

WEST MODESTO SEWER INFRASTRUCTURE PROJECT
ADDENDUM TO THE INITIAL STUDY
WITH NEGATIVE DECLARATION (SCH 2018052010)



Prepared For:
Stanislaus County
Planning & Community Development
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Modesto, CA 95354

December 2020

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Introduction

The County of Stanislaus (County) circulated an Initial Study/Negative Declaration (IS/ND) for the West Modesto Sewer Infrastructure Project (Project) from May 4, 2018 to June 4, 2018. Since that time, a modification to the proposed Project has been identified as being necessary to revise the Project description. This Addendum is provided as a supplement to the environmental analysis provided in the Final IS/ND, pursuant to State California Environmental Quality Act (CEQA) Guidelines sections 15162. This Addendum describes the Project, the proposed revision to the Project description, summarizes existing CEQA documentation, provides an updated environmental evaluation for specific topical areas that may have changed, evaluates new Project-environmental impacts, and finds that there are no significant impacts. As there are no significant impacts or conditions/circumstances which would prompt preparation of a subsequent environmental document, the County has determined that an addendum to the prior Final IS/ND is the appropriate level of CEQA documentation for the Project.

Background

The Project involves the installation of sanitary sewer mains and laterals in three separate unincorporated neighborhoods within Modesto, CA. The neighborhoods are disadvantaged communities that predominantly rely on septic tanks for the treatment of sewage. The installation of the new sewer main and laterals would improve public health and safety associated with failing septic systems. The new infrastructure will allow property owners the option to connect to the public sewer system.

The 2018 Draft IS/ND included analysis of the proposed sewer infrastructure project, but did not assess potential effects of the connection from private properties into the public sewer laterals. Initially the connection from private properties to the public sewer system was not part of the infrastructure and anticipated to occur at later dates with private property owners incurring the associated costs. Since the completion of the IS/ND, the County has secured funds from the State Water Board to allow private property owners to abandon their septic tanks and connect to the existing City of Modesto's public sewer system.

Revised Project Description

The County, in cooperation with HUD and SWRCB, proposes to install sanitary sewer mains and laterals, with private property connections to each residence, in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California (Figures 1 through 3). It is estimated that the Project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in the Spencer/Marshall (144 services), Beverly/Waverly (527 services), and Rouse/Colorado (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue. The following street intersections and road segment are part of the Project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100' east of the Lombardy Drive/Ritsch Lane intersection.

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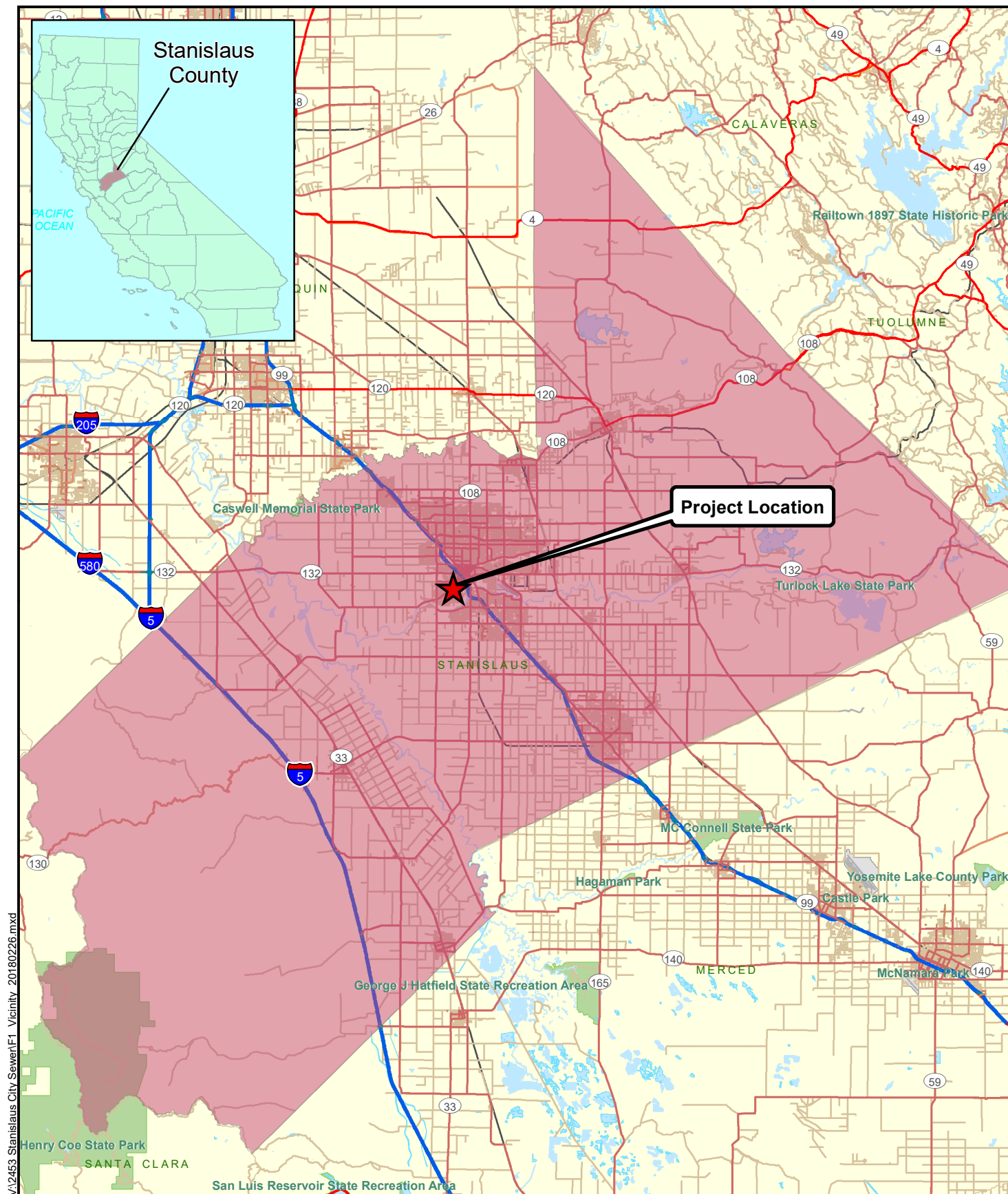


FIGURE 1
Project Vicinity

HUD Project No: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



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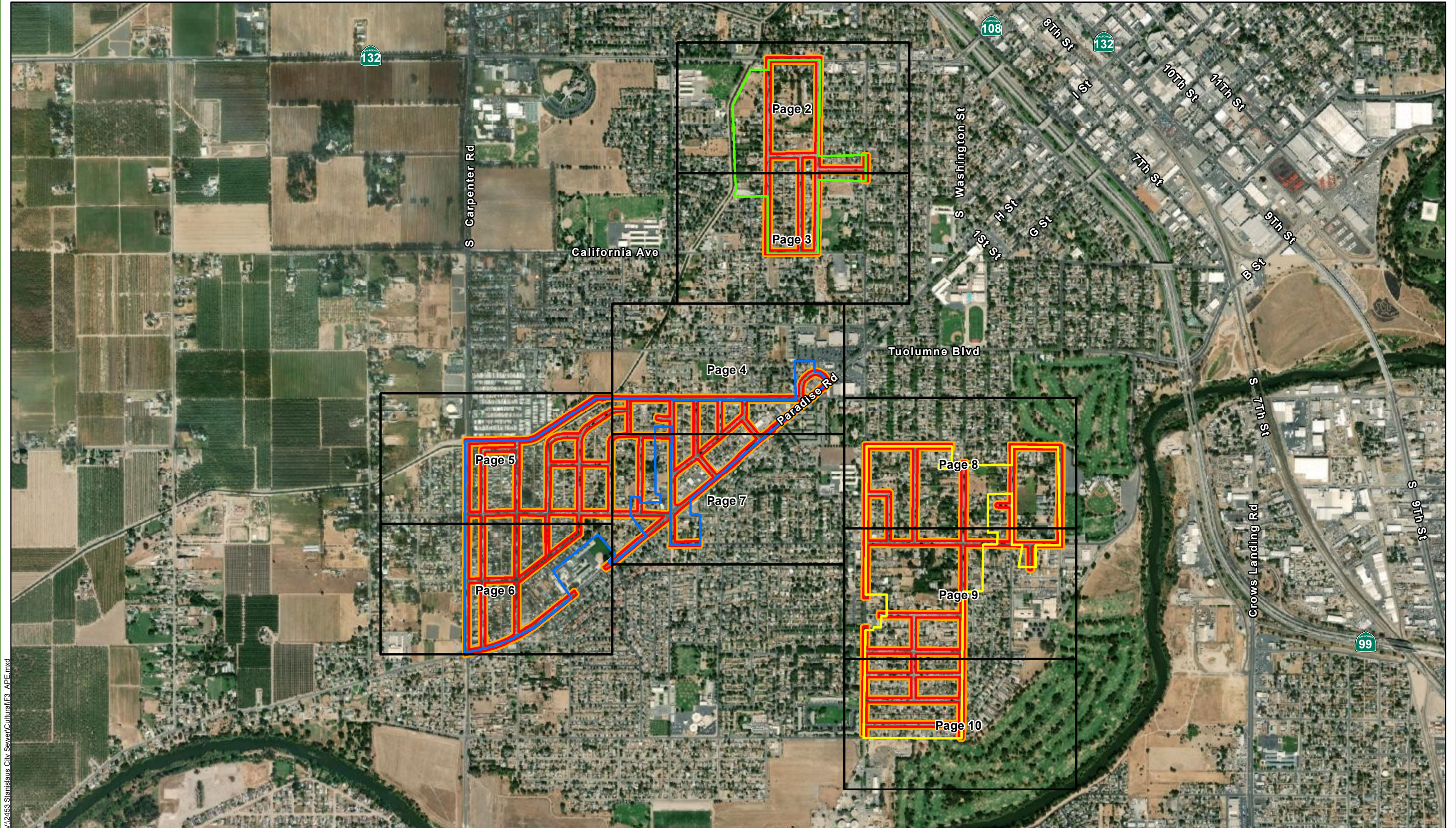
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FIGURE 2
Project Location

HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



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Source: ESRI Maps Online; Dokken Engineering 9/24/2020; Created By: astorck

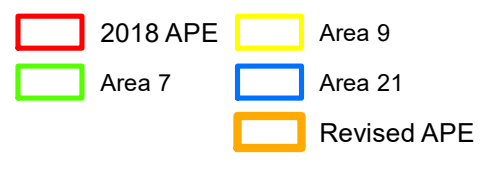
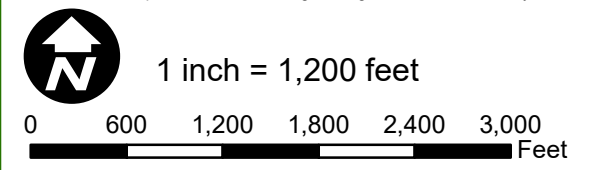
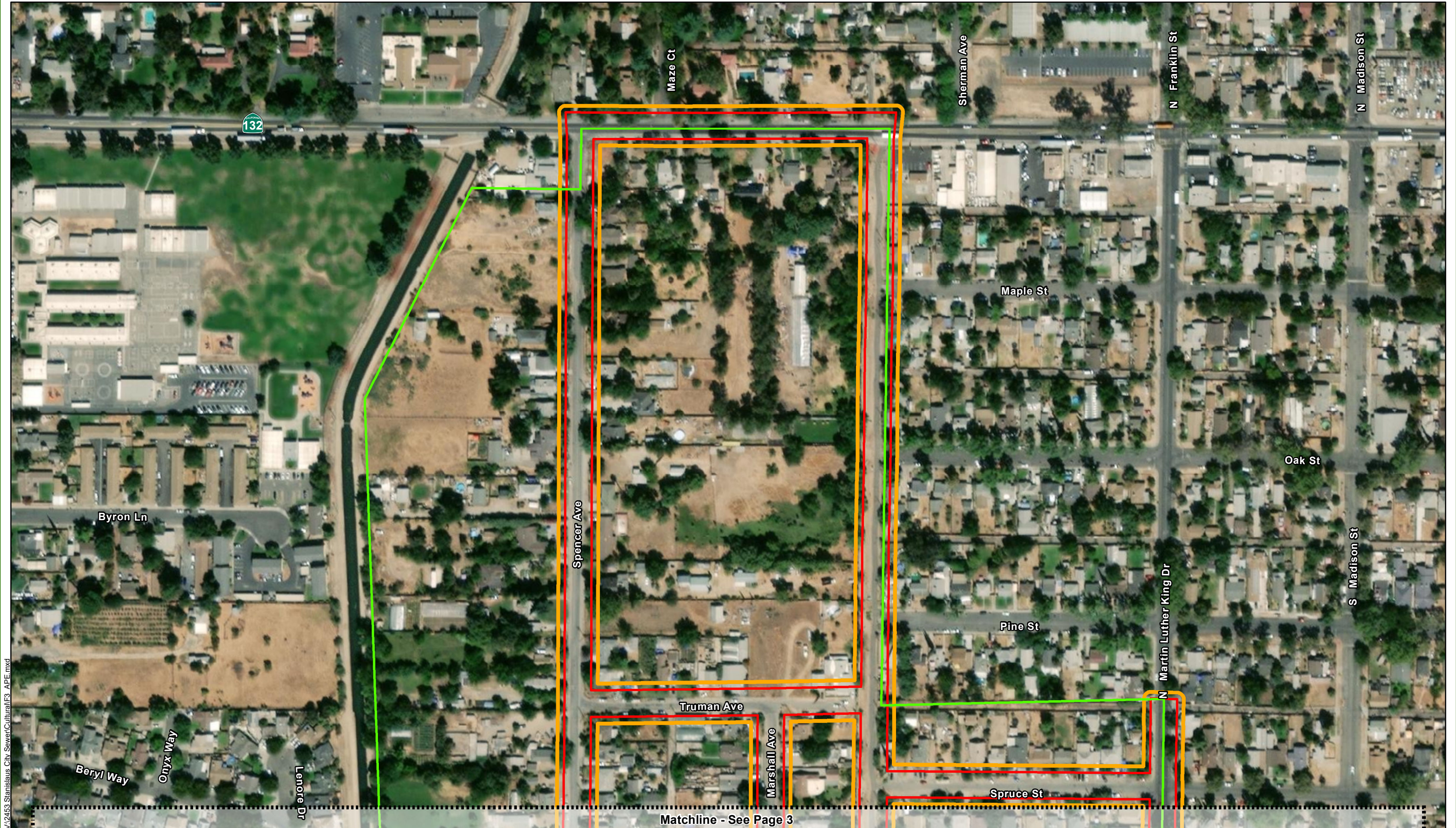
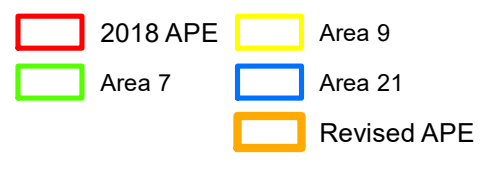
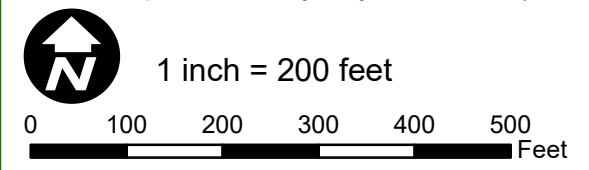


Figure 3
Revised Area of Potential Effects
Page 1 of 10
 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



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Source: ESRI Maps Online; Dokken Engineering 9/24/2020; Created By: astorck



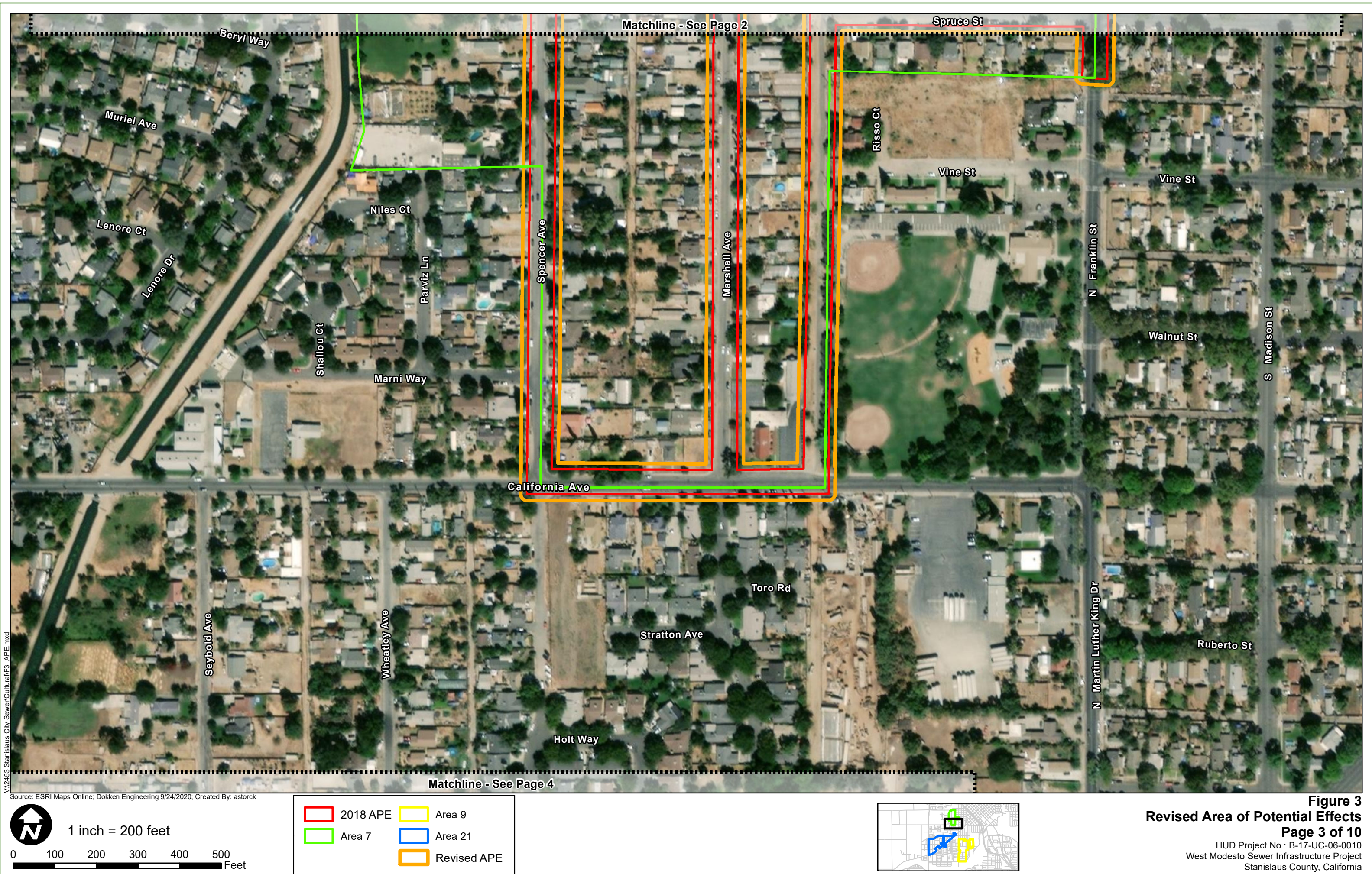
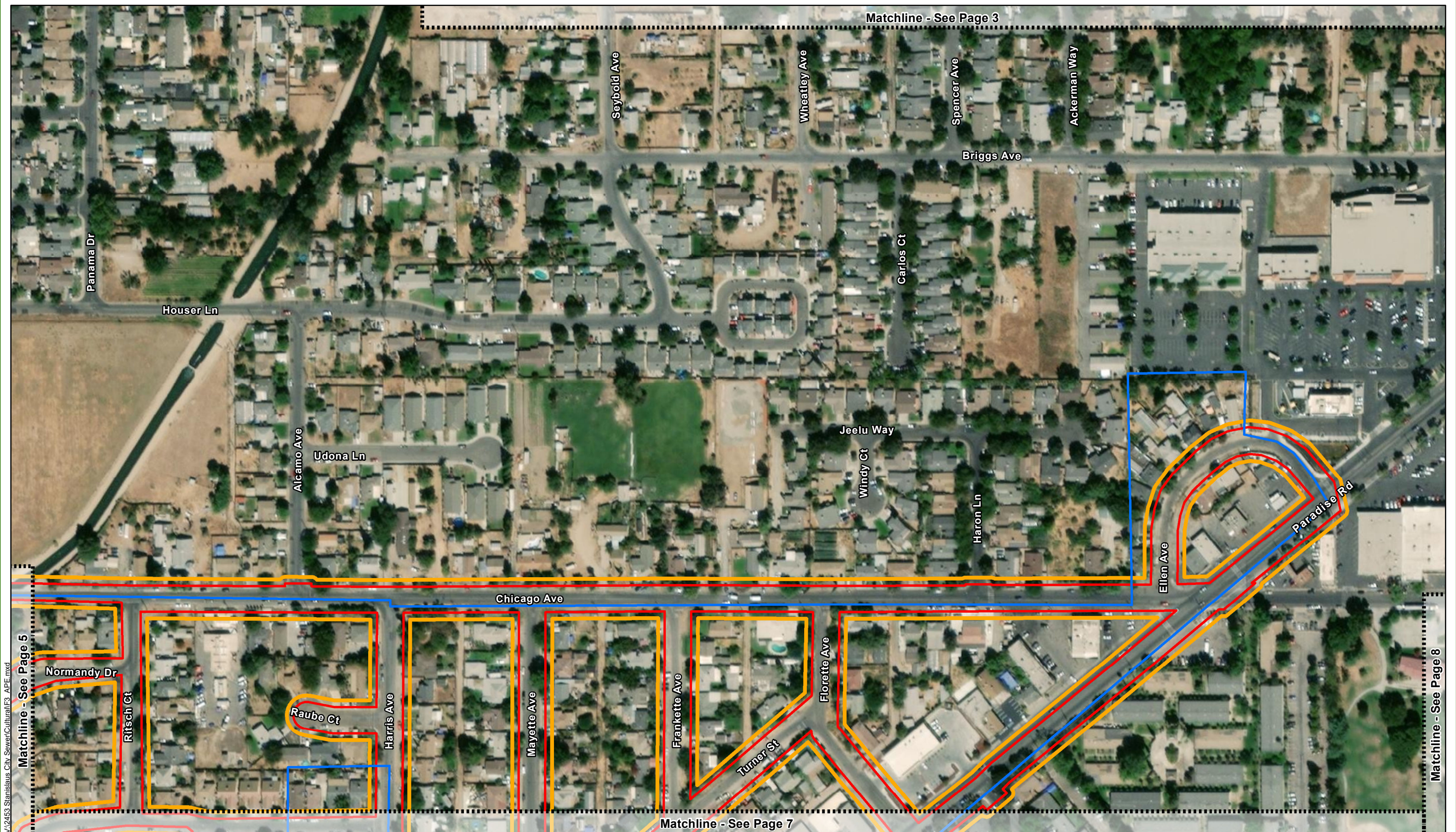
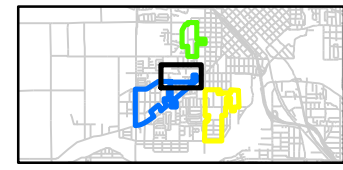
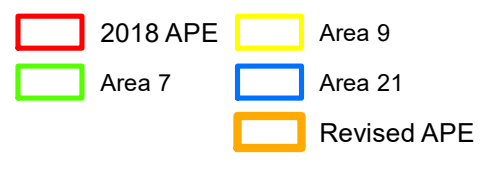
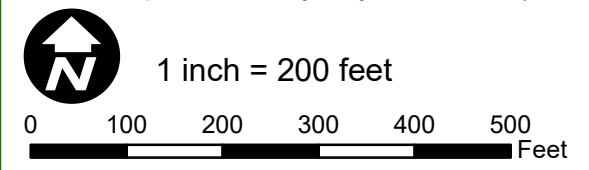


Figure 3
Revised Area of Potential Effects
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HUD Project No.: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California

