

5.8 HISTORIC, ARCHITECTURAL, ARCHAEOLOGICAL, AND CULTURAL RESOURCES

The following section discusses the potential impacts of Sponsor's Proposed Project and its alternatives on historic, architectural, archaeological, and cultural resources within the Area of Potential Effects (APEs).

5.8.1 REGULATORY SETTING

The National Historic Preservation Act of 1966 (NHPA) (16 USC § 470(f)) requires Federal agencies to take into account the effects of their undertakings on historic properties that are listed in or determined eligible for inclusion in the National Register of Historic Places (NRHP), and requires Federal agencies to consult with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officers, and other parties to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties. The Advisory Council on Historic Preservation is afforded a reasonable opportunity to comment on such undertakings. The requirements of Section 106 are implemented under Title 36 Code of Federal Regulations (CFR) Part 800, *Protection of Historic Properties*.

Surveys of historic, architectural, archaeological, and cultural resources were prepared for this project (see Appendix H, *Cultural Resources*) in order to gather information to assist in the identification of NRHP-listed, determined NRHP-eligible, potentially NRHP-eligible, and National Historic Landmarks potentially affected by the Sponsor's Proposed Project or its alternatives at Gness Field Airport (DVO or Airport).

In accordance with the NHPA, Section 106, direct and indirect impacts from Federal actions on historic, architectural, archaeological, and other cultural resources must be considered before a federal action is taken. Per the NHPA, the Federal Aviation Administration (FAA) has consulted with the California SHPO and local tribal representatives (see correspondence in Appendix H). To date, the Federated Indians of Graton Rancheria are the only tribe to provide comments on the project and participate in government-to-government meetings. A literature search and field investigation was conducted to identify historic, architectural, archaeological, or cultural resources within the APE, including resources and plants identified as culturally significant by the Federated Indians of Graton Rancheria.

5.8.2 AREA OF POTENTIAL EFFECT (APE)

The geographic area of potential impact to historic and archaeological resources is referred to as the APE, as established pursuant to the NHPA.

While developing the APE, the FAA considered both direct and indirect impacts to historic properties. Direct impacts would include direct and physical disturbance of historic properties. For this undertaking, direct impacts could occur within the area of ground disturbance. Indirect impacts would include impacts to historic properties

associated with noise, visual impacts, or changes in setting. As a result of this effort the FAA defined two APEs - a Direct APE, where direct effects of the proposed project might occur, and an Indirect APE, where the indirect effects of the proposed project might occur. The boundary of the Indirect APE was determined after tribal consultation with the Federated Indians of Graton Rancheria.

The Direct APE is comprised of two areas, totaling just over 39 acres (the northern portion totals 28.24 acres and the southern portion totals 11.04 acres), which represents the area of potential direct impacts to historic properties as a result of the Sponsor's Proposed Project and the other reasonable alternatives. The anticipated depth of disturbance within the 39 acre area is three feet.¹ The Indirect APE is an irregularly-shaped area, totaling approximately 8,669 acres, which represents the area of potential indirect impacts, such as noise, to historic properties as a result of the Sponsor's Proposed Project and the other reasonable alternatives. The Direct APE is contained within the Detailed Study Area and the Indirect APE is contained within the General Study Area (GSA) as shown in **Exhibit 5.8-1, Areas of Potential Effect**. The California SHPO concurred with the APEs.²

