Remains**

**Impact 3.4-3** Implementation of the proposed project could result in the potential destruction or damage to previously undiscovered or unknown prehistoric sites, paleontological deposits, historic sites, and human remains during construction activities. This would be a **potentially significant impact**.

According to the *Toro Area Plan* (Monterey County 1983), the project site is located within a high archaeological sensitivity zone. Implementation of the proposed project may potentially damage or disturb additional unknown prehistoric sites, historic sites, or human remains. This would be considered a **potentially significant impact**.

A search of the University of California, Berkeley Museum of Paleontology collections database did not identify any paleontological resources (fossils or fossil formations) within the project site. The geography and geology of the area suggest that it is not sensitive for paleontological resources. However, the sensitivity of the area for paleontological resources has not been assessed and no formal paleontological investigations were identified for the area. Implementation of the following mitigation measures would reduce the impact to unknown or otherwise undiscovered cultural resources to a **less than significant** level.

Mitigation Measures

**MM 3.4-3a** If, during the course of construction and implementing the proposed project, cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered, work shall be halted immediately within 50 feet of the discovery, the Monterey County Planning Department shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history shall be retained to determine the significance of the discovery.

The Monterey County Resource Management Agency (RMA)-Planning Department and the project applicant shall consider mitigation recommendations presented by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines in archaeology and/or history for any unanticipated discoveries. The Monterey County RMA-Planning Department and the project applicant shall consult and agree upon implementation of a measure or measures that they deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project applicant shall be required to implement any mitigation necessary for the protection of cultural resources.

### 3.4 CULTURAL RESOURCES

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**MM 3.4-3b** The project applicant shall include in their construction contract document notification to the construction staff of the archaeological sensitivity of the project site. All construction staff shall also be informed of all appropriate mitigation measures during a pre-construction meeting or other appropriate format prior to implementation of ground-disturbing activity associated with the proposed project.

Implementation of the above mitigation measures would minimize potential destruction and damage to unknown cultural resources discovered during the course of construction of the proposed project. Implementation of these mitigation measures would reduce potential impacts to a **less than significant** by implementing standard County conditions and best practices for the identification and discovery of resources in the field.

#### CUMULATIVE IMPACTS AND MITIGATION MEASURES

##### **Cumulative Impact on Cultural Resources**

**Impact 3.4-4** Implementation of the proposed project, when combined with reasonably foreseeable similar development in the vicinity and Monterey County, could contribute incrementally to the loss of the region's important cultural assets. Loss of resources at the Ferrini Ranch property could be considered a significant contributor to cumulative loss of like prehistoric resources in this portion of Monterey County. This would be considered a **potentially significant cumulative impact**.

The limited and fragmented distribution of cultural resources in the county, together with their fragility, makes these resources particularly sensitive to incremental loss associated with land use changes, development, and time. The proposed project, when combined with other proposed, planned, reasonably foreseeable, and approved projects in Monterey County, could impact known and unknown cultural resources and paleontological resources associated with Native American use and occupation of the area, as well as historic resources associated with EuroAmerican settlement, farming, and economic development.

Implementation of any project that contributes to these continued losses and impacts will further limit those resources, even if the resource can be scientifically studied and appropriately recorded.

The proposed project's contribution, when combined with other past, present, and foreseeable development in the area, would be considered a **potentially significant cumulative impact**. However, implementation of mitigation measures **MM 3.4-1a** through **MM 3.4-1c**, which require avoidance and protection of known resources, can fully mitigate the project's contribution to this cumulative effect. Implementation of **MM 3.4-1d** alone, which provides some level of mitigation through scientific methods, would not fully mitigate project impacts.



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