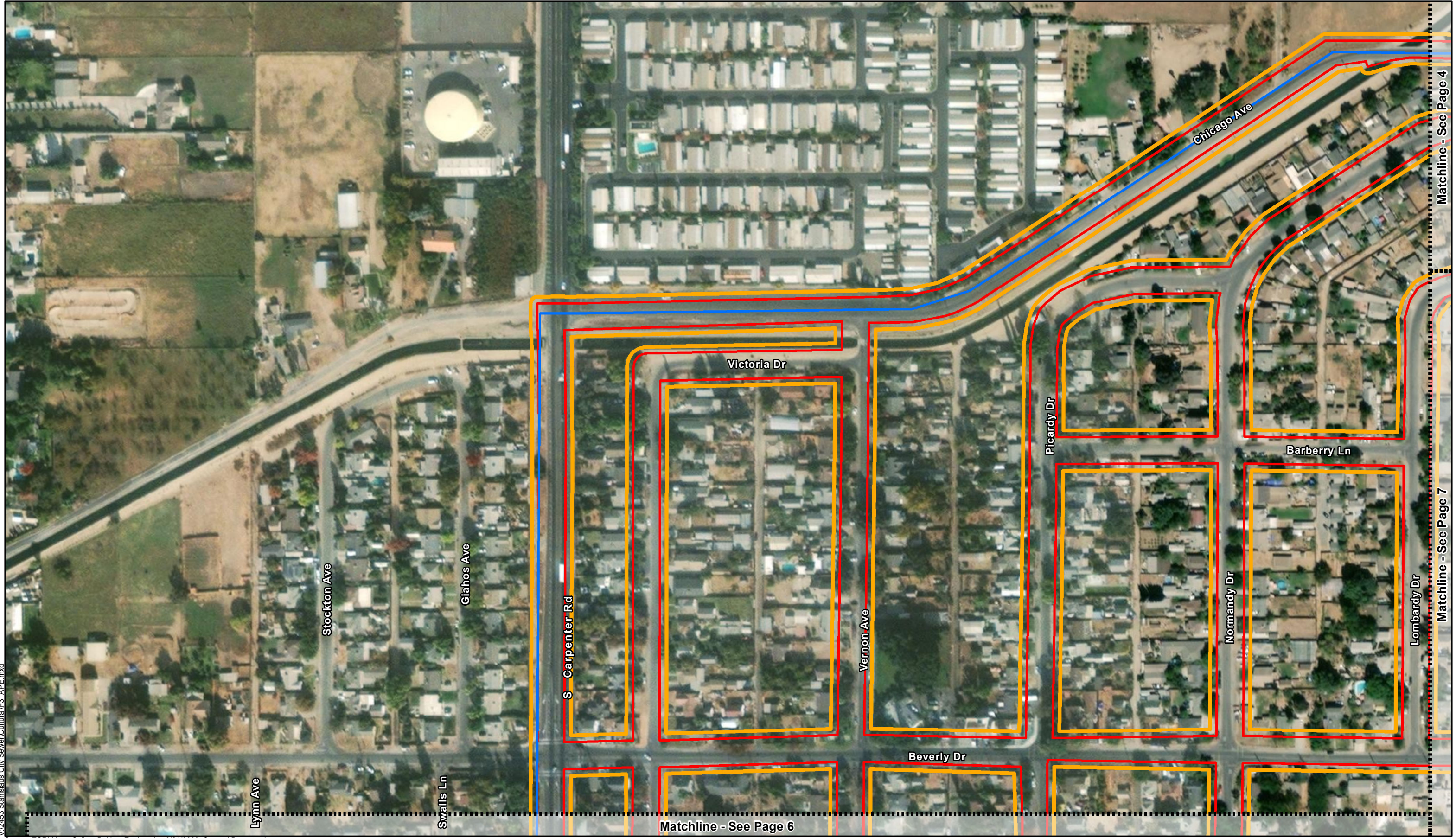


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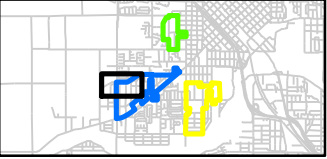
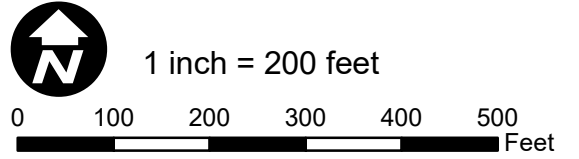
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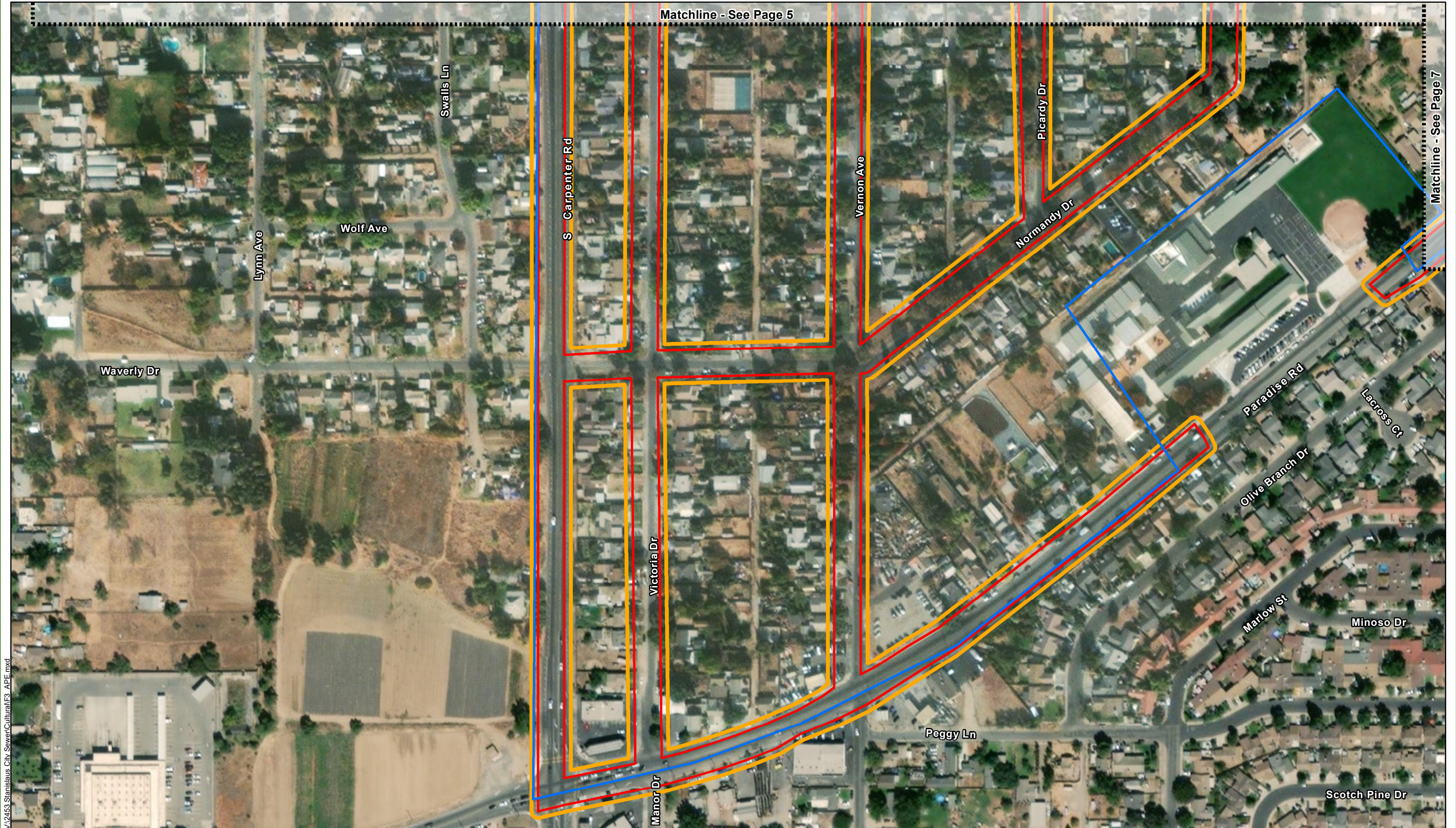


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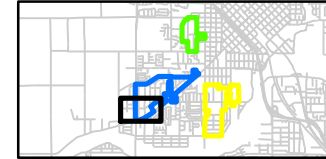
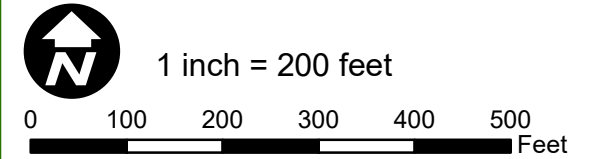
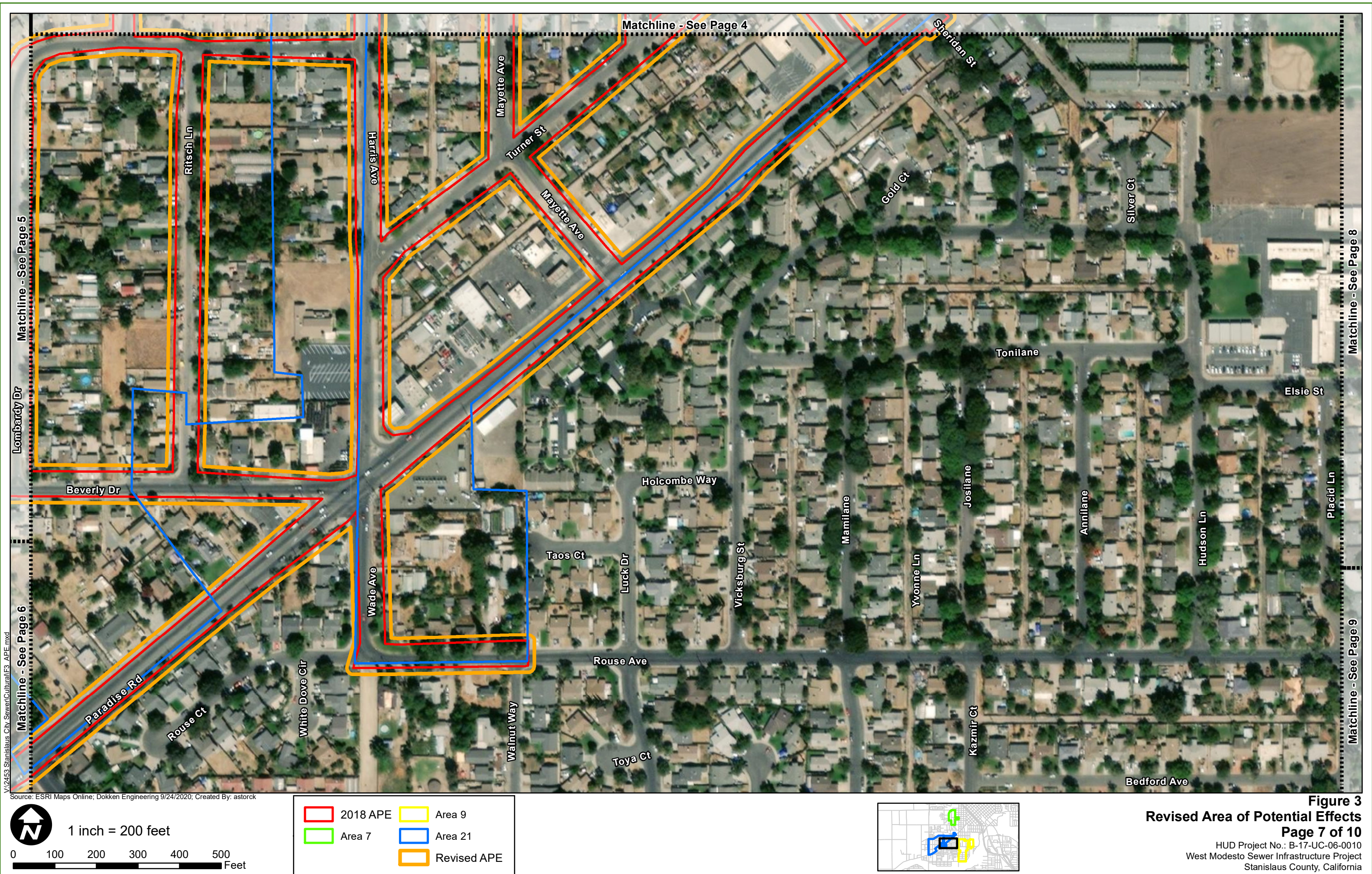


Figure 3
Revised Area of Potential Effects
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 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



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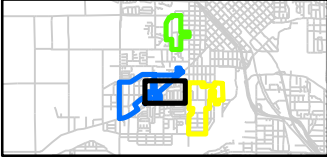
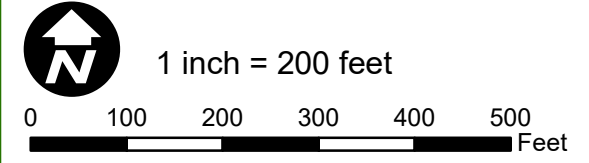


Figure 3
Revised Area of Potential Effects
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HUD Project No.: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California

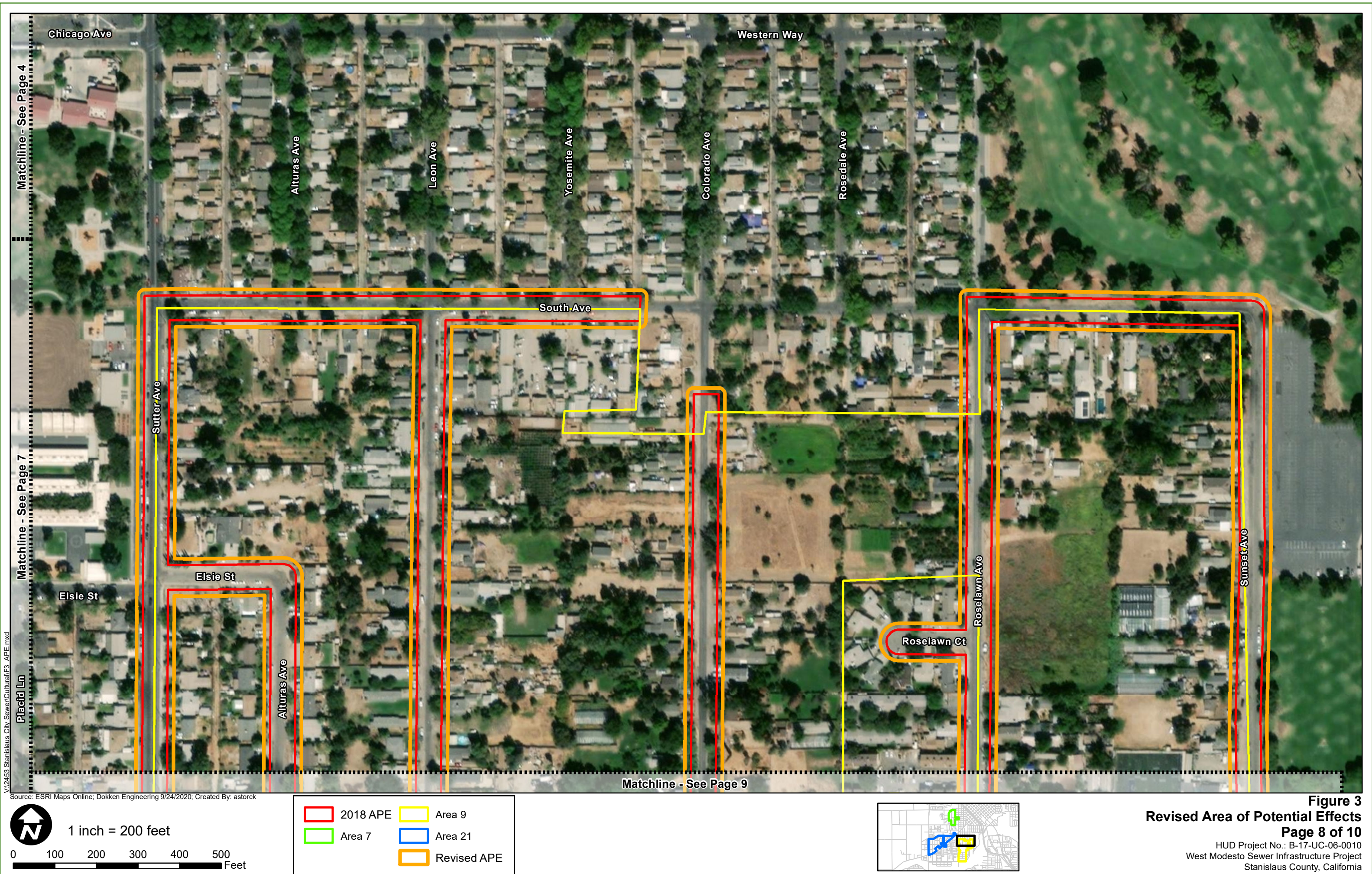
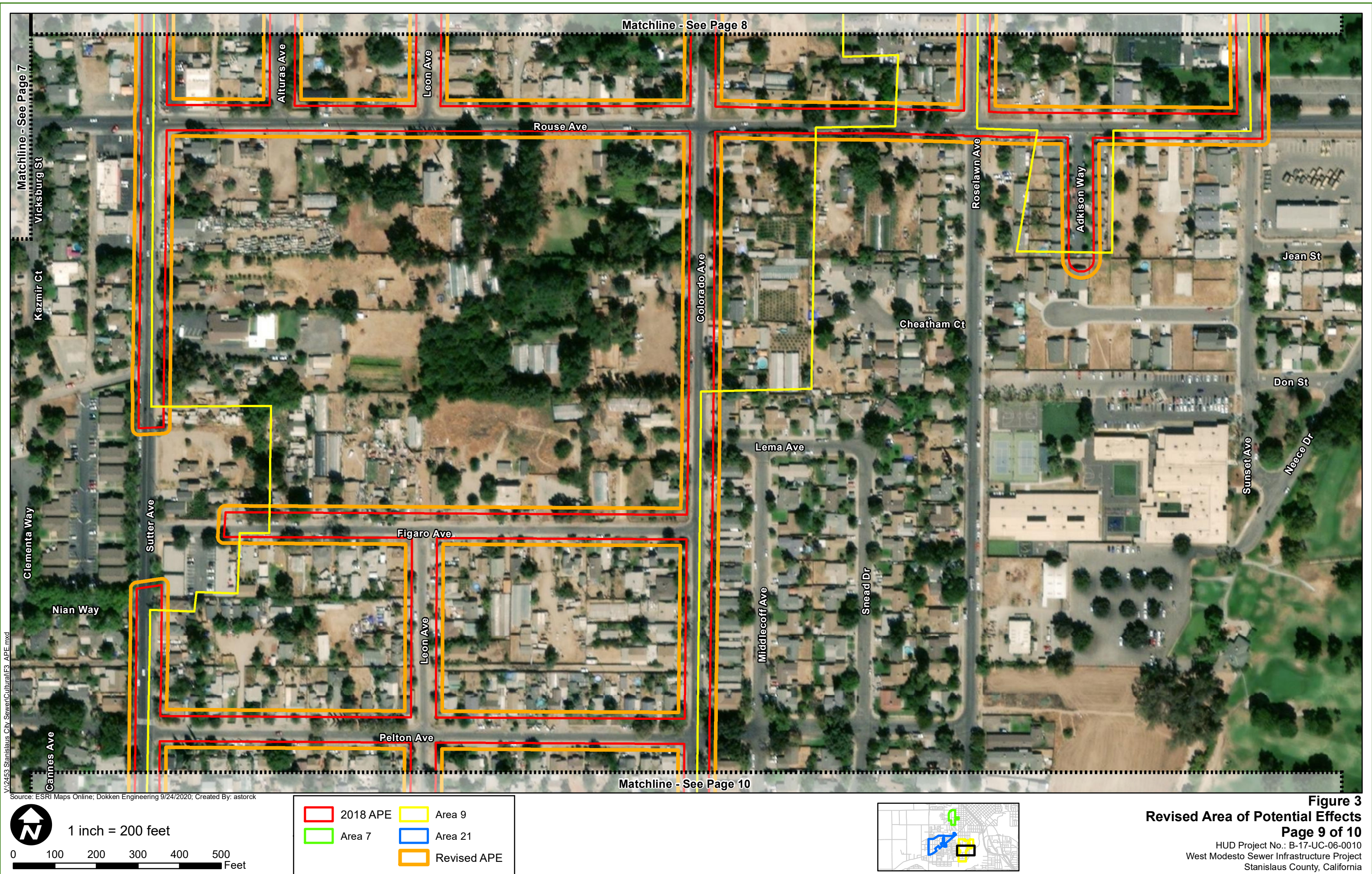
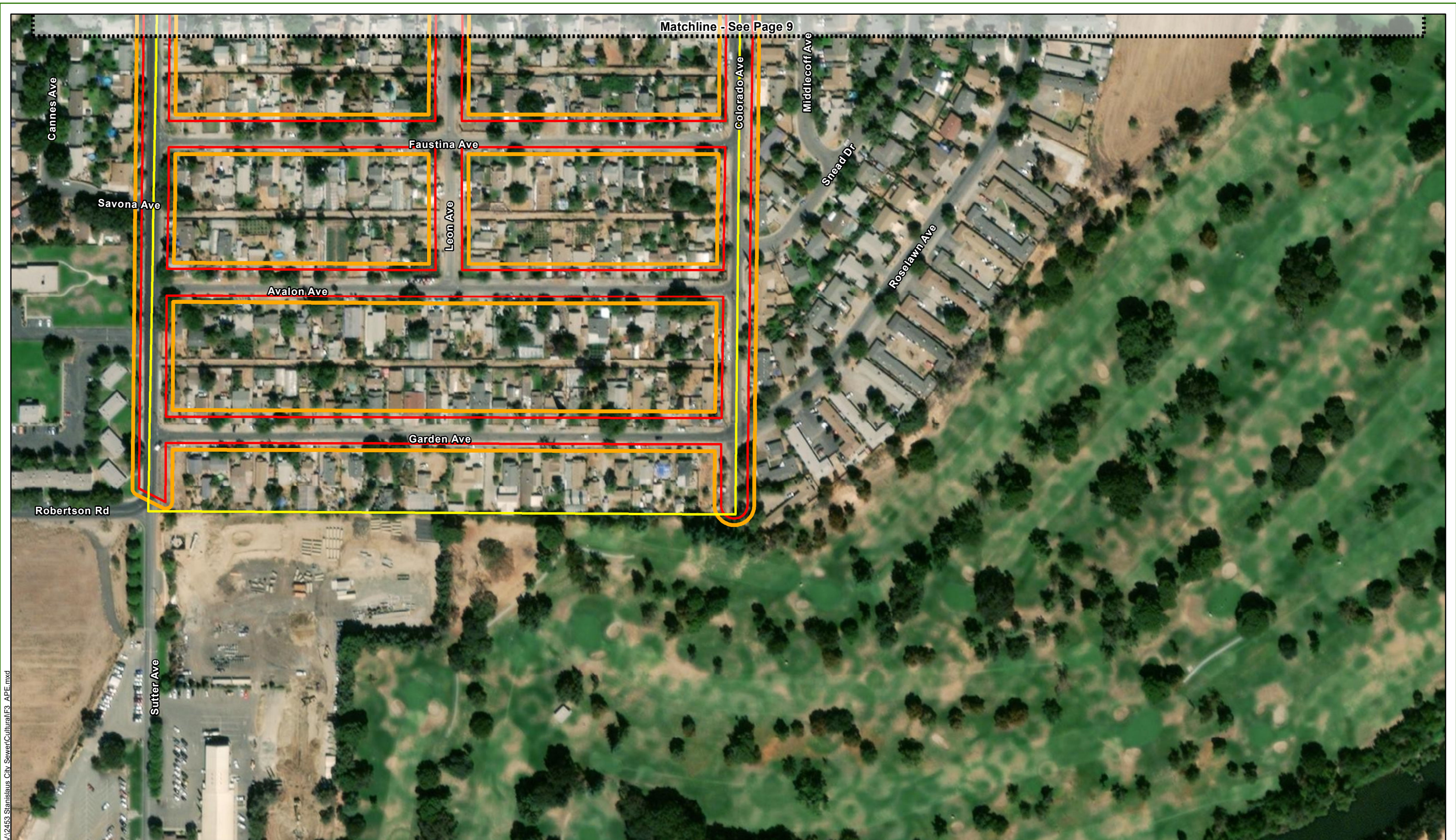


Figure 3
Revised Area of Potential Effects
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HUD Project No.: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California





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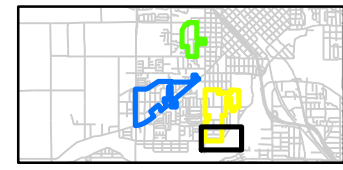
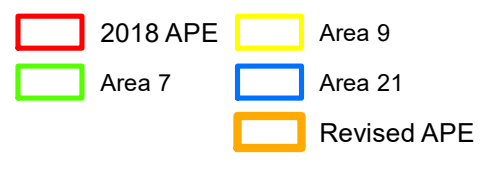
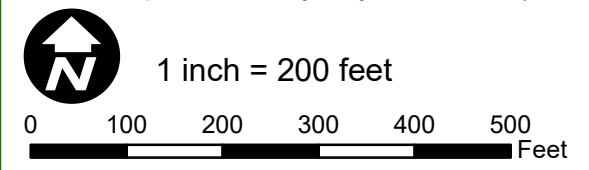


Figure 3
Revised Area of Potential Effects
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 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

The Spencer/Marshall, Beverly/Waverly, and Rouse/Colorado neighborhoods are disadvantaged communities located in West Modesto with predominantly residential parcels that currently rely on septic tanks for the treatment of sewage. The Project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. The Project will include the installation of a new sewer system with approximately 80,000 linear feet of sewer main and street reconstruction. The completed Project will allow property owners to abandon their existing septic tanks and connect to a public sewer system with private property connections paid for by State Water Board grant funding awarded to the County and installed through individual construction contracts approved by the County. The new sewer infrastructure will connect into the City of Modesto's existing public sewer system. Upon completion of the Project, Project ownership of the public sanitary sewer improvements will be transferred to the City of Modesto for operation and maintenance.

Existing private septic systems and water services will remain active during Project construction. No road closures are anticipated to occur and access to each residence will be maintained. Minor temporary detours for local traffic may take place. Temporary construction easements, utility easements, and encroachment permits may be needed on a limited basis to accommodate the installation of the proposed improvements. Construction of the public sanitary sewer improvements for the Spencer/Marshall area is anticipated to last six months, for the Beverly/Waverly area eighteen months, and for the Rouse/Colorado area twelve months. Private sewer connections from individual properties to the public sewer laterals are expected to be completed within two years of the City's acceptance of the public sewer improvements.

The City of Modesto's (City) River Trunk Realignment project is co-located in the Colorado Avenue street segment of Project Area 9. The City's project will include construction of gravity pipelines, force mains, and two new pump stations. Construction of the public sanitary sewer improvements for the Rouse/Colorado Project (Area 9) will be completed concurrently with the City's project. The City prepared a Wastewater Master Plan Final Environmental Impact Report (FEIR) in October of 2019 which included the River Trunk Realignment project. The City's project impacts were reviewed and were not found to affect the County's sewer Project.

The Project will be constructed using local, SWRCB, and Community Development Block Grant funds; therefore, coordination with the HUD under NEPA will be required and the County is the lead agency for CEQA purposes and the responsible entity for NEPA purposes.

Summary of Existing CEQA Documentation

The County (CEQA lead agency) completed a Draft IS/ND and circulated the document for public review for a period of 30 days, beginning May 4, 2018 and ending June 4, 2018. The Final IS/ND was approved by the County on July 17, 2018. The IS/ND addressed potential environmental effects of the Project and found that all impacts to environmental resources as a result of this Project were less than significant.

Appropriate CEQA Documentation for the Proposed Revision

In accordance with Section 15164(b) of the State CEQA Guidelines, “An addendum to an adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or Negative Declaration have occurred.” Specifically, these conditions include:

1. Substantial changes are proposed in the Project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - A. The Project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the Project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative.

In order to utilize an addendum as the appropriate CEQA document, the County, as the lead agency, must make a finding that changes to the Project are necessary and that the Project would not result in any significant environmental effects than previously identified in the 2018 Final IS/ND. The following section analyzes whether connecting individual properties to the public sewer laterals will have any environmental impacts.

Environmental Analysis

The 2018 West Modesto Sewer Infrastructure Project IS/ND determined less than significant impact or no impact for all environmental resources. The proposed revision to the Project features will also have a less than significant impact or no impact to resources; however, the revision would require a change to the Project description as updated above. This Addendum focuses on the potential effects on the environment due to the proposed revision to the Project description to determine whether the changed conditions would result in anything beyond a less than significant impact. Environmental resources not mentioned below would also have a less than significant to no impact consistent with the original project scope and analysis.

Biological Resources

A Biological Resources Technical Report (BRTR) was prepared for the Project in April 2018. An updated biological literature review and survey were conducted in response to the revised

Project. The literature review and updated species lists within the Biological Study Area (BSA) were consistent with the original findings and species list acquired for the 2018 BRTR. The updated survey, conducted by Dokken biologist Hanna Sheldon, observed vegetation communities to assess potential habitat for sensitive plants and wildlife. The habitat communities within the BSA consists of urban/paved areas and residential landscaping. Construction of the private property connections and the demolition of private septic systems would occur within the front yard and interior of residential lots which consists solely of residential landscaping habitat communities.

The results of the literature review and biological survey conducted September 10, 2020 confirmed that the conditions are consistent with the results of the 2018 BRTR. No additional impacts would occur as a result of the private property connections (Appendix A).

Cultural Resources

A Cultural Resources Inventory and Evaluation Report (CRIER) was prepared for the Project in May of 2018. A supplemental analysis was conducted to determine impacts on cultural resources due to the Project expansion. The Area of Potential Effects (APE) was expanded from 96.5 acres to 142.2 acres to include potential direct and indirect effects. The vertical depth of 10 feet below ground surface did not change due to the expansion and, therefore, prescribed project activities would occur within area already highly disturbed by the original project scope. The original record search area was restricted to a 500-foot radius, but was expanded to include the entire residential parcel as the effective boundary for the updated analysis. A total of six historic residential property boundaries were determined to lie adjacent to the expanded APE; however, none of the actual structures on the properties lie within the expanded APE. Furthermore, the six historic structure have been determined ineligible for the National Register of Historic Places (NRHP). A Dokken archaeologist also conducted a visual inspection of the expanded APE by utilizing project photographs and Google Street View, which confirmed that none of the identified structures lie within the expanded APE and no other cultural resources were identified.

The Cultural Resources Inventory Report Memorandum dated September 30, 2020 concluded that the expanded undertaking will result in no significant alterations to the historic characteristics of the Project area. The proposed improvements to be implemented as a result of the Project will have no impact upon any of the identified structures themselves and will serve to maintain their respective habitability and continued presence overall. Therefore, a finding of no adverse effect to historic properties for this undertaking pursuant to 36 CFR § 800.5(b) is recommended (Appendix B). Julianne Polanco, State Historic Preservation Officer (SHPO), concurred with this finding via a signed letter dated October 20, 2020.

Hazard and Hazardous Materials

An updated review of EnviroStor indicates that there are no current or historical clean-up sites or hazardous waste facilities within the expanded project area. These findings indicate a less than significant or no impact, consistent with the initial assessment.

Utilities

The expanded associated project activities would still have a less than significant or no impact to utilities and service systems. As stated under Cultural Resources, the disturbed vertical area of the original scope was a depth of 10 feet below ground surface and would not change due to the expanded scope of connecting individual properties to the public sewer laterals.

Determination of Appropriate CEQA Documentation

Section 15162 - Subsequent EIRs and Negative Declarations

- a) "When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:"
- 1) "Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;"

The County proposes connecting individual properties to the new sewer infrastructure. The previously analysis of the publicly circulated draft IS/ND concluded that the sewer infrastructure project would not have any significant effects to the environment. Since the adoption of the Final IS/ND the County has helped to secure funds to make the connection from private properties to the new sewer system infrastructure, which requires additional analysis. Such analysis on environmental resources has been conducted and that there would be no environmental impacts due to the expanded scope and associated activities.

- 2) "Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or"

The proposed revisions to the West Modesto Sewer Infrastructure Project have been evaluated for potential environmental impact as part of this Addendum. The findings within this Addendum and within update analysis have confirmed that the modification of connecting individual properties to the new public sewer laterals is minor and would not result in in new or more severe significant environmental effects.

- 3) "New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
- A) "The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;"

No new significant environmental effects were identified compared to those identified in the adopted 2018 Final IS/ND.

- B) "Significant effects previously examined will be substantially more severe than shown in the previous EIR;"

Significant effects previously discussed in the 2018 Final IS/ND would not be increased or made more severe as a result of the revision discussed in the updated project description and environmental analysis in this Addendum.

- C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the

project, but the project proponents decline to adopt the mitigation measure or alternative; or”

Not applicable. No mitigation measures or alternatives were previously found to be infeasible in the adopted 2018 Final IS/ND.

- D) “Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

Impacts have been avoided to the extent feasible and, as in the Final IS/ND, there is a less than significant to no impact on all environmental resources.

- b) “If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.”

Based on the analysis in this Addendum, the proposed revision would not result in new or more severe environmental impacts. None of the conditions listed under subsection (a) would occur that would require preparation of a subsequent Negative Declaration; therefore, this Addendum is an appropriate level of documentation to update the environmental record.

- c) “Once a project has been approved, the lead agency’s role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or Negative Declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent Negative Declaration adopted.”

None of the conditions listed in subsection (a) would occur due to the proposed modification. No subsequent IS/ND is required.

Section 15164 - Addendum to an EIR or Negative Declaration

- a) “The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

This Addendum, and the information provided herein, satisfies the requirements of this Section of the CEQA Guidelines.

- b) “An addendum to an adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”

Revision to the Project description of the adopted 2018 Final IS/ND are necessary; however, none of the conditions described in Section 15162 calling for preparation of a subsequent Negative Declaration would occur as a result of the proposed modifications. Therefore, an

Addendum to the adopted 2018 Final IS/ND is the appropriate CEQA document for the proposed Project modifications.

- c) "An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration."

This Addendum will be attached to the 2018 Final IS/ND and maintained in the record files of the Stanislaus County Clerk-Recorder.

- d) "The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project."

The County will consider this Addendum with the 2018 Final IS/ND prior to making a decision on the proposed Project revision.

- e) "A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence."

This document provides substantial evidence for Stanislaus County to support the decision to prepare an Addendum for the proposed Project modification.

Conclusion

This Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines and it documents that none of the conditions or circumstances that would require preparation of a subsequent Negative Declaration, pursuant to Sections 15162 and 15164 of the State CEQA guidelines, exist in connection with the currently proposed project. No major revisions would be required to the 2018 Final IS/ND as a result of the modifications to connect individual properties to the new sewer infrastructure. No new or more severe environmental impacts have been identified and preparation of a subsequent Negative Declaration is not needed for the proposed Project. The County has reviewed the prior 2018 Final IS/ND and finds that the Project as proposed will have a less than significant to no impact on environmental resources. Therefore, the County has determined that this Addendum and the prior 2018 Final IS/ND provide the appropriate environmental documentation for the Project in compliance with the requirements of the CEQA Guidelines.

Pursuant to the provisions of California Public Resources Code §21082.1, the County has reviewed and analyzed the information contained in the Addendum and the 2018 Final IS/ND prepared pursuant to CEQA and the State CEQA Guidelines. The complete Addendum and 2018 Final IS/ND including discussions, environmental analysis, and conclusions reflects the independent judgment of the County as to those issued at the time of publication.

The Addendum and 2018 Final IS/ND will be maintained in the record files of the Stanislaus County Clerk-Recorder's office.

APPENDIX A: 2020 Biological Resources Update Memorandum

Biological Memorandum

Prepared For:	Stanislaus County, Planning and Community Development Department
Attention:	Miguel Galvez, Deputy Director
From:	Hanna Sheldon, Environmental Planner/Biologist, Dokken Engineering
Subject:	West Modesto Sewer Infrastructure Project Biological Survey
Date:	September 28, 2020

Introduction

Dokken Engineering (Dokken) has completed an updated general biological survey for the West Modesto Sewer Infrastructure Project (Project) located in three separate unincorporated neighborhoods within West Modesto in Stanislaus County (County). The proposed Project was cleared under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) in July of 2018. Since then, the County revised the Project to also include private property connections in each of the Project areas (Spencer/Marshall, Rouse/Colorado, Beverly/Waverly) with sewer lateral installations and demolition of existing private septic systems. The environmental documents will be updated to include the revised Project and construction of the Rouse/Colorado Project area concurrently with the City of Modesto's River Trunk Sewer Project. The Project will be constructed using local, State Water Resources Control Board (SWRCB), and Community Development Block Grant funds; therefore, coordination with the Department of Housing and Urban Development (HUD) under NEPA will be required.

A Biological Resources Technical Report (BRTR) was prepared for the Project in April of 2018. An updated biological literature review and surveys were conducted in response to the revised Project. The results of the biological literature review and survey are discussed below.

Project Description

The County, in cooperation with the Department of Housing and Urban Development (HUD) and State Water Resources Control Board (SWRCB), proposes to install sanitary sewer mains and laterals, with private property connections to each residence, in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. It is estimated that the Project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in the Spencer/Marshall (144 services), Beverly/Waverly (527 services), and Rouse/Colorado (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see Figures 1 through 3). The following street intersections and road segment are part of the Project site: the

California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100' east of the Lombardy Drive/Ritsch Lane intersection.

The Spencer/Marshall, Beverly/Waverly, and Rouse/Colorado neighborhoods are disadvantaged communities located in West Modesto with predominantly residential parcels that currently rely on septic tanks for the treatment of sewage. The Project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. The Project will include the installation of a new sewer system with approximately 80,000 linear feet of sewer main and street reconstruction. The completed Project will allow property owners to abandon their existing septic tanks and connect to a public sewer system with private property connections paid for and installed by the County. The new sewer infrastructure will connect into the City of Modesto's existing public sewer system. Upon completion of the Project, Project ownership will be transferred to the City of Modesto for operation and maintenance.

Existing private septic systems and water services will remain active during Project construction. No road closures are anticipated to occur and access to each residence will be maintained. Minor temporary detours for local traffic may take place. Temporary construction easements, utility easements, and encroachment permits may be needed on a limited basis to accommodate the installation of the proposed improvements. Construction for the Spencer/Marshall area is anticipated to last six months, for the Beverly/Waverly area eighteen months, and for the Rouse/Colorado area twelve months.

The Project will be constructed using local, SWRCB, and Community Development Block Grant funds; therefore, coordination with the HUD under NEPA will be required and the County is the lead agency for CEQA purposes and the responsible entity for NEPA purposes.

Discussion of Biological Surveys

An updated literature review of potential biological resources within the Biological Study Area (BSA) was conducted and compared to information reported in the 2018 BRTR to determine any additional potential impacts that would occur to biological resources within the BSA due to the proposed private property connections. Additionally, updated species lists were acquired from the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation, the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database and the California Native Plant Society (CNPS) (see attached Updated Species Lists). The updated species lists acquired from USFWS, CDFW and CNPS were consistent with the original special status species list acquired for the 2018 BRTR.

An updated biological survey was conducted by Dokken biologist Hanna Sheldon on September 10, 2020. Biological surveys included walking meandering transects through the BSA observing vegetation communities, compiling notes on observed flora and fauna, and assessing the potential of existing habitat to support sensitive plants and wildlife. All wildlife observations were recorded. Species observed during the survey are listed in the table below.

Biological conditions were consistent with the results reported in the 2018 BRTR (see attached Representative Photographs). The habitat communities within the BSA consists of urban/paved areas and residential landscaping (see attached Figure 5). Construction of the private property connections and the demolition of private septic systems would occur within the front yard and interior of residential lots which consists solely of residential landscaping habitat communities.

No additional impacts would occur to biological resources other than what was previously discussed in the 2018 BRTR.

Table 1. Updated Species Observed List

Common Name	Scientific Name	Native (N)/ Non-Native (X)	State or Federal Listed Species (Y/N)?
Avian Species			
American crow	<i>Corvus brachyrhynchos</i>	N	N
Brewer's blackbird	<i>Euphagus cyanocephalus</i>	N	N
California scrub-jay	<i>Aphelocoma californica</i>	N	N
Domestic chicken	<i>Gallus gallus domesticus</i>	X	N
House finch	<i>Haemorhous mexicanus</i>	N	N
Mourning dove	<i>Zenaida macroura</i>	N	N
Northern Mockingbird	<i>Mimus polyglottos</i>	N	N
Rock pigeon	<i>Columba livia</i>	X	N
Mammal Species			
Cottontail rabbit	<i>Sylvilagus ssp.</i>	N	N
Domestic cat	<i>Felis catus</i>	X	N
Domestic dog	<i>Canis lupus familiaris</i>	N	N
Domestic pony	<i>Equus caballus</i>	N	N

Conclusion

The literature review and the biological survey conducted on September 10, 2020 confirmed that the biological conditions within the BSA are consistent with the results described in the 2018 BRTR. No additional impacts would occur as a result of the private property connections. No further reviews or surveys are required for the Project regarding biological resources.

Attachments:

Figure 1. Project Vicinity
Figure 2. Project Location
Figure 3. Project Features
Figure 4. Topographic Map
Figure 5. Vegetation Communities within the BSA
Updated Species Lists
Representative Photographs

If you have any questions regarding the results of this survey, please feel free to contact me at hsheldon@dokkenengineering.com or by phone at (916) 858-0642.

Sincerely,



Hanna Sheldon
Environmental Planner/Biologist
Dokken Engineering

09/28/2020

Date

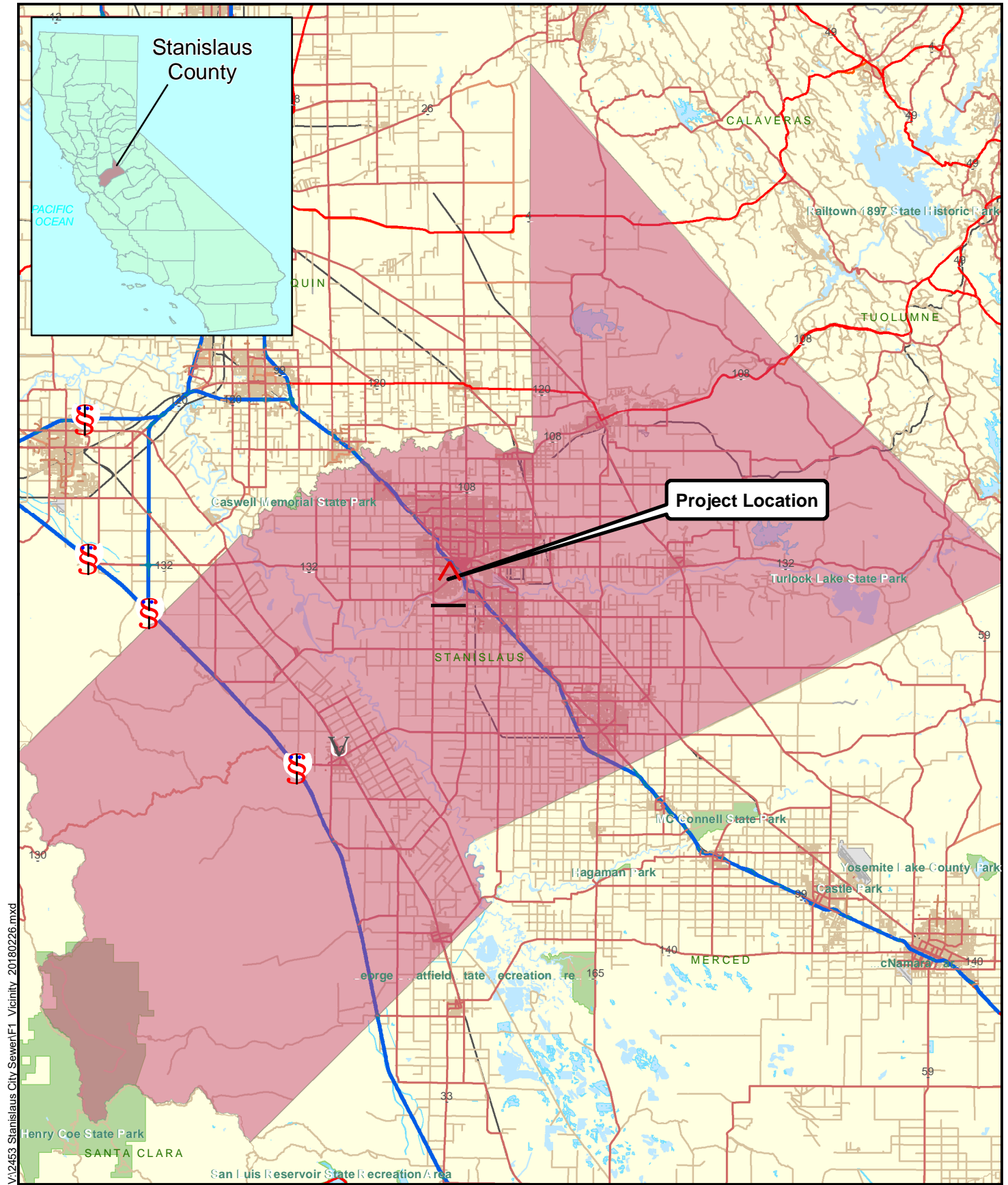


FIGURE 1
Project Vicinity

HUD Project No: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California

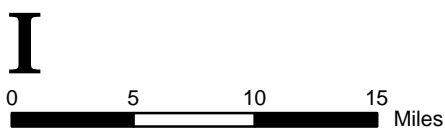
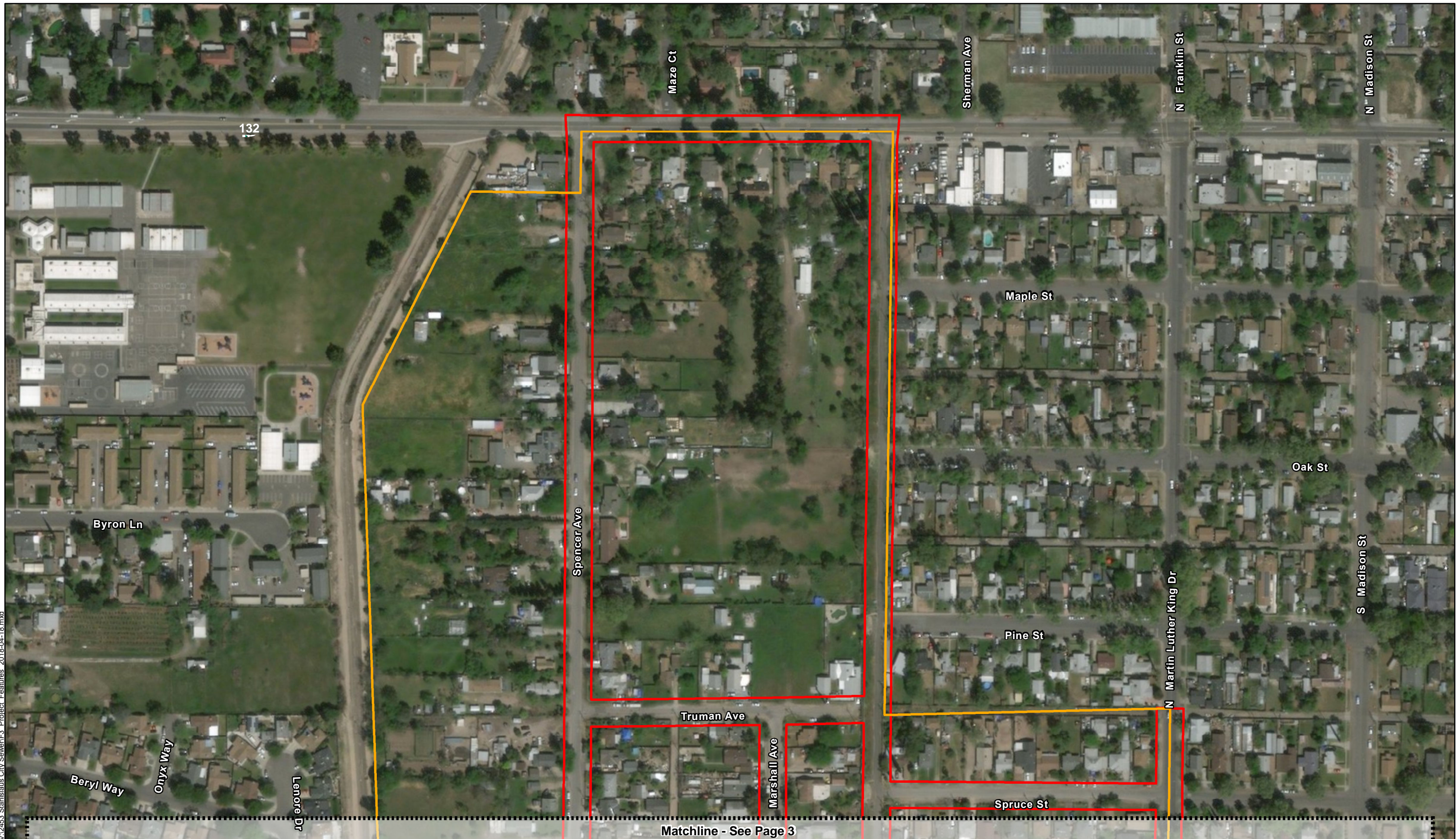