5.8.3 EXISTING CONDITIONS

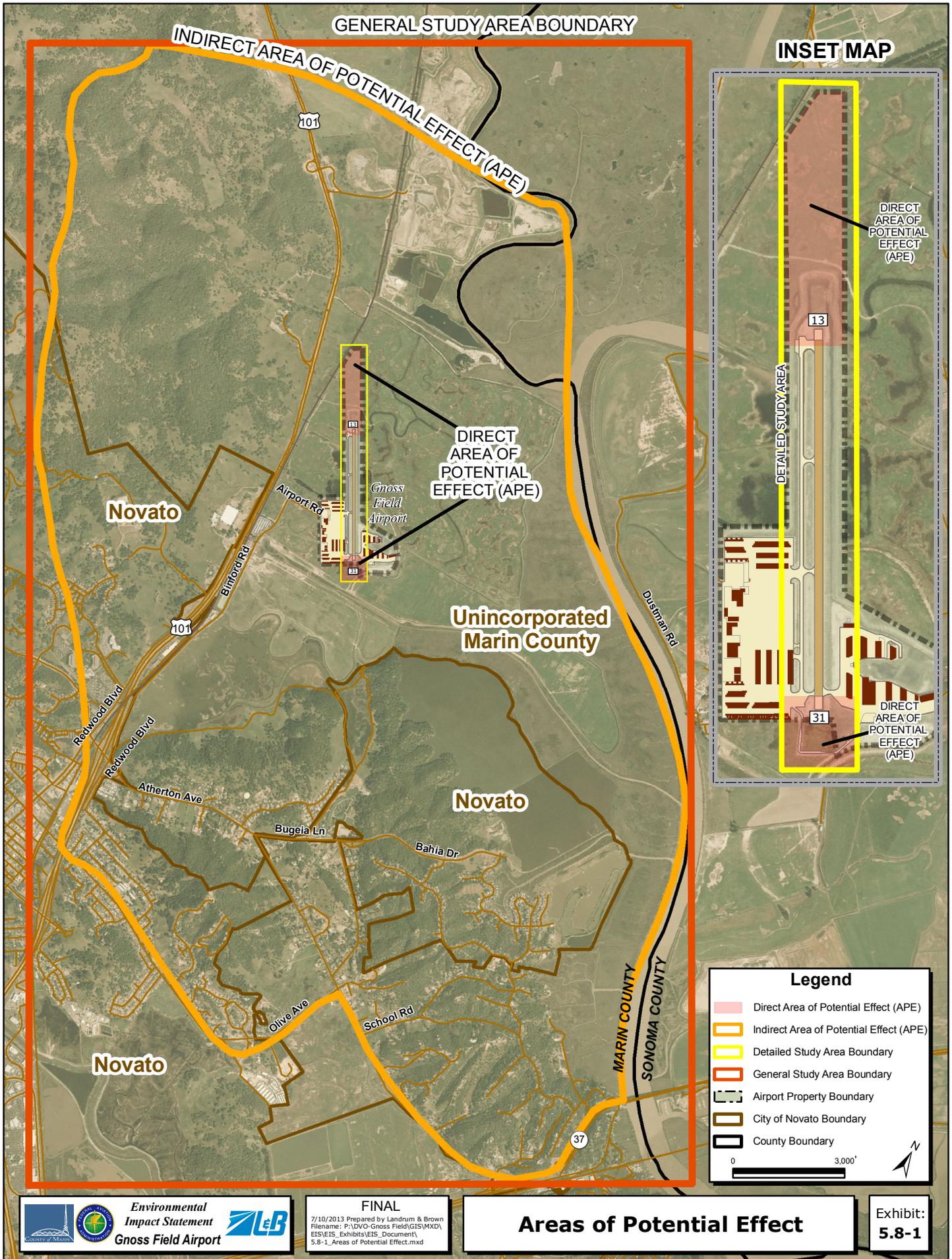
Direct APE: The State of California Native American Heritage Commission (NAHC) was contacted as part of the development process of this Environmental Impact Statement (EIS), with a request for a query of the Sacred Lands File and a list of Native American contacts (see Appendix H). The NAHC indicated that a records search of the Sacred Lands File revealed that no Native American Cultural Resources have been recorded within the Direct or Indirect APEs. Additional research on the California Office of Historic Preservation database of historic resources found no previously recorded historic, architectural, or archaeological sites within the Direct APE that are listed or eligible for listing on the California NRHP.³

In addition to the records searches, field surveys of the Direct APEs associated with the project were conducted in May 2008 and September 2009. No cultural materials were found during these surface surveys. Through each survey, there were no observed surficial prehistoric, ethnohistoric, or historic cultural resources. To determine if subsurface cultural materials were present, a limited number of shovel test probes (STPs) were excavated at various locations within the survey area. No subsurface cultural materials were observed within any of the STP locations (see Appendix H).

¹ Email from Federal Aviation Administration, Doug Pomeroy to California Office of Historic Preservation, July 25, 2011.

² Letter from California Office of Historic Preservation to Federal Aviation Administration, July 20, 2010 (see Appendix H for copy of letter).

³ California Office of Historic Preservation, On-line at: <http://ohp.parks.ca.gov/> Retrieved October 20, 2011.



Indirect APE: The Indirect APE is shown in Exhibit 5.8-1. The California SHPO concurred with the Indirect APE on July 20, 2010 (see Appendix H *Cultural Resources*). The Olompali Burdell Ranch Complex, located in the Indirect APE, is eligible for listing on the NRHP. The site of The Oldest House North of San Francisco Bay, California Register of Historic Resources, California State Historic Landmark, Marin County, #210, is within the Indirect APE, but is not eligible for NRHP listing because the house was previously destroyed by fire⁴ (See Exhibit 4-12, *Historic Resources within the Area of Potential Effect*).

Neither of these sites is exposed to noise levels at or above 65 Community Noise Equivalent Level (CNEL) under Existing Conditions (2008). See Exhibit 4-5, *Existing Conditions (2008) Community Noise Equivalent Level*, for a map showing the areas within the existing 65 CNEL noise contour.

The results of National Historic Preservation Act, Section 106, consultation with the California State Historic Preservation Officer are provided in Section 5.8.7.

5.8.4 FUTURE CONDITIONS: 2018

Alternative A: No Action

Under 2018 Alternative A (No Action), no historic properties would be directly impacted because there would be no construction activities. None of the historic properties within the Indirect APE would be exposed to noise levels at or above 65 CNEL with implementation of Alternative A. Therefore, the FAA finds implementation of the Alternative A would have no effect on any historic property on or eligible for listing for the NRHP and would not result in a significant impact on any historic properties. See Exhibit 5.1-1 for a map depicting the 65 CNEL noise contour for 2018 Alternative A.