FIGURE 2
Project Location

HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California

V:\2453 Stanislaus City Sewer\F3 Project Features 2018-04-18.mxd



Source: ESRI Maps Online; Dokken Engineering 4/18/2018; Created By: aasaro

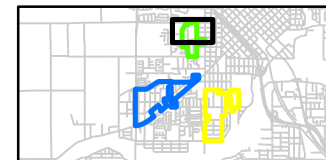
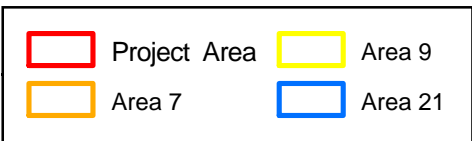
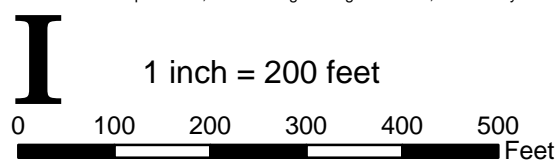
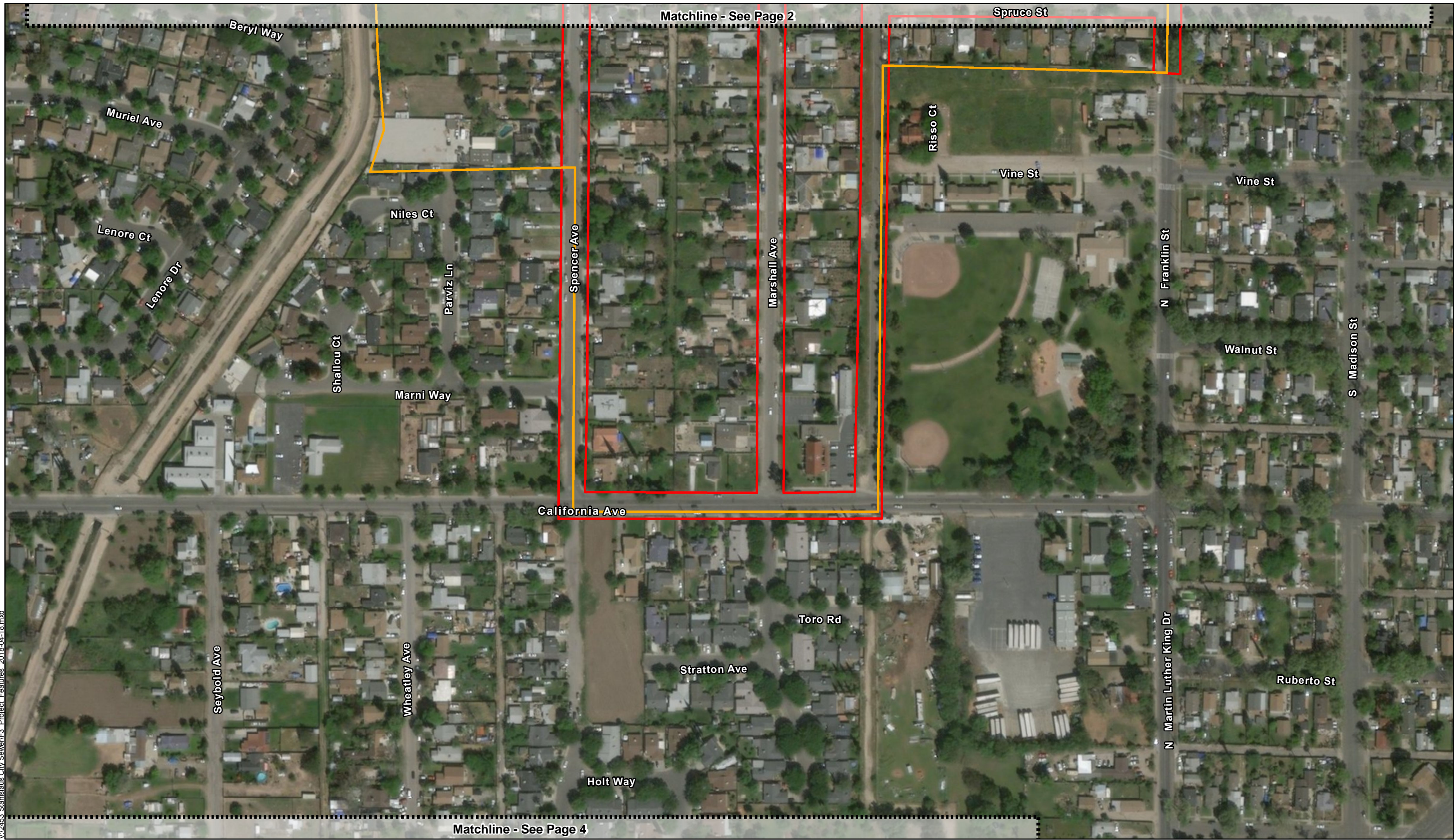


Figure 3
Project Features

HUD Project No.: B-17-UC-06-0010
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Stanislaus County, California

V:\2453 Stanislaus City Sewer\F3 Project Features 2018-04-18.mxd



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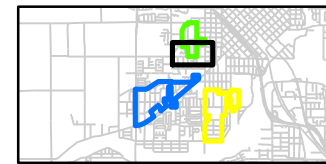
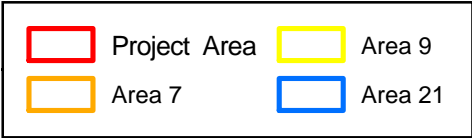
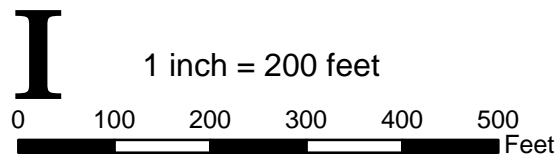


Figure 3
Project Features

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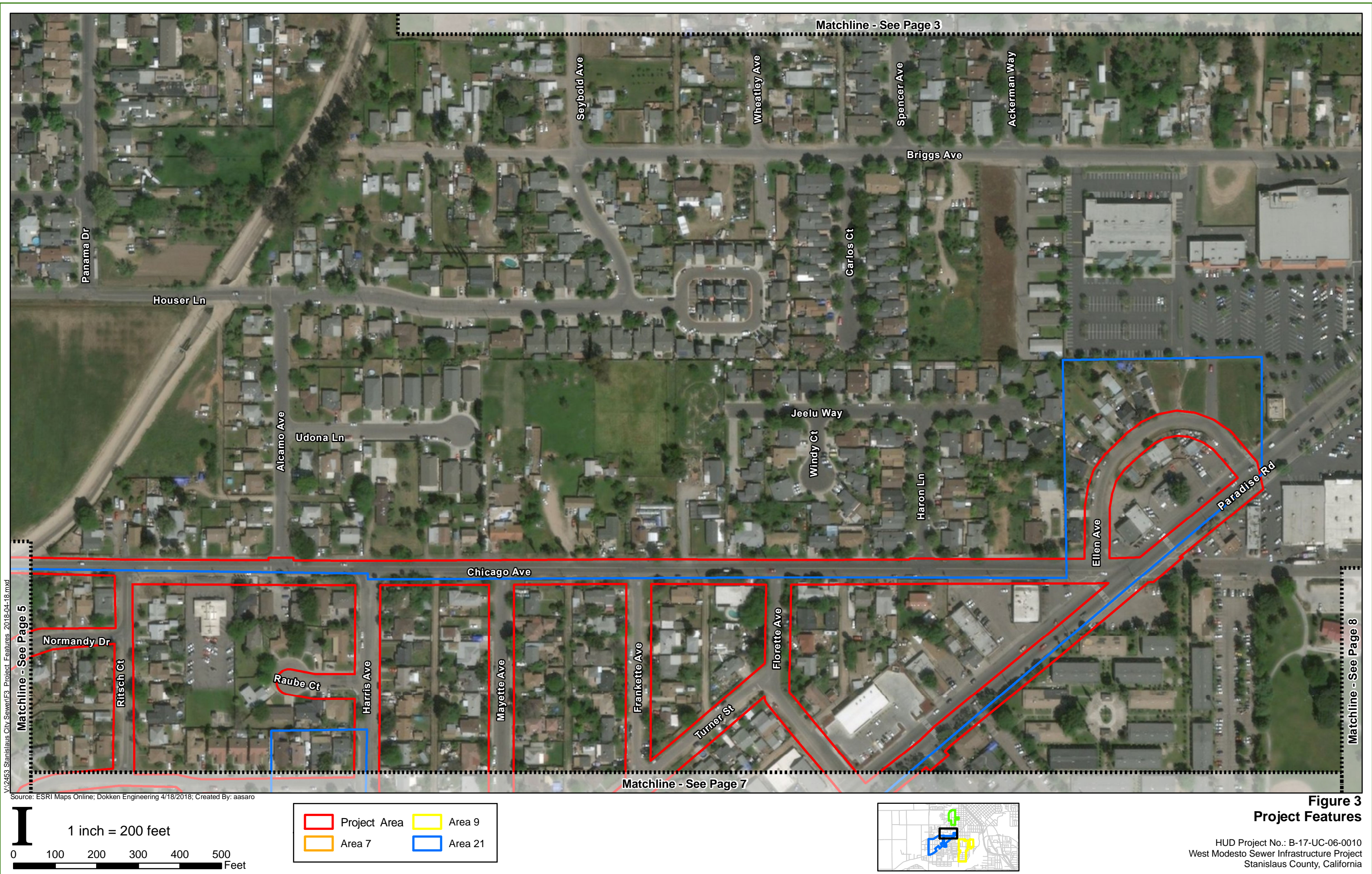


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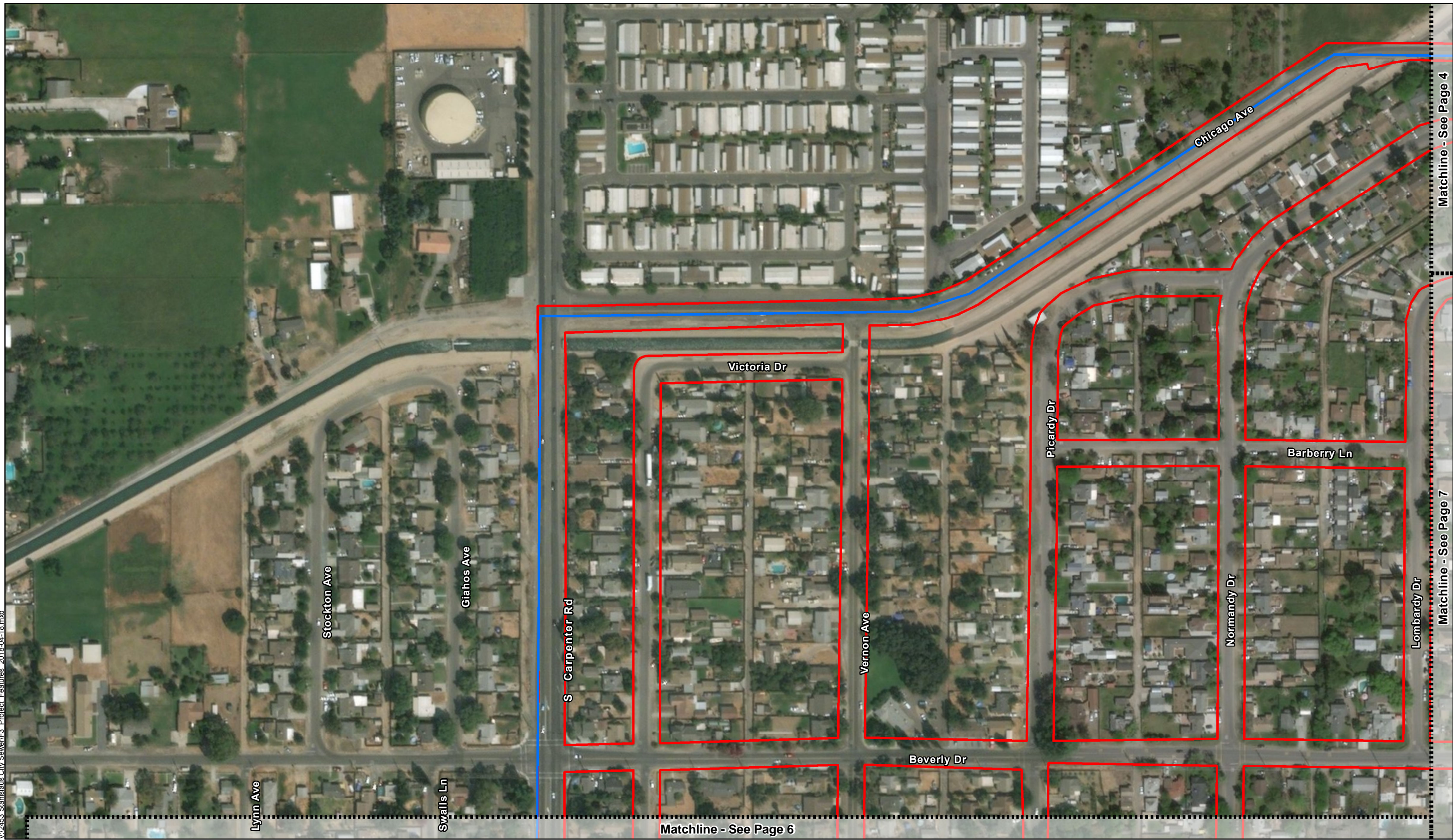
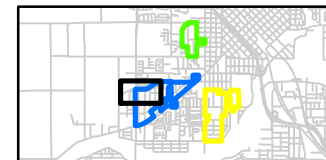
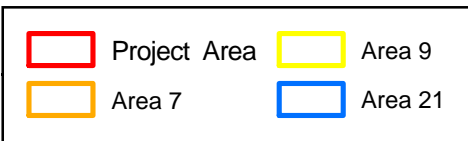
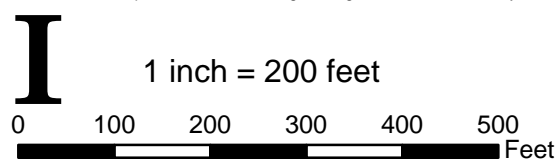


Figure 3
Project Features

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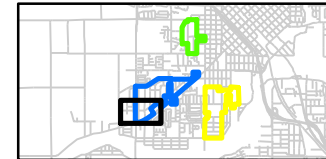
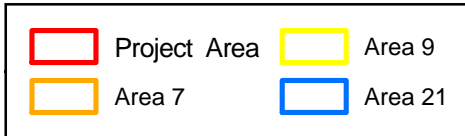
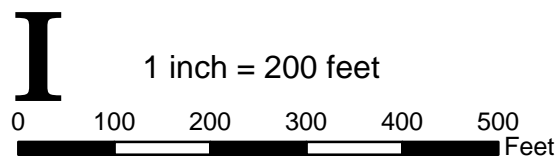


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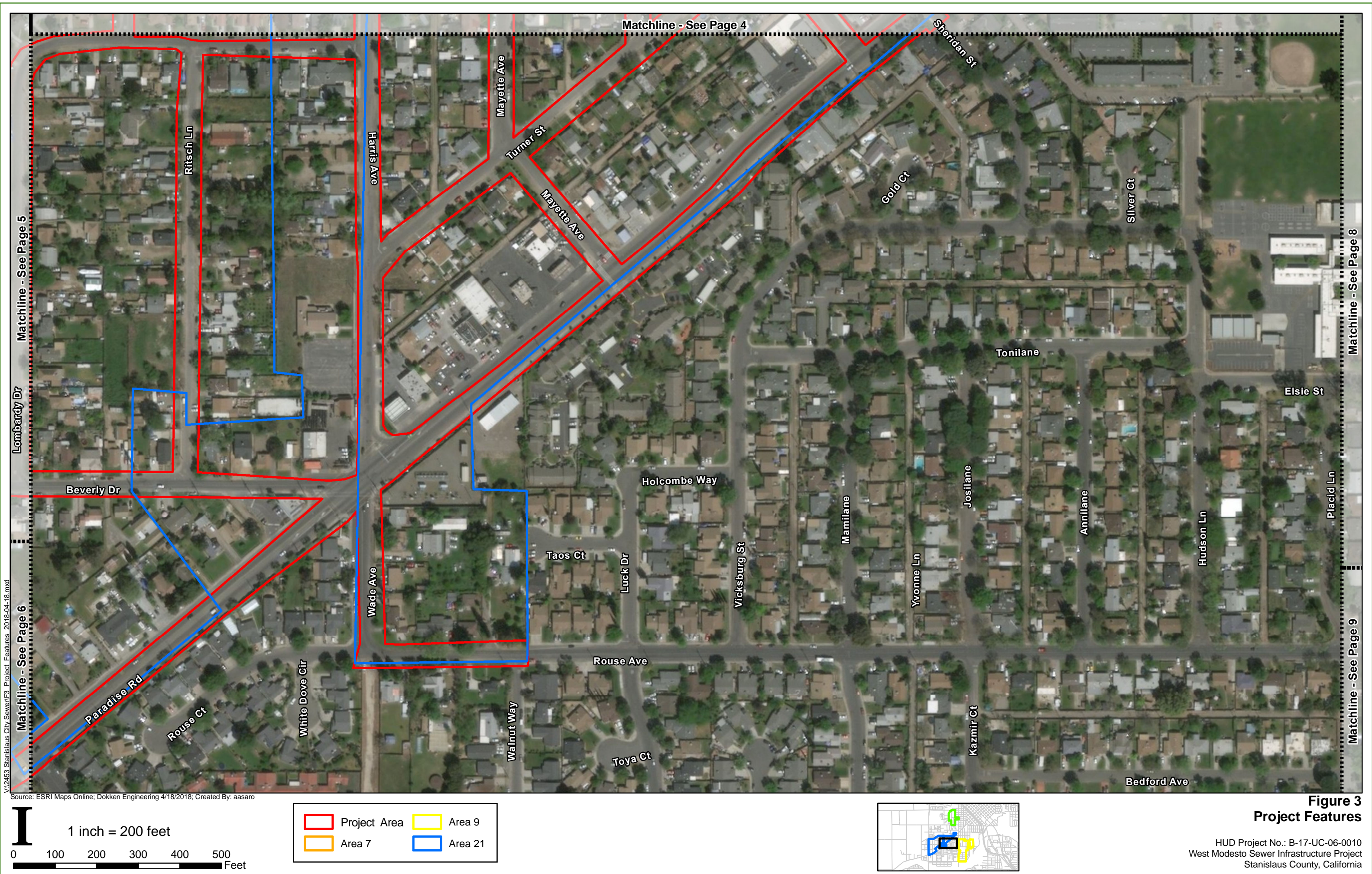
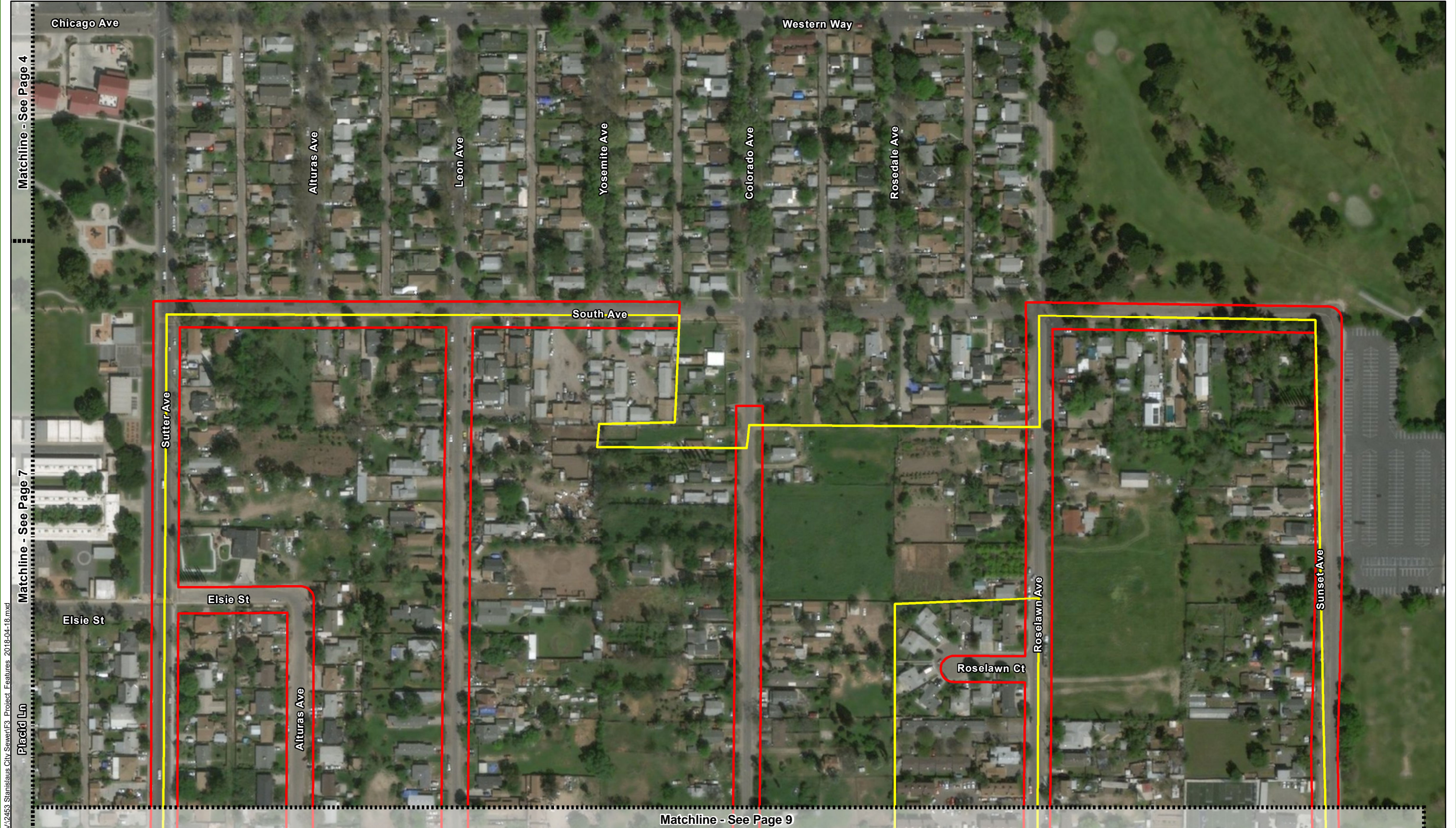


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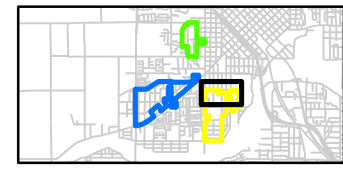
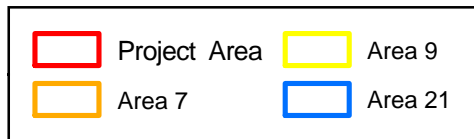
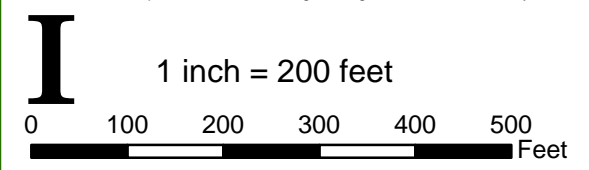
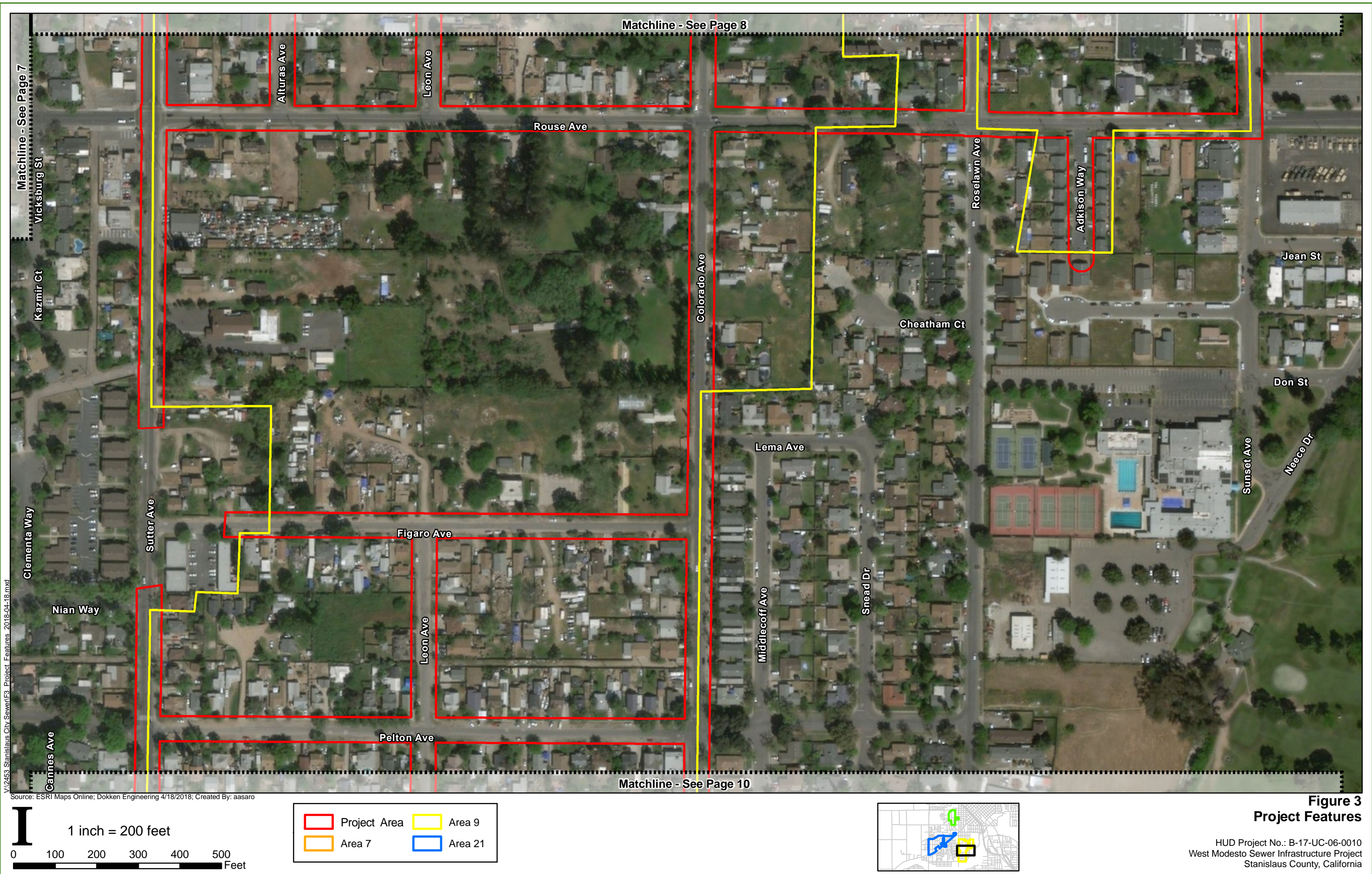


Figure 3
Project Features

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Stanislaus County, California



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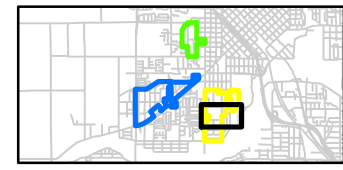
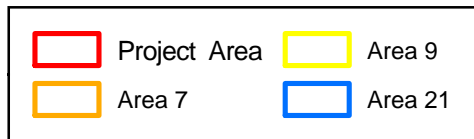
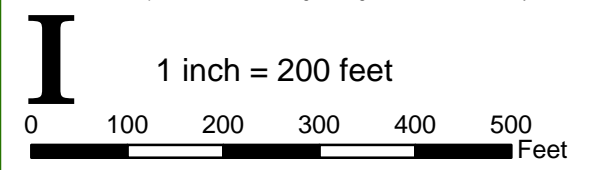


Figure 3
Project Features

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West Modesto Sewer Infrastructure Project
Stanislaus County, California



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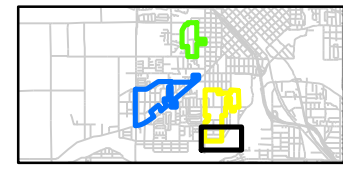
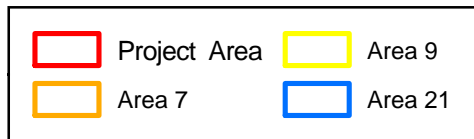
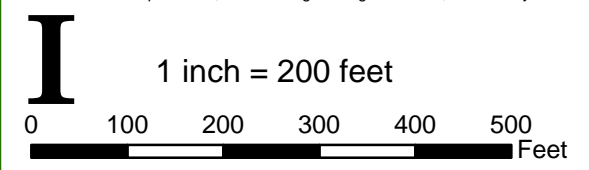
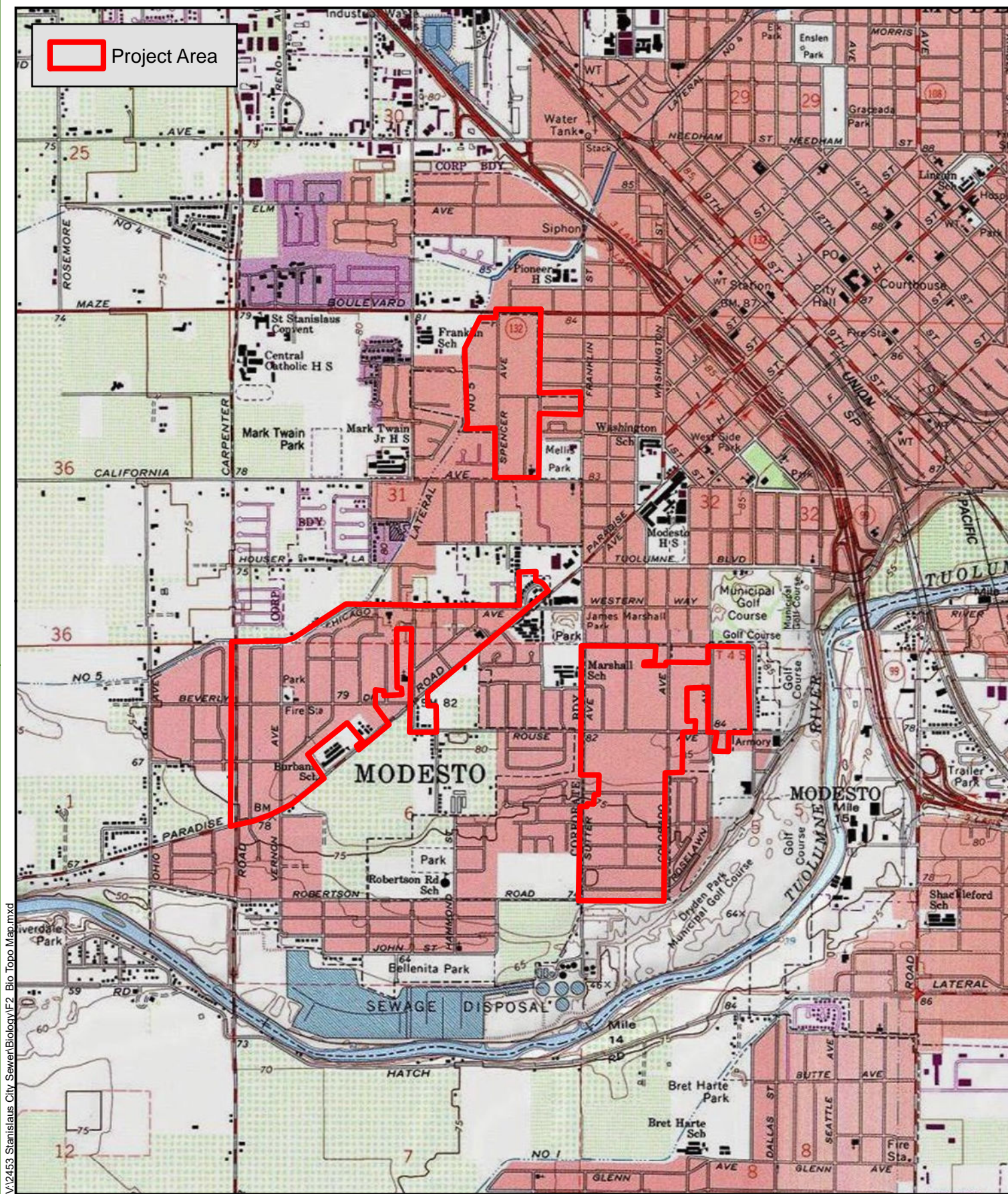


Figure 3
Project Features

HUD Project No.: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



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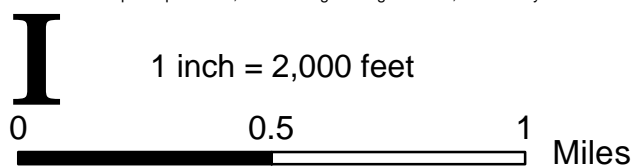
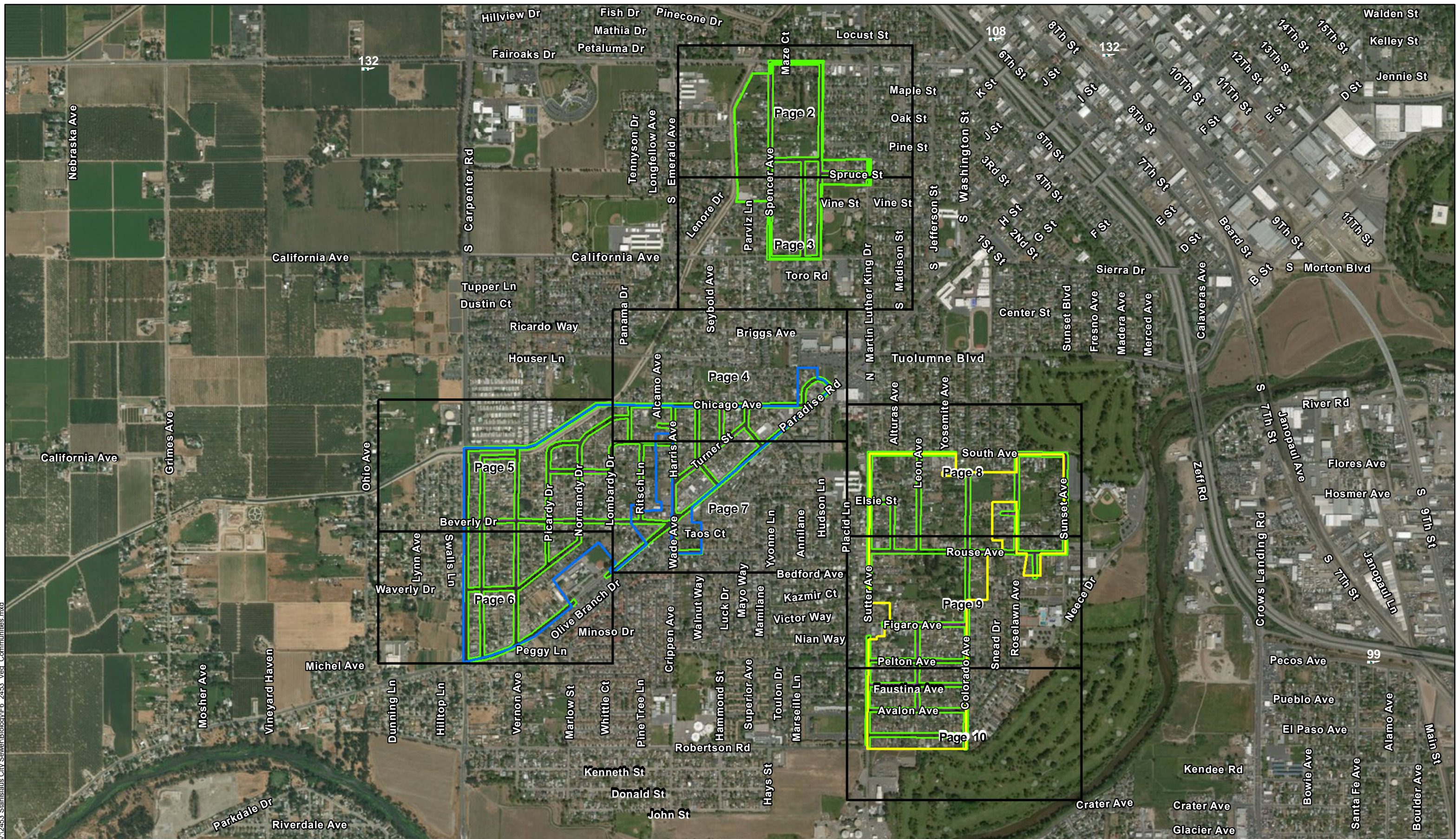


FIGURE 4
Topographic Map

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres
HUD Project #: B-17-UC-06-0010
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Stanislaus County, California

V:\2453 Stanislaus City Sewer\Biology\F6_2453_Veg_Communities.mxd



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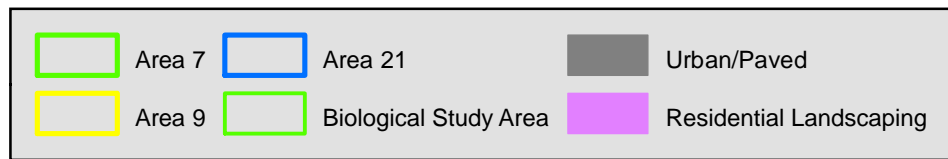
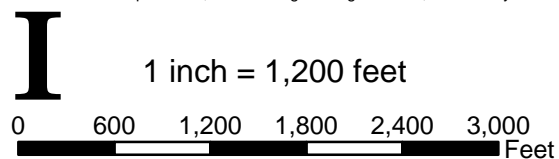
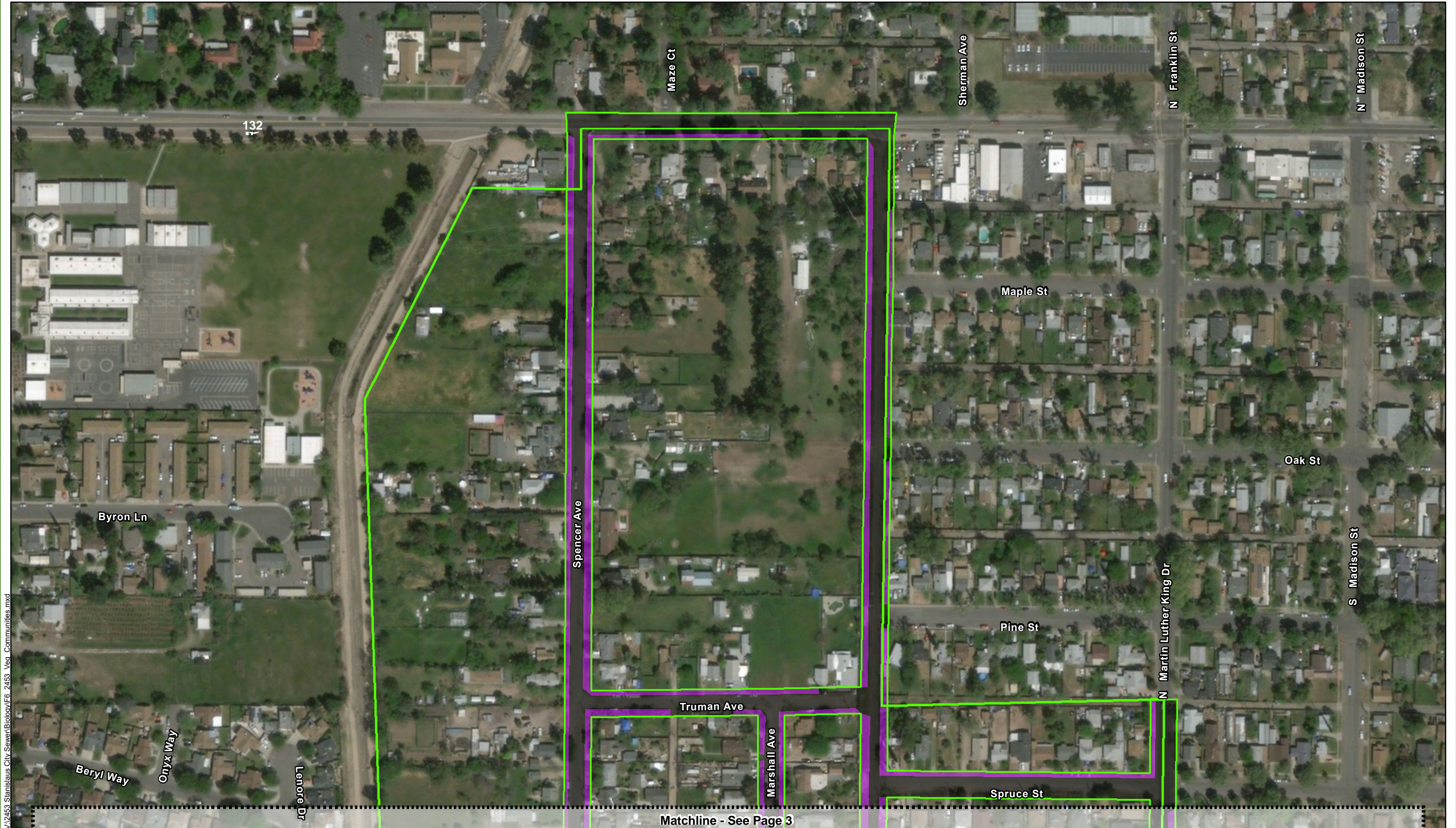


Figure 5
Vegetation Communities Within the BSA
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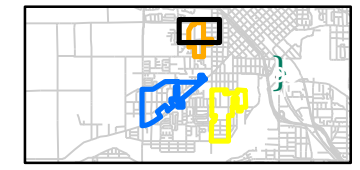
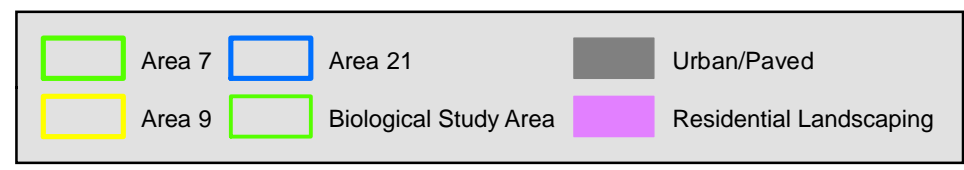
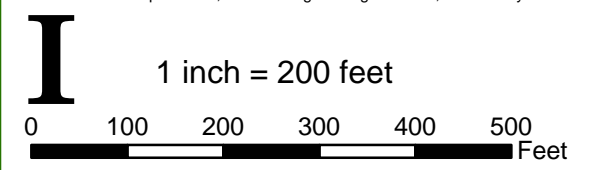
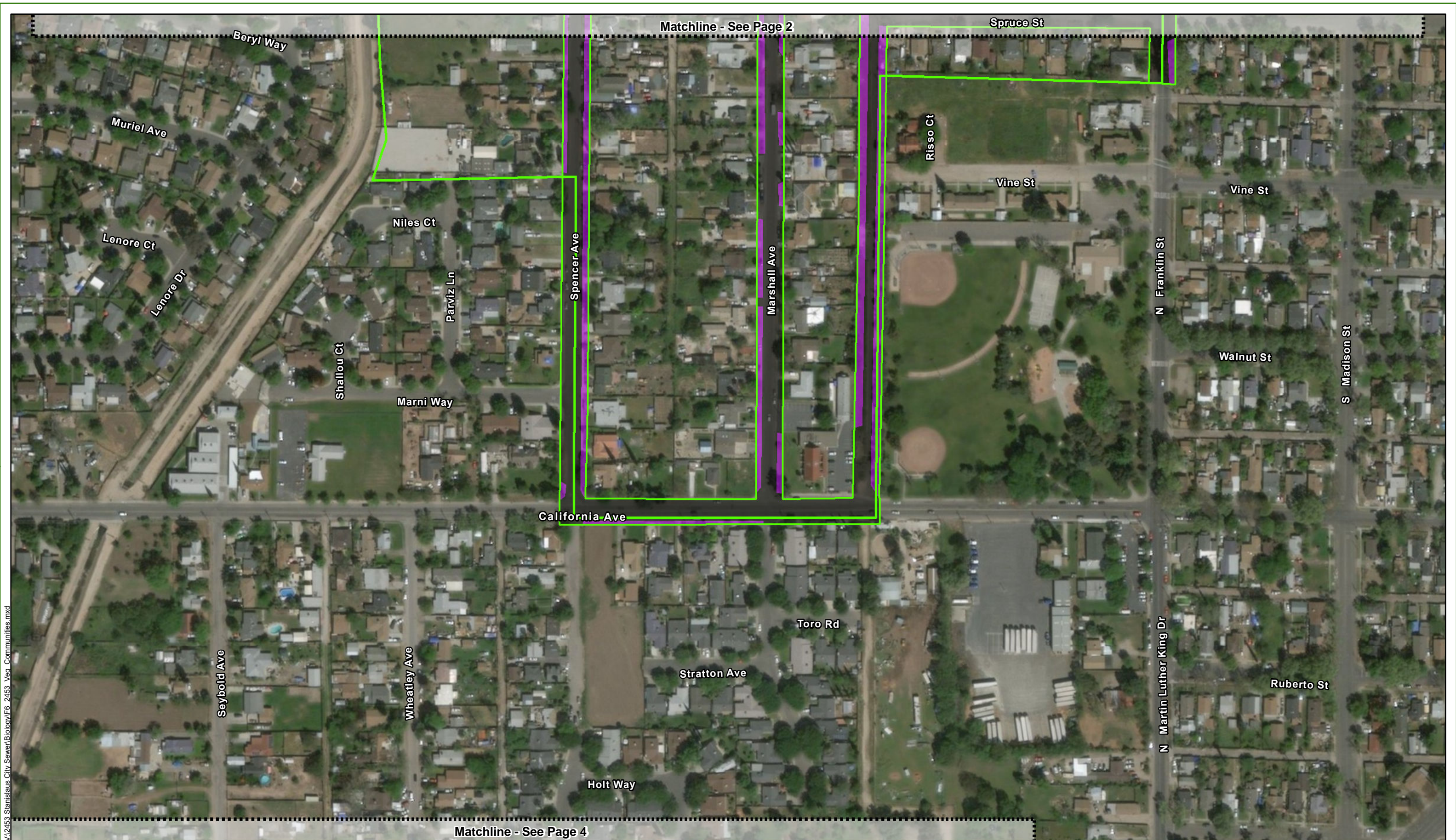


Figure 5
Vegetation Communities Within the BSA
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 HUD Project #: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



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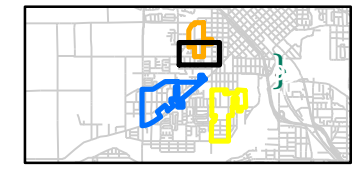
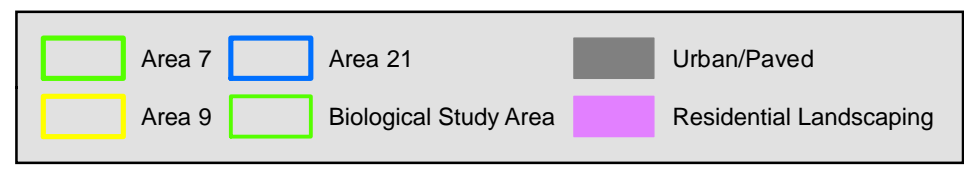
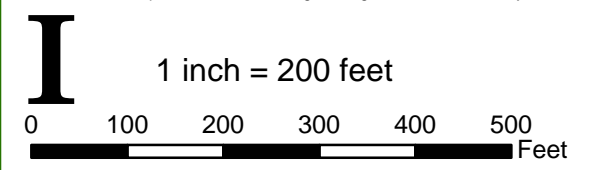
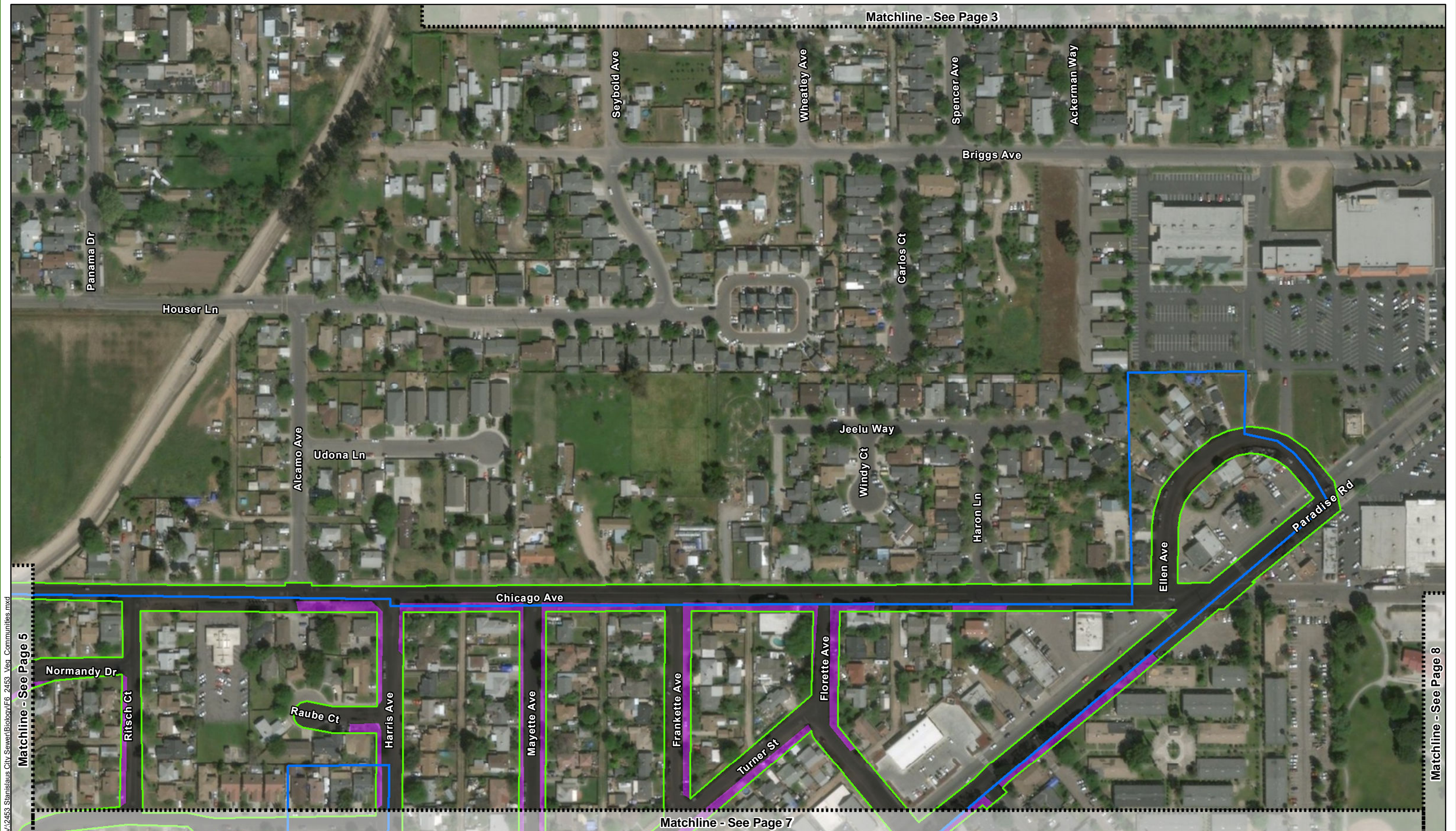


Figure 5
Vegetation Communities Within the BSA
Page 3 of 10
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 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



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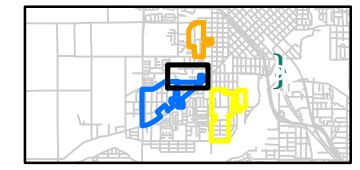
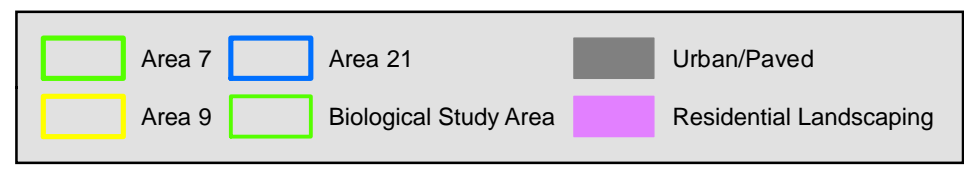
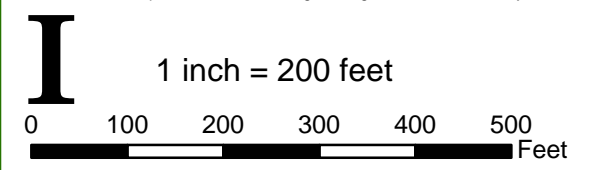
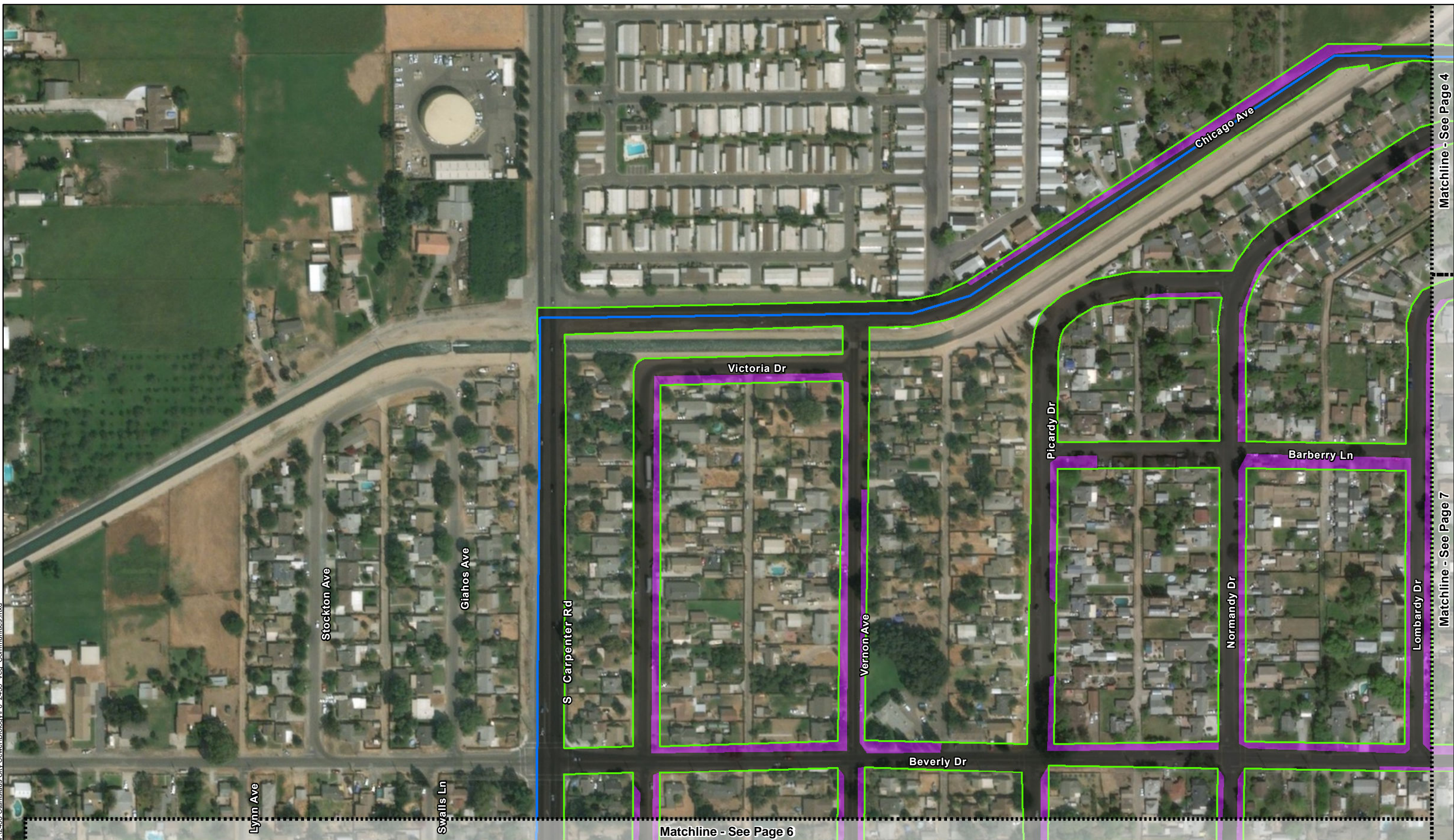


Figure 5
Vegetation Communities Within the BSA
Page 4 of 10
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 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

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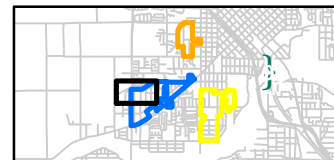
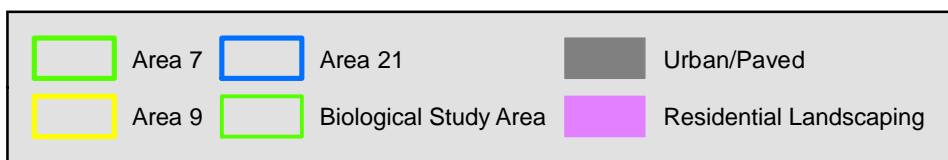
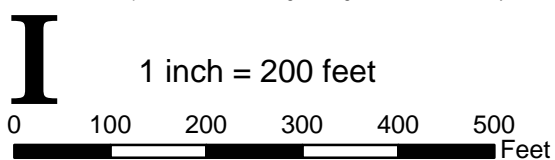
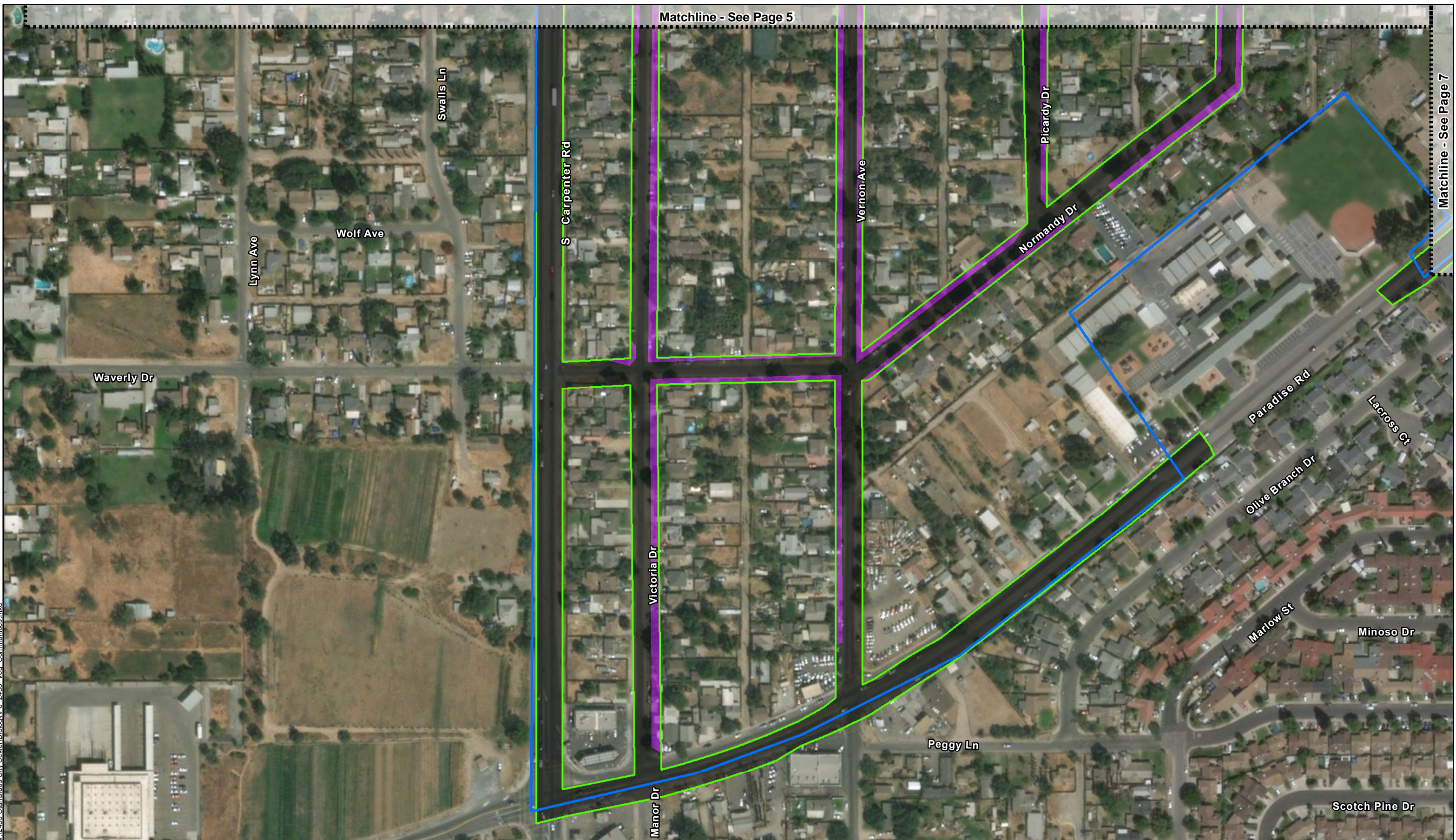


Figure 5
Vegetation Communities Within the BSA
Page 5 of 10
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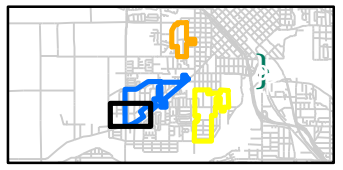
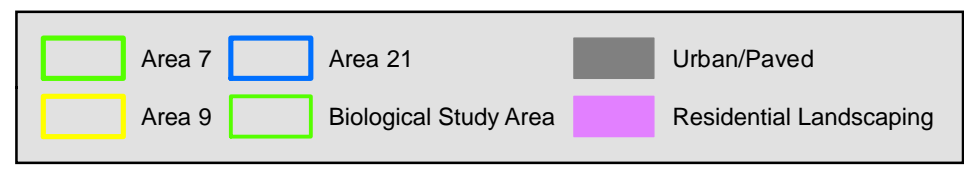
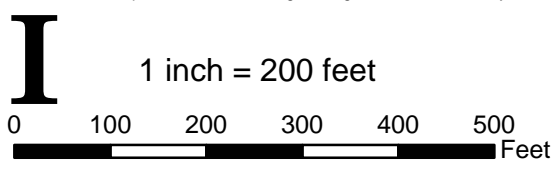
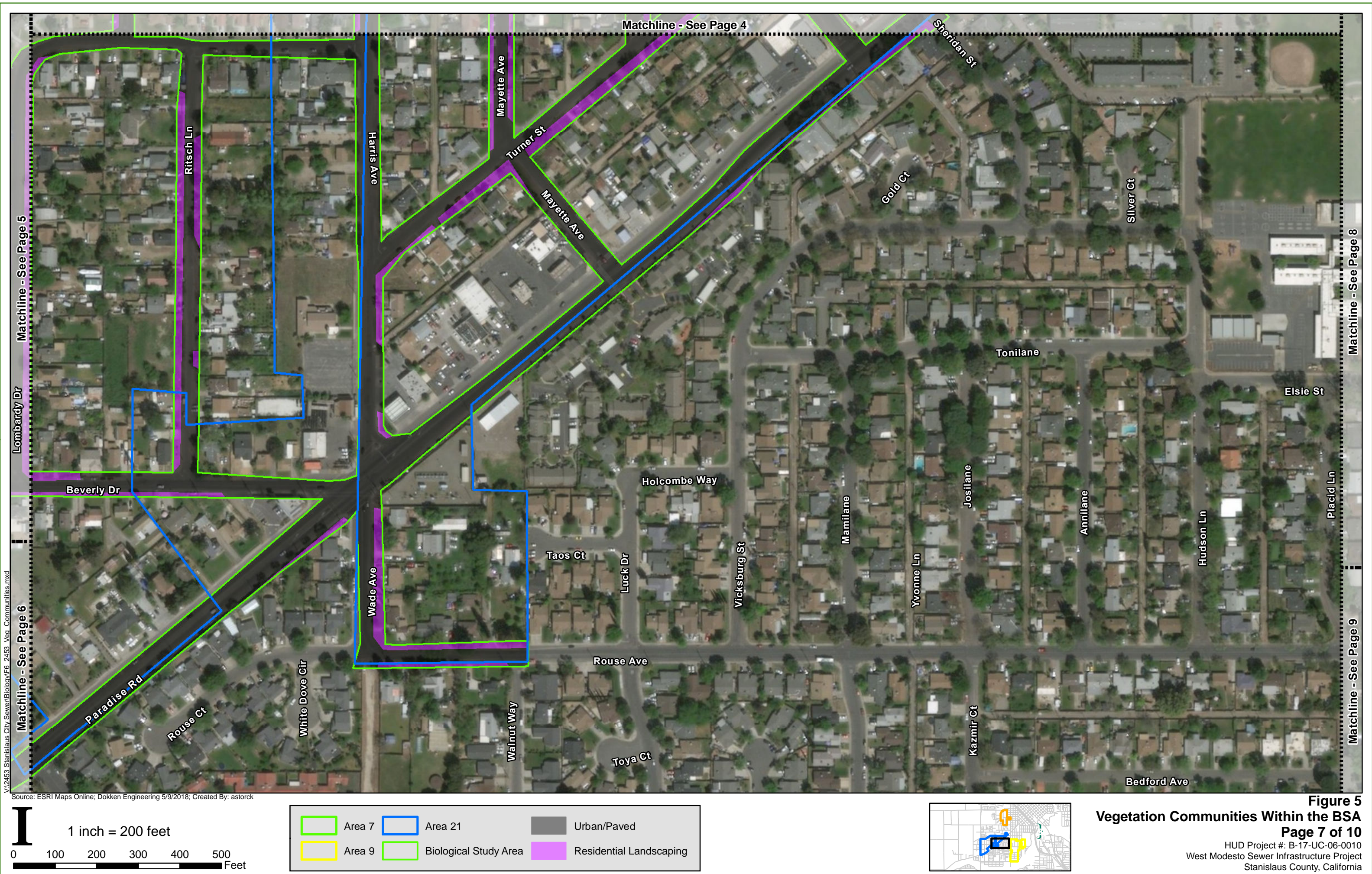
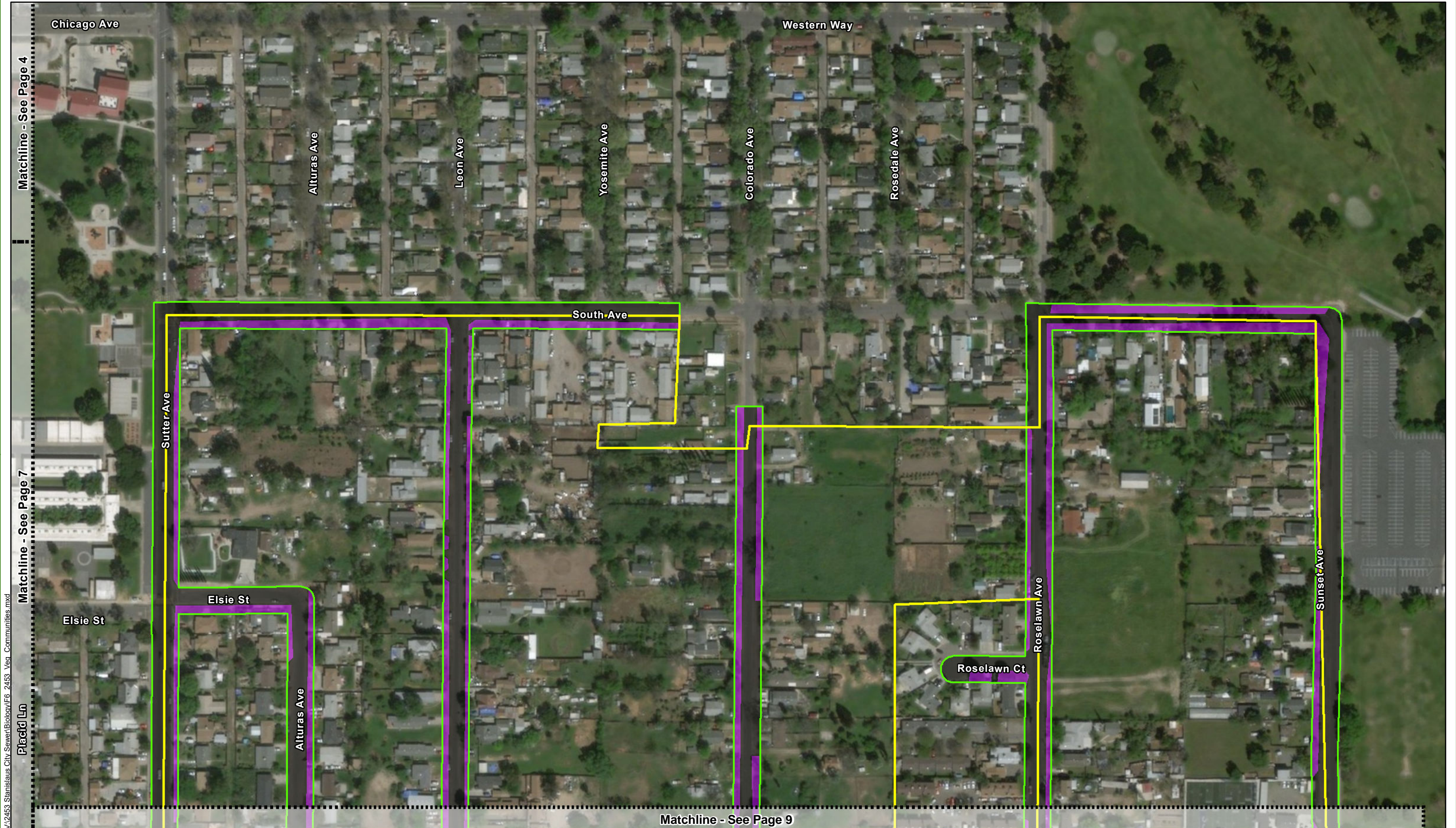


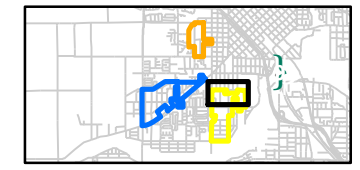
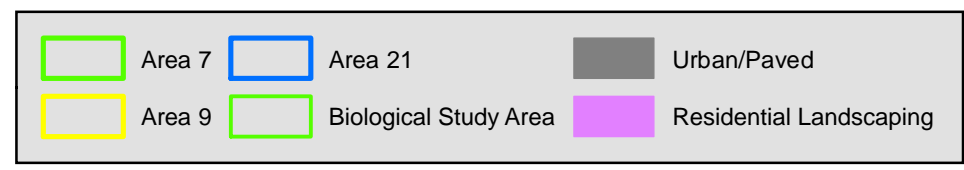
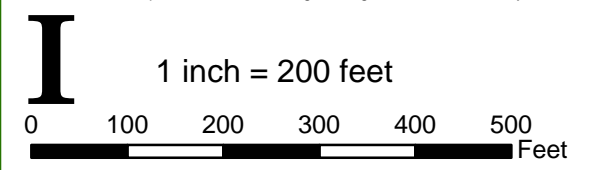
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Vegetation Communities Within the BSA
Page 6 of 10
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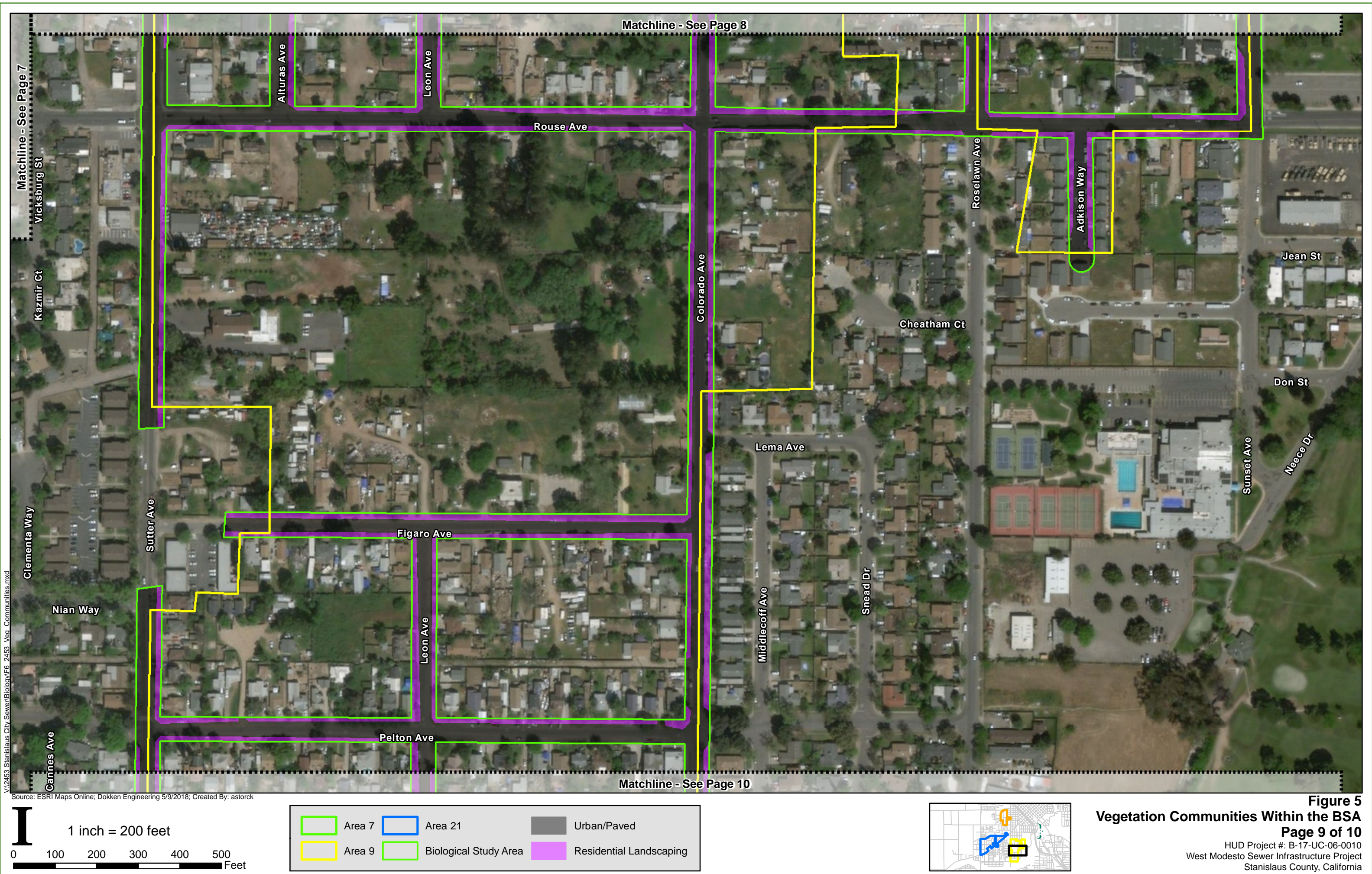




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Source: ESRI Maps Online; Dokken Engineering 5/9/2018; Created By: astorck

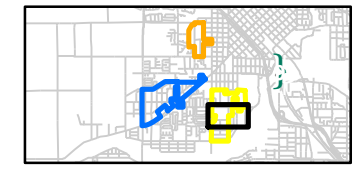
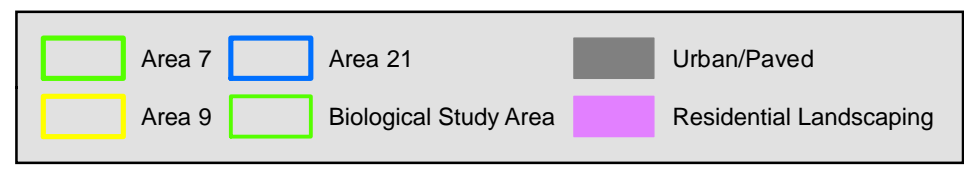
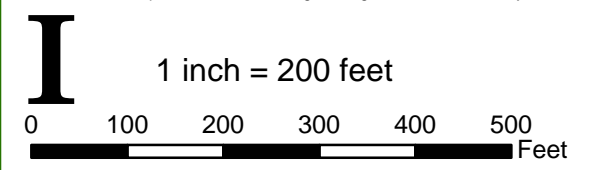


Figure 5
Vegetation Communities Within the BSA
Page 9 of 10
 HUD Project #: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

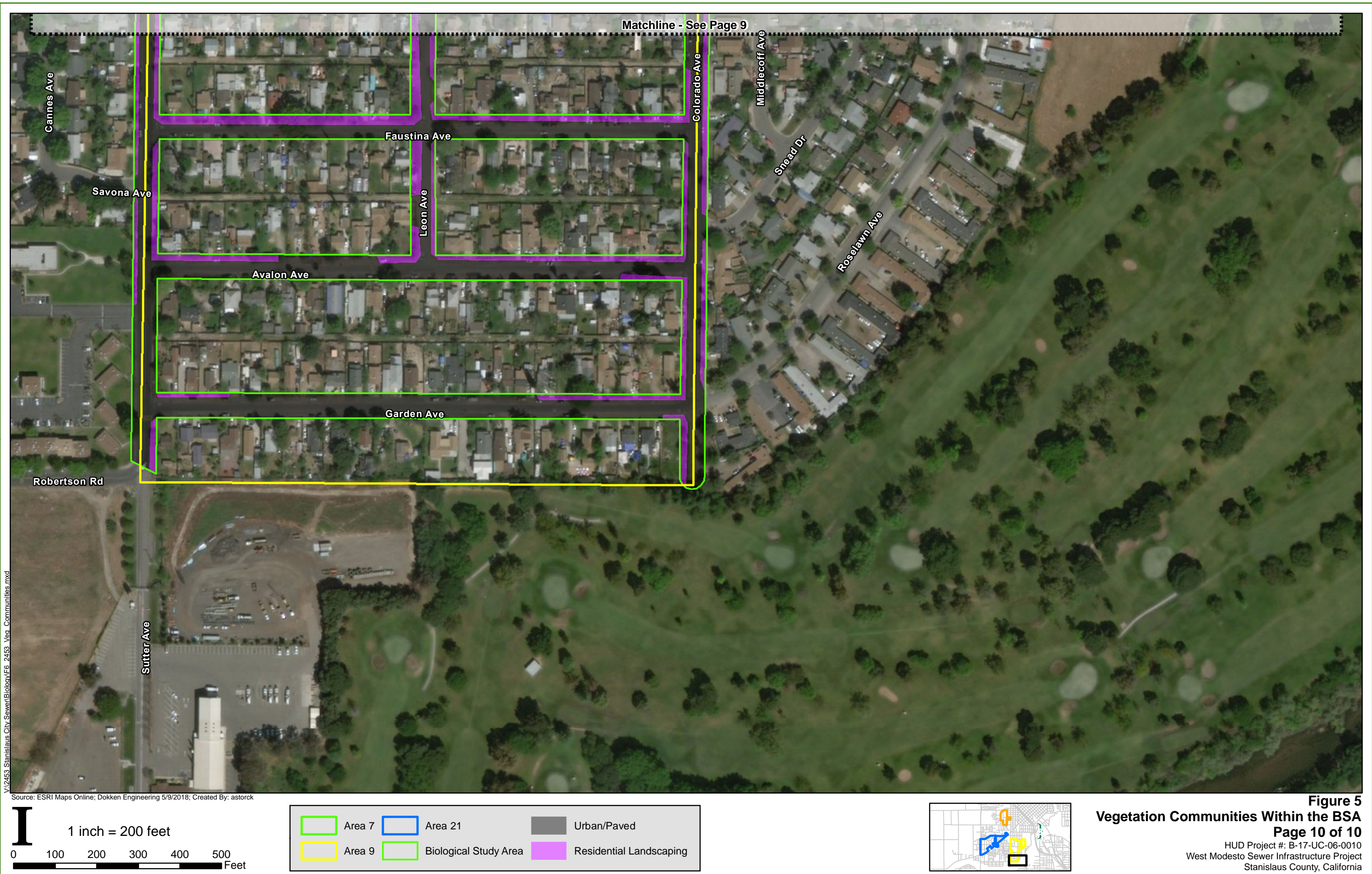


Figure 5
Vegetation Communities Within the BSA
Page 10 of 10
HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California

Updated Species Lists: USFWS IPac, CDFW CNDDB and CNPS



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Consultation Code: 08ESMF00-2020-SLI-2937
Event Code: 08ESMF00-2020-E-09085
Project Name: West Modesto Sewer Infrastructure Project

September 21, 2020

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2020-SLI-2937

Event Code: 08ESMF00-2020-E-09085

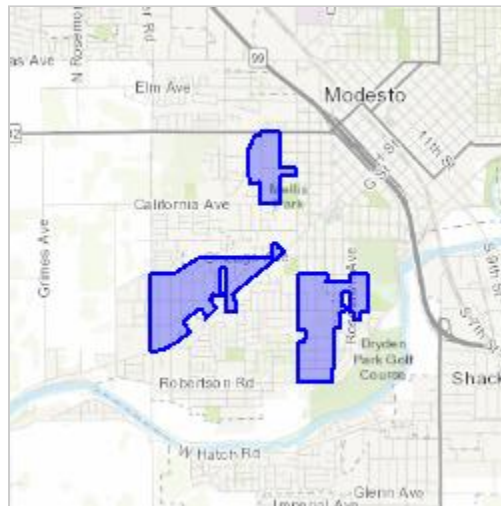
Project Name: West Modesto Sewer Infrastructure Project

Project Type: WASTEWATER PIPELINE

Project Description: Sewer infrastructure

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/37.62190744510222N121.02669728496099W>



Counties: Stanislaus, CA

Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Reptiles

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7850 Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf	Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad> IS >(Salida (3712161)> OR >Riverbank (3712068)> OR >Brush Lake (3712151)> OR >Ceres (3712058))



Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
burrowing owl <i>Athene cunicularia</i>	ABNSB10010	None	None	G4	S3	SSC
cackling (=Aleutian Canada) goose <i>Branta hutchinsii leucopareia</i>	ABNJB05035	Delisted	None	G5T3	S3	WL
California tiger salamander <i>Ambystoma californiense</i>	AAAAA01180	Threatened	Threatened	G2G3	S2S3	WL
Crotch bumble bee <i>Bombus crotchii</i>	IIHYM24480	None	Candidate Endangered	G3G4	S1S2	
great blue heron <i>Ardea herodias</i>	ABNGA04010	None	None	G5	S4	
hardhead <i>Mylopharodon conocephalus</i>	AFCJB25010	None	None	G3	S3	SSC
heartscale <i>Atriplex cordulata</i> var. <i>cordulata</i>	PDCHE040B0	None	None	G3T2	S2	1B.2
moestan blister beetle <i>Lytta moesta</i>	IICOL4C020	None	None	G2	S2	
Northern California legless lizard <i>Anniella pulchra</i>	ARACC01020	None	None	G3	S3	SSC
obscure bumble bee <i>Bombus caliginosus</i>	IIHYM24380	None	None	G4?	S1S2	
prairie wedge grass <i>Sphenopholis obtusata</i>	PMPOA5T030	None	None	G5	S2	2B.2
snowy egret <i>Egretta thula</i>	ABNGA06030	None	None	G5	S4	
steelhead - Central Valley DPS <i>Oncorhynchus mykiss irideus</i> pop. 11	AFCHA0209K	Threatened	None	G5T2Q	S2	
subtle orache <i>Atriplex subtilis</i>	PDCHE042T0	None	None	G1	S1	1B.2
Swainson's hawk <i>Buteo swainsoni</i>	ABNKC19070	None	Threatened	G5	S3	
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	AMACC08010	None	None	G3G4	S2	SSC
tricolored blackbird <i>Agelaius tricolor</i>	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	IICOL48011	Threatened	None	G3T2	S2	
vernal pool fairy shrimp <i>Branchinecta lynchi</i>	ICBRA03030	Threatened	None	G3	S3	
vernal pool tadpole shrimp <i>Lepidurus packardii</i>	ICBRA10010	Endangered	None	G4	S3S4	
western ridged mussel <i>Gonidea angulata</i>	IMBIV19010	None	None	G3	S1S2	

Record Count: 21



Inventory of Rare and Endangered Plants

*The database used to provide updates to the Online Inventory is under construction. [View updates and changes made since May 2019 here.](#)

Plant List

4 matches found. *Click on scientific name for details*

Search Criteria

Found in Quads 3712161, 3712068 3712151 and 3712058;

[Modify Search Criteria](#) [Export to Excel](#) [Modify Columns](#) [Modify Sort](#) [Display Photos](#)

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Atriplex cordulata var. cordulata	heartscale	Chenopodiaceae	annual herb	Apr-Oct	1B.2	S2	G3T2
Atriplex subtilis	subtle orache	Chenopodiaceae	annual herb	Jun,Aug,Sep(Oct)	1B.2	S1	G1
Centromadia parryi ssp. rudis	Parry's rough tarplant	Asteraceae	annual herb	May-Oct	4.2	S3	G3T3
Sphenopholis obtusata	prairie wedge grass	Poaceae	perennial herb	Apr-Jul	2B.2	S2	G5

Suggested Citation

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 21 September 2020].

Search the Inventory

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[About the Rare Plant Program](#)
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[About CNPS](#)
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Contributors

[The Calflora Database](#)
[The California Lichen Society](#)
[California Natural Diversity Database](#)
[The Jepson Flora Project](#)
[The Consortium of California Herbaria](#)
[CalPhotos](#)

Questions and Comments

rareplants@cnps.org

Representative Photographs



Representative Photograph 1: Representative of urban/paved areas within the BSA, located at the corner of Paradise Road and Victoria Drive, facing southeast, taken September 2020.



Representative Photograph 2: Representative of residential landscaping in a neighborhood within the BSA, facing north, taken September 2020.



Representative Photograph 3: Representative of a residential neighborhood within the BSA, facing northwest, taken September 2020.

APPENDIX B: 2020 Cultural Resources Inventory Report Update Memorandum



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000

FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov

www.ohp.parks.ca.gov

October 20, 2020

[VIA EMAIL]

Refer to HUD_2020_0923_003

Mr. Michael Galvez
Deputy Director
Planning & Community Development Department
Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354

Re: West Modesto Sewer Infrastructure Project, Modesto, Stanislaus County, CA

Dear Mr. Galvez:

The California State Historic Preservation Officer received the consultation submittal for the above referenced undertaking for our review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800. The regulations and advisory materials are located at www.achp.gov.

Pursuant to 36 CFR §800.4(d) we do not object to the County of Stanislaus's finding that no historic properties will be affected by the proposed West Modesto sewer infrastructure improvements project in Modesto, CA. However, the County may have additional Section 106 responsibilities under certain circumstances set forth at 36 CFR Part 800. For example, in the event that historic properties are discovered during implementation of the undertaking, your agency is required to consult further pursuant to §800.13(b).

We appreciate the County of Stanislaus's consideration of historic properties in the project planning process. If you have questions please contact Shannon Lauchner Pries, Historian II, with the Local Government & Environmental Compliance Unit at (916)445-7013 or by email at shannon.pries@parks.ca.gov.

Note that we are only sending this letter in electronic format. Please confirm receipt of this letter. If you would like a hard copy mailed to you, respond to this email to request a hard copy be mailed.

Sincerely,

Julianne Polanco
State Historic Preservation Officer

Cultural Resources Inventory Report Update Memorandum

Prepared For:	Stanislaus County, Planning and Community Development Department
Attention:	Miguel Galvez, Deputy Director
From:	John Fogerty, Associate Environmental Planner/Archaeologist
Subject:	West Modesto Sewer Infrastructure Project
Date:	September 30, 2020

Introduction

Dokken Engineering (Dokken) has completed an updated cultural resources inventory and evaluation for the West Modesto Sewer Infrastructure Project (Project) located in three separate unincorporated neighborhoods within West Modesto in Stanislaus County (County). The proposed Project was cleared under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) in July of 2018. On August 12, 2019, a Cultural Resource Inventory report and letter inviting comments on the delineation of the project Area of Potential Effects (APE), identification efforts, and requesting concurrence on a finding of no historic properties affected was received by the California State Historic Preservation Office (SHPO) (**Attachment A**). The County received no response to this submission within 30 days of receipt by SHPO. As a result, the County—with lead federal agency authority delegated by the United States Department of Housing and Urban Development—proceeded with project implementation pursuant to 36 CFR § 800.3(c)(4).

Since then, the County revised the Project to also include private property connections in each of the Project areas (Spencer/Marshall, Rouse/Colorado, Beverly/Waverly) with sewer lateral installations. The environmental documents will be updated to include the revised Project and construction of the Rouse/Colorado Project area concurrently with the City of Modesto's River Trunk Sewer Project. The Project will be constructed using local, State Water Resources Control Board (SWRCB), and Community Development Block Grant funds; therefore, coordination with the Department of Housing and Urban Development (HUD) under NEPA will be required.

As noted above, a Cultural Resources Inventory and Evaluation Report (CRIER) was prepared for the Project in May of 2018. Due to the project expansion, a supplemental analysis of the potential for the Project to impact cultural resources was undertaken. The results of these efforts are discussed below.

Project Description

The County, in cooperation with HUD and SWRCB, proposes to install sanitary sewer mains and laterals, with private property connections to each residence, in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. It is estimated that the Project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in the Spencer/Marshall (144 services),

Beverly/Waverly (527 services), and Rouse/Colorado (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see **Figures 1 through 3**). The following street intersections and road segment are part of the Project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100' east of the Lombardy Drive/Ritsch Lane intersection.

The Spencer/Marshall, Beverly/Waverly, and Rouse/Colorado neighborhoods are disadvantaged communities located in West Modesto with predominantly residential parcels that currently rely on septic tanks for the treatment of sewage. The Project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. The Project will include the installation of a new sewer system with approximately 80,000 linear feet of sewer main and street reconstruction. The completed Project will allow property owners to abandon their existing septic tanks and connect to a public sewer system with private property connections paid for by State Water Board grant funding awarded to the County and installed through individual construction contracts approved by the County. The new sewer infrastructure will connect into the City of Modesto's existing public sewer system. Upon completion of the Project, Project ownership of the public sanitary sewer improvements will be transferred to the City of Modesto for operation and maintenance.

Existing private septic systems and water services will remain active during Project construction. No road closures are anticipated to occur and access to each residence will be maintained. Minor temporary detours for local traffic may take place. Temporary construction easements, utility easements, and encroachment permits may be needed on a limited basis to accommodate the installation of the proposed improvements. Construction of the public sanitary sewer improvements for the Spencer/Marshall area is anticipated to last six months, for the Beverly/Waverly area eighteen months, and for the Rouse/Colorado area twelve months. Private sewer connections from individual properties to the public sewer laterals are expected to be completed within two years of the City's acceptance of the public sewer improvements.

The Project will be constructed using local, SWRCB, and Community Development Block Grant funds; therefore, coordination with the HUD under NEPA will be required and the County is the lead agency for CEQA purposes and the responsible entity for NEPA purposes.

Affected Environment

In order to accommodate sewer lateral installations that will connect the new sewer main to private properties, the original 96.5 acre Area of Potential Effects (APE) for the Project was expanded to include an additional 15 ft. buffer, adding approximately 46.7 acres for a cumulative APE of 142.2 acres (**Figure 3**). The expanded APE was established as the area of direct and indirect effects, and is located along the streets where the sewer mains will be installed, and encompassing adequate portions of the front yards of residences where the private connections will be installed within the three neighborhoods (Areas 7, 9, and 21). As before, the vertical APE is the depth of excavation to install the sewer main and private connections, which has a maximum excavation depth of 10 ft. below ground surface. Virtually all prescribed project activity (including ground disturbance) would occur within areas already highly disturbed as a result of

previous road construction and maintenance, utility infrastructure installations, residential development and construction, landscaping/terraforming and agricultural activities.

Supplemental efforts to identify cultural resources in the expanded APE included background research, and a review of previously recorded archaeological site records and cultural resource identification reports on file at the California Historical Resources Information System Central California Information Center (CCIC), a visual inspection, and consideration of direct, visual, audible, and social-cultural effects.

Records Search

Dokken Engineering obtained a records search (CCIC File No. 10628N) for the APE and a 500-ft. radial study area, conducted by CCIC personnel, located at California State University, Stanislaus on February 27, 2018. The request also included a search of the National Register of Historic Places, the California Register of Historical Resources, the *California Inventory of Historical Resources* (1976), the *California Historical Landmarks* (1996), the *California Points of Historical Interest* listing (May 1992 and updates), the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE), the *Survey of Surveys* (1989), and other pertinent historic data available at the CCIC for Stanislaus County and the City of Modesto.

The original record search area was restricted to a 500-foot radius encapsulating the APE due to the extent of residential development in the vicinity and the scope of the proposed project.

Given the overall lack of development in the project area (and presumed lack of attendant cultural resource inventories bearing new and/or pertinent information), the results of the 2018 record search are not likely to have changed and were thus utilized in the analysis of the expanded APE. For the purposes of this analysis, the residential parcel was considered the effective boundary for identified historic era structures. As such, a total of six historic residential properties were determined to lie within and/or adjacent to the expanded APE (**Table 1 and Figure 4**). Note that only portions of the land parcels associated with these resources overlap the expanded APE—none of the structures themselves lie within or adjacent either the expanded or cumulative APE.

Table 1. Cultural Resources Identified Within/Adjacent Expanded APE

Primary / *Property Number	Type	Address	NRHP Status
P-50-001906	Historic Structure	1520 Beverly Ave.	6Z
P-50-001907	Historic Structure	1420 Giahos Ave.	6Z
P-50-001908	Historic Structure	1500 Beverly Ave.	6Z
*183086	Historic Structure	620 California Ave.	6Y
P-50-000699	Historic Structure	446 Colorado Ave.	6Y
P-50-001122	Historic Structure	603 Spencer Ave.	6Y

Of these identified resources, three (Property 183086, P-50-000699, and -1122) have been determined ineligible for the National Register of Historic Places (NRHP) by consensus through the National Historic Preservation Act (NHPA) Section 106 process, but have not been evaluated for inclusion on the California Register of Historical Resources (CR) or relevant Local Listings (NRHP Status Code 6Y). The remaining three properties (P-50-001906, -1907, and -1908) have been found ineligible for the NRHP, CR, or Local designation through survey evaluation (NRHP Status Code 6Z).

Supplemental Survey Methods and Results

Due to the nature and scope of the undertaking—with all proposed project activities being entirely limited to developed, previously disturbed areas with little or no natural ground surface visibility—pedestrian surface survey of the expanded APE was unwarranted. Instead, a visual inspection of the expanded APE utilizing project photographs and Google Street View technology was conducted on September 10, 2020 by Mr. John Fogerty, Dokken Engineering archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for an archaeologist. These efforts confirmed that, as noted prior, none of the identified structures nor any structural features associated with same lie within the expanded (or cumulative) Project APE. No other cultural resources were identified.

National Register and California Register Evaluations

All six of the identified resources identified within or adjacent to the expanded APE have reportedly been found ineligible for the NRHP, either through consensus determinations or informal survey evaluations. However, concurrence from the California State Historic Preservation Office (SHPO) on the eligibility status of P-50-000699, -1122, and Property 183086 could not be verified, and the level of effort required to assess, further document as necessary, and develop an adequate historic context to guide formal eligibility evaluations for resources P-50-001906, -1907, and -1908 exceed the scope of the Project.

For these reasons, and because underground utility elements of these resources might conceivably be construed as features of the documented structures, it is recommended that *for the purposes of the current undertaking only*, each of the six resources identified in **Table 1** be considered eligible for the NRHP under Criterion A for their contribution to the broad pattern of residential development in the City of Modesto.

Conclusion

In applying the criteria of adverse effect [36 CFR § 800.5(a)(1)] and the *Secretary of the Interior's Standards for the Treatment of Historic Properties* [36 CFR § 68.3(a)] to the proposed project it has been determined that the expanded undertaking will result in no significant alterations to the historic characteristics that may render any of the six resources eligible for the NRHP. The extant septic systems to be replaced at each property are of common construction methods and have undergone many modifications over years of use. The proposed improvements to be implemented as a result of the Project will have no impact upon any of the identified structures themselves and will serve to maintain their respective habitability and continued presence overall. Therefore, a finding of no adverse effect to historic properties for this undertaking pursuant to 36 CFR § 800.5(b) is recommended. No further reviews or surveys are required. Mitigation Measures CR-1 regarding unanticipated finds and CR-2 regarding human remains—as detailed in the 2018 CRIER and CEQA documentation will be implemented prior to and during construction.

Attachments:

- Figure 1. Project Vicinity
- Figure 2. Project Location
- Figure 3. Updated APE
- Figure 4. Identified Resources



Attachment A:

Original Report / SHPO Submission

If you have any questions regarding the results of this survey, please feel free to contact me at jfogerty@dokkenengineering.com or by phone at (916) 858-0642.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Fogerty', is written over a horizontal line.

John Fogerty
Associate Environmental Planner/Archaeologist
Dokken Engineering

09/30/2020

Date

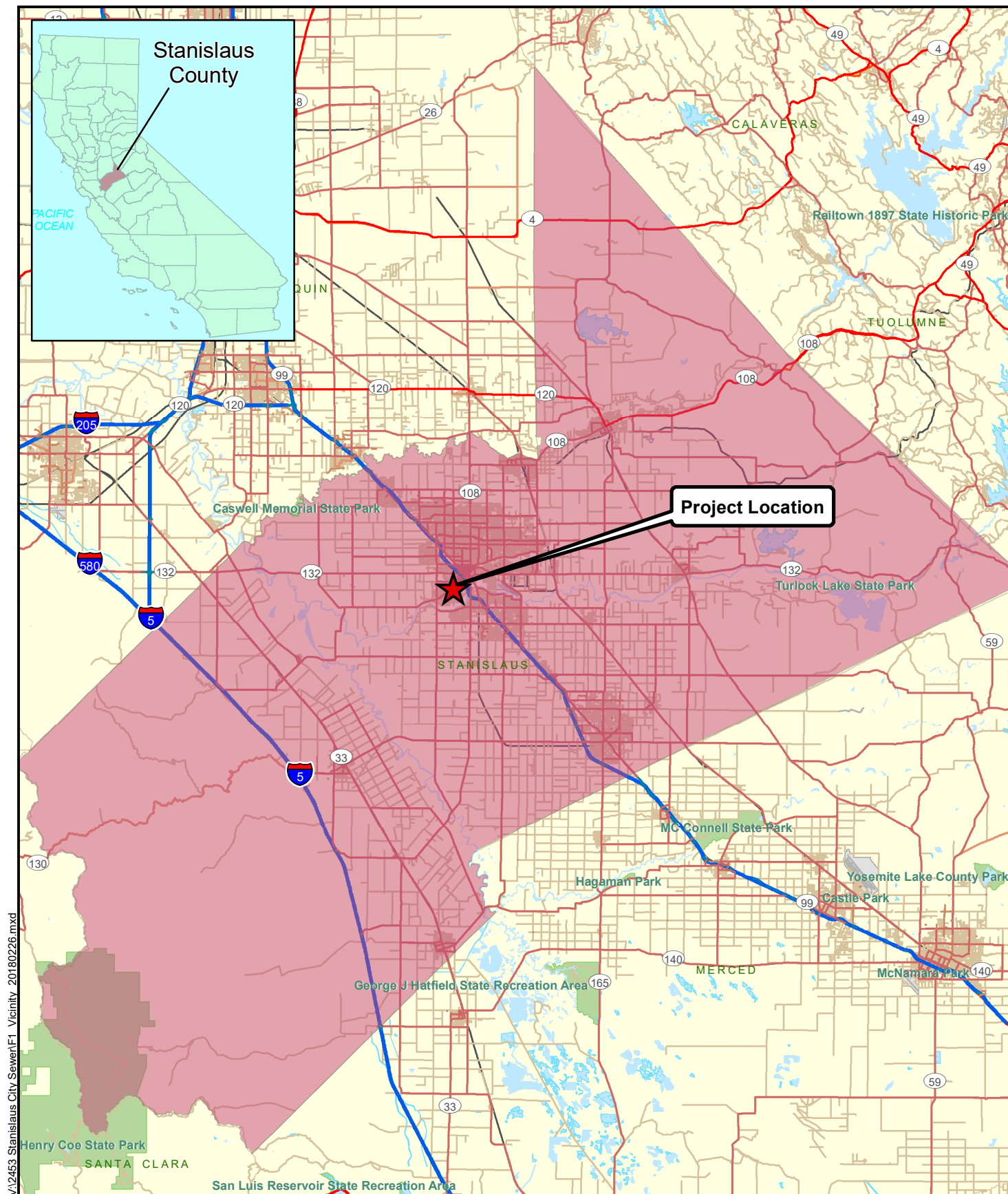


FIGURE 1
Project Vicinity

HUD Project No: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



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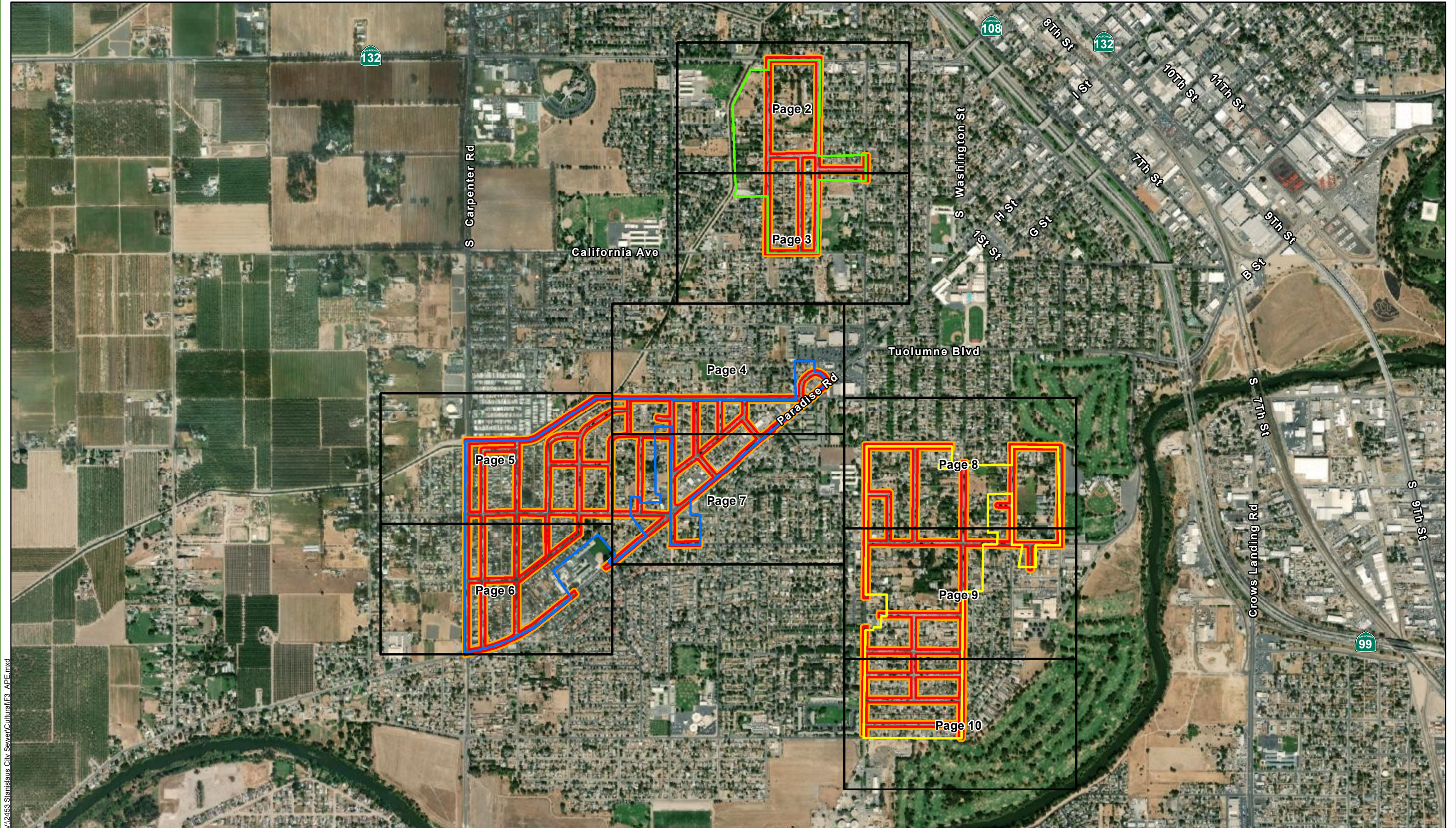
Source: ESRI World Street Maps Online; Dokken Engineering 3/8/2018; Created By: vcothran



0 0.25 0.5 0.75 1
Miles

FIGURE 2
Project Location

HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



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Source: ESRI Maps Online; Dokken Engineering 9/24/2020; Created By: astorck

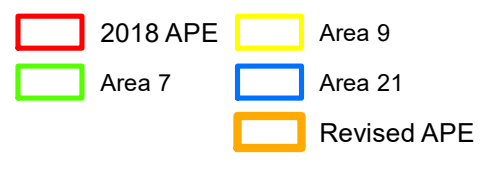
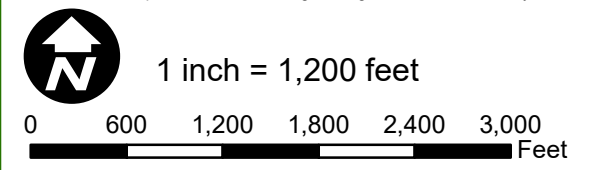
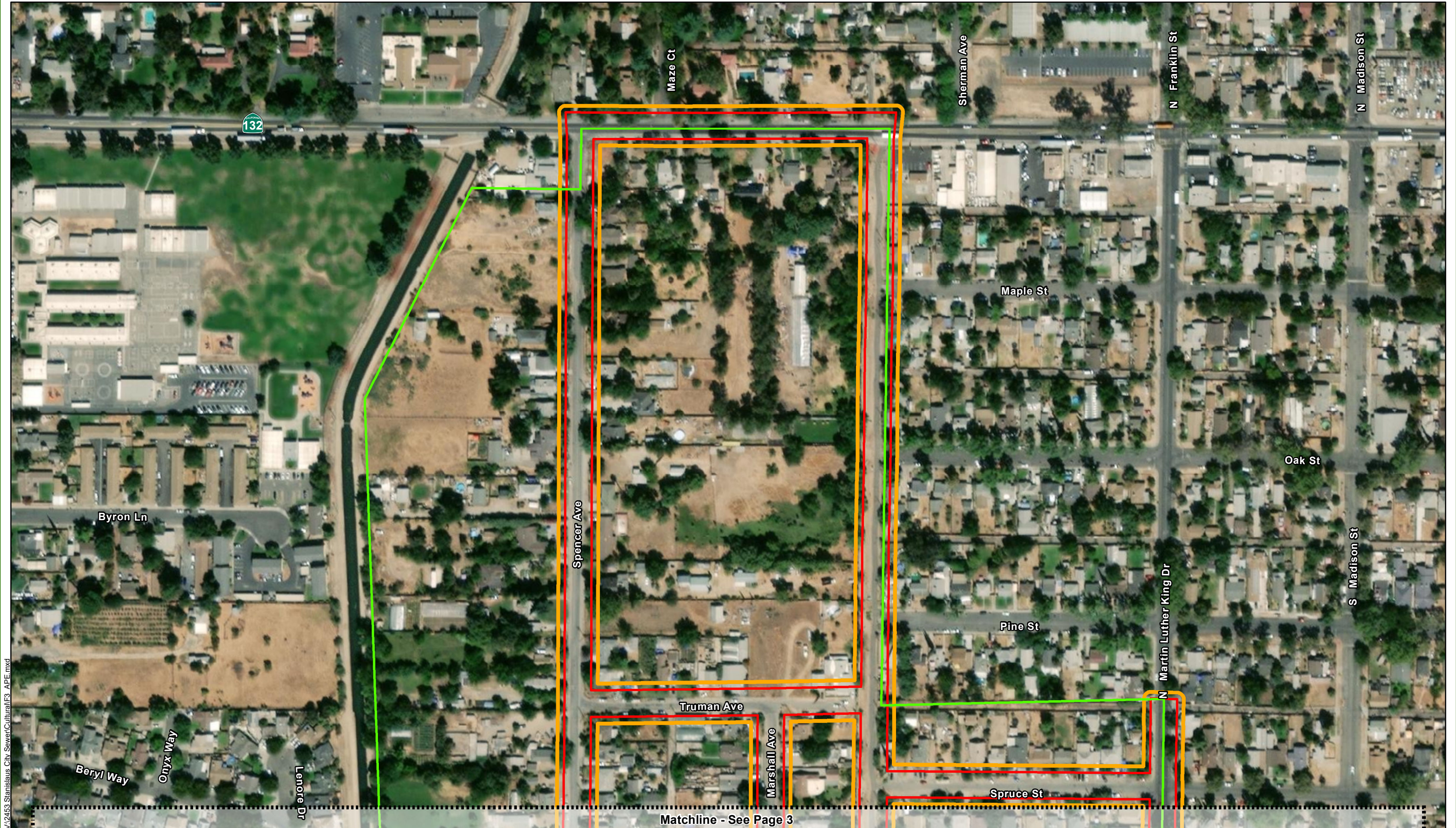
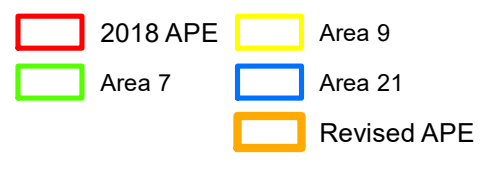
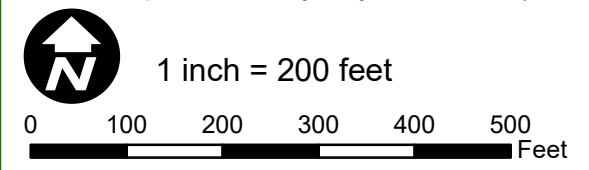


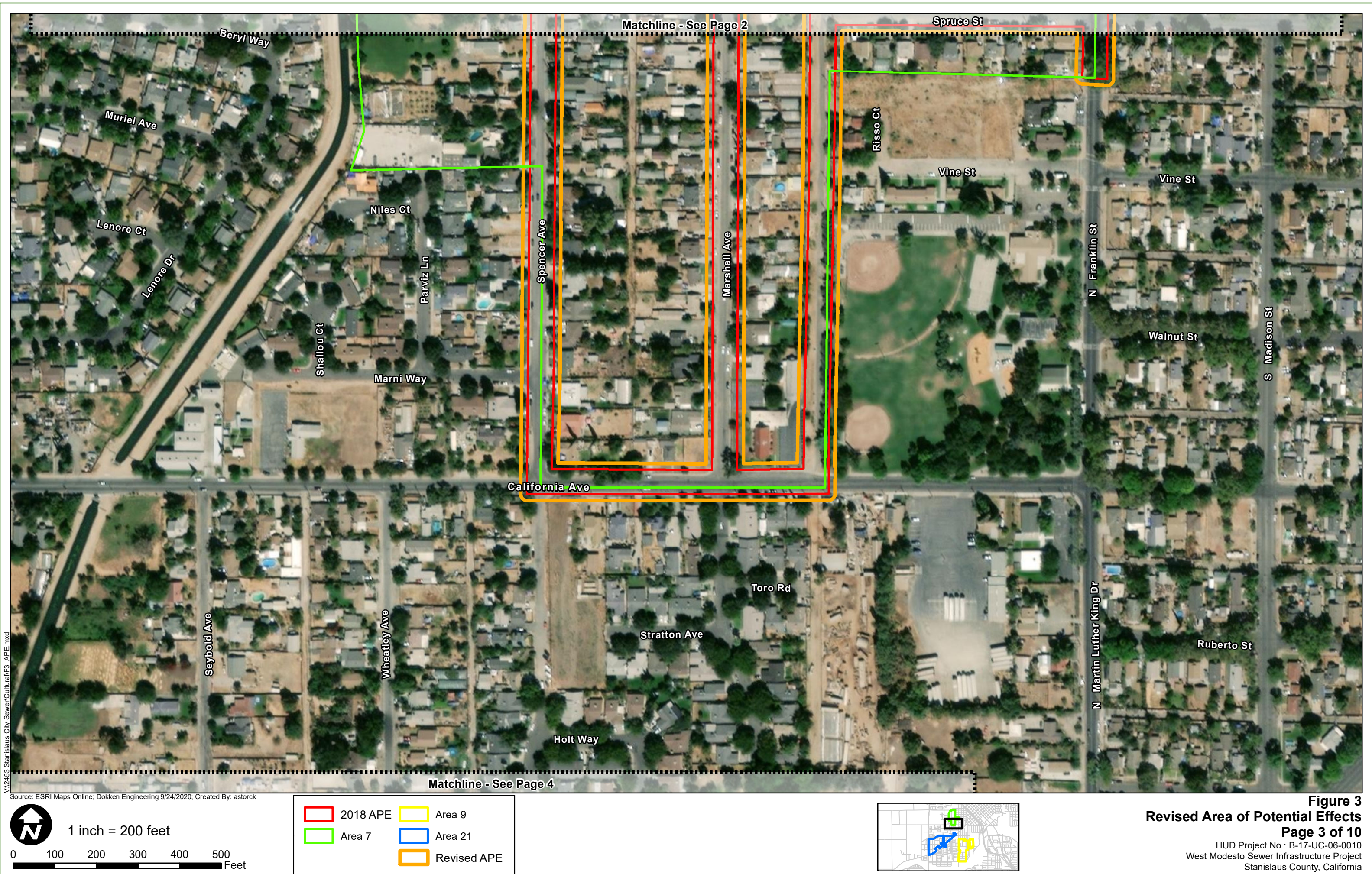
Figure 3
Revised Area of Potential Effects
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 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

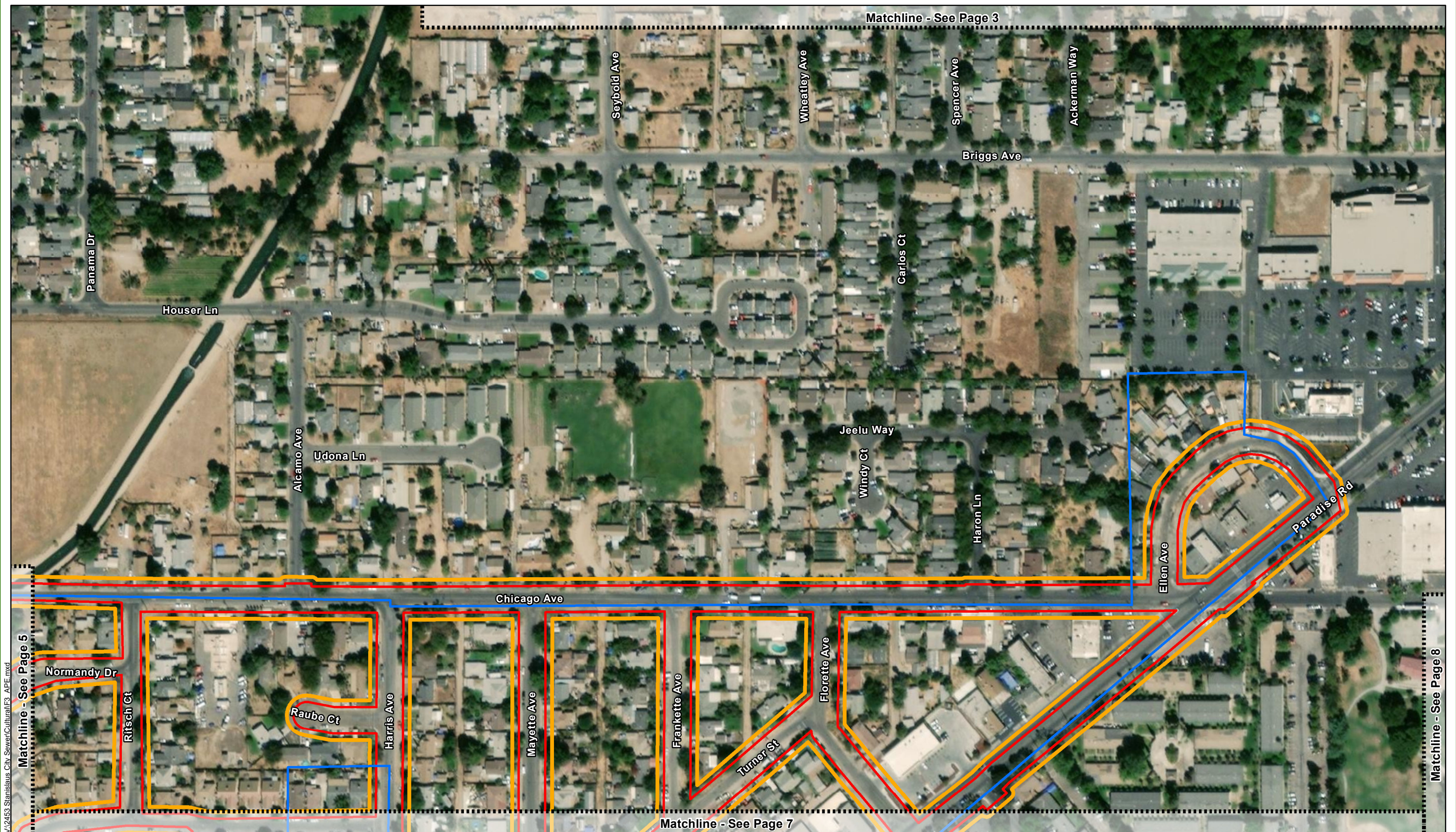


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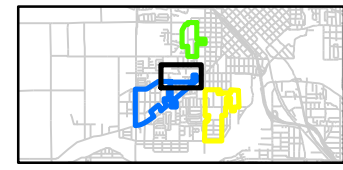
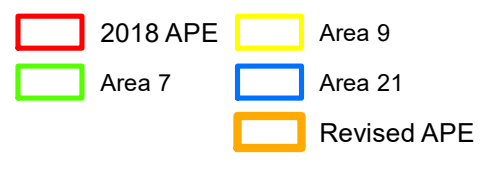
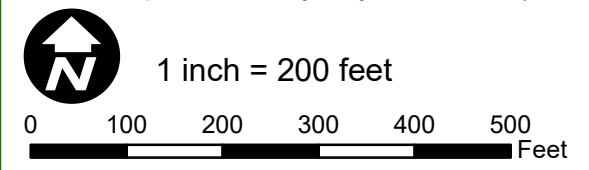




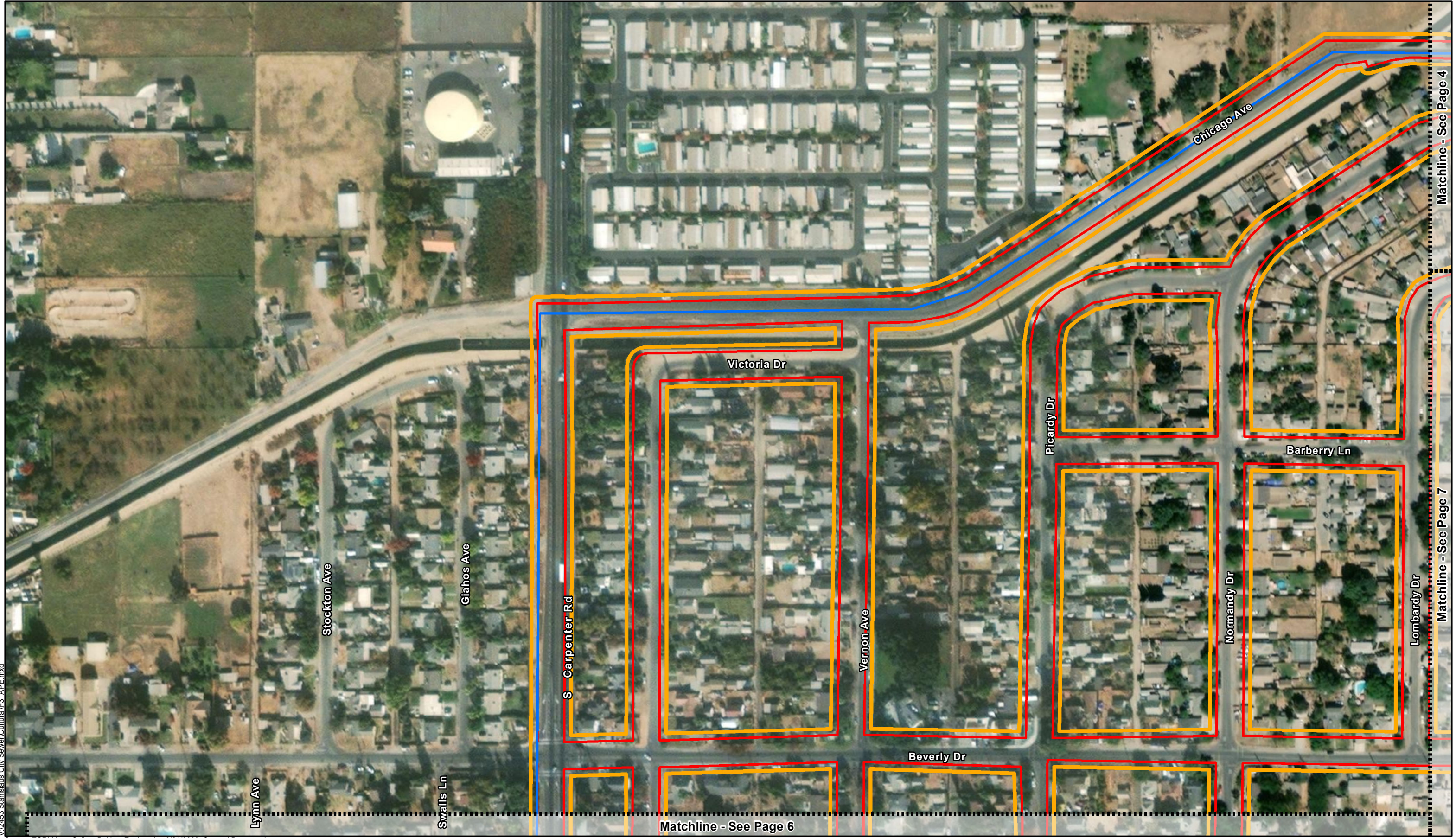


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1 inch = 200 feet

0 100 200 300 400 500 Feet

- | | | | |
|---|-------------|---|---------|
|  | 2018 APE |  | Area 9 |
|  | Area 7 |  | Area 21 |
|  | Revised APE | | |

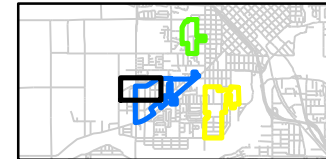