Alternative B: Extend Runway to the Northwest by 1,100 Feet (Sponsor's Proposed Project)

There are no historic properties located within the Direct APEs. Therefore, the construction activity associated with Alternative B (Sponsor's Proposed Project) would not impact any historic properties. None of the historic properties within the Indirect APE would be exposed to noise levels at or above 65 CNEL. As a result, no historic property would be considered impacted by noise associated with Alternative B. Therefore the FAA finds the proposed undertaking, implementation of Alternative B, would not affect any historic properties listed or eligible for listing on the NRHP, and would not result in a significant impact on any historic properties. See Exhibit 5.1-2 for a map depicting the 65 CNEL noise contour for 2018 Alternative B. See Section 5.8.7 and Appendix H, *Cultural Resources*, for the results of the FAA's consultations under Section 106 of the NHRP.

⁴ California State Historical Landmarks in Marin County, Retrieved October 15, 2011, on-line at: http://ceres.ca.gov/geo_area/counties/Marin/landmarks.html

**Alternative D:
Extend Runway to the Southeast by 240 Feet and to the Northwest by 860 Feet**

There are no historic properties located within the Direct APEs. Therefore, the construction activity associated with Alternative D would not impact any historic property. None of the historic properties within the Indirect APE would be exposed to noise levels at or above 65 CNEL. As a result, none of these historic properties would be considered impacted by noise associated with Alternative D. Therefore, the FAA finds implementation of Alternative D would not affect any historic properties listed or eligible for listing on the NRHP, and would not result in a significant impact on any historic properties. See Exhibit 5.1-3 for a map depicting the 65 CNEL noise contour for 2018 Alternative D.

5.8.5 OTHER POTENTIAL IMPACTS

As described in other sections of this EIS, there would be no other environmental impacts that would affect the historic properties identified in the Indirect APE (which is contained within the GSA) for Alternatives A, B, or D. Due to the location of historic properties in relationship to the project area, there would be no other impacts to these properties related to water resources, wetlands, floodplains, or light emissions.

5.8.6 INADVERTENT DISCOVERIES OF HISTORIC PROPERTIES

Although no historic properties are known to occur in the Direct APE, the cultural resources report (Appendix H) identified that archaeological or other historic sites could potentially be discovered during construction of the proposed runway extension. As part of the environmental requirements for this project, the FAA would require Marin County have an archaeological site monitor present during the initial site excavation of the proposed runway extension. Marin County would be required to stop work and evaluate any archaeological or other historic site discovered during the excavation or subsequent construction of the proposed project.

In the event that additional archaeological artifacts are encountered during project construction, work in the area shall halt until a qualified archaeologist evaluates the nature and significance of the find. If the remains are deemed significant, the project, if necessary, shall be modified to allow the artifacts or features to remain in place, or the archaeological consultant shall undertake the recovery of the deposit or feature. The archaeologist shall prepare a summary outlining the methods followed and summarizing the results of the mitigation program. The report shall outline the methods followed, list and describe the resources recovered, map their exact locations and depths, and include other pertinent information. The Marin County shall submit the report to the Northwest Information Center and the California SHPO. If the suspected remains prove to be non-significant or non-cultural in origin, work would recommence immediately.

In the event that human skeletal remains are discovered at the site during construction, work shall be discontinued in the area of the discovery and the County Coroner shall be contacted. If skeletal remains are found to be prehistoric Native American remains, the Coroner shall call the NAHC within 24 hours. The NAHC would identify the person(s) it believes to be the "Most Likely Descendant" of the deceased Native American. The Most Likely Descendant would be responsible for recommending the disposition and treatment of the remains. The Most Likely Descendant may make recommendations to the landowner or the person responsible for the excavation/grading work for means of treating or disposing of the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.

5.8.7 RESULTS OF NATIONAL HISTORIC PRESERVATION ACT, SECTION 106, CONSULTATION.

On June 23, 2011, the FAA submitted its determination of eligibility of historic properties for the NRHP within the Direct and Indirect APEs and its Findings of No Effect on any historic properties within the Direct and Indirect APEs for Alternative B to the California SHPO. The FAA's determination was that there were no historic properties on or eligible for the NRHP within the Direct APE. The FAA also found Alternative B would have no effect on the historic properties within the Indirect APE because none of those properties would be exposed to noise levels at or above 65 CNEL, or exposed to any other indirect impacts. As the California SHPO did not object to the FAA's finding within 30 days of receipt of an adequately documented finding, in accordance with 36 CFR § 800.4(d)(1)(i), the FAA's consultation responsibilities under Section 106 of the NHPA are complete. The FAA also confirmed with the California SHPO office by telephone call of September 26, 2011 that the NHPA Section 106 consultation process was complete (FAA letter of October 6, 2011 in Appendix H, *Cultural Resources*).

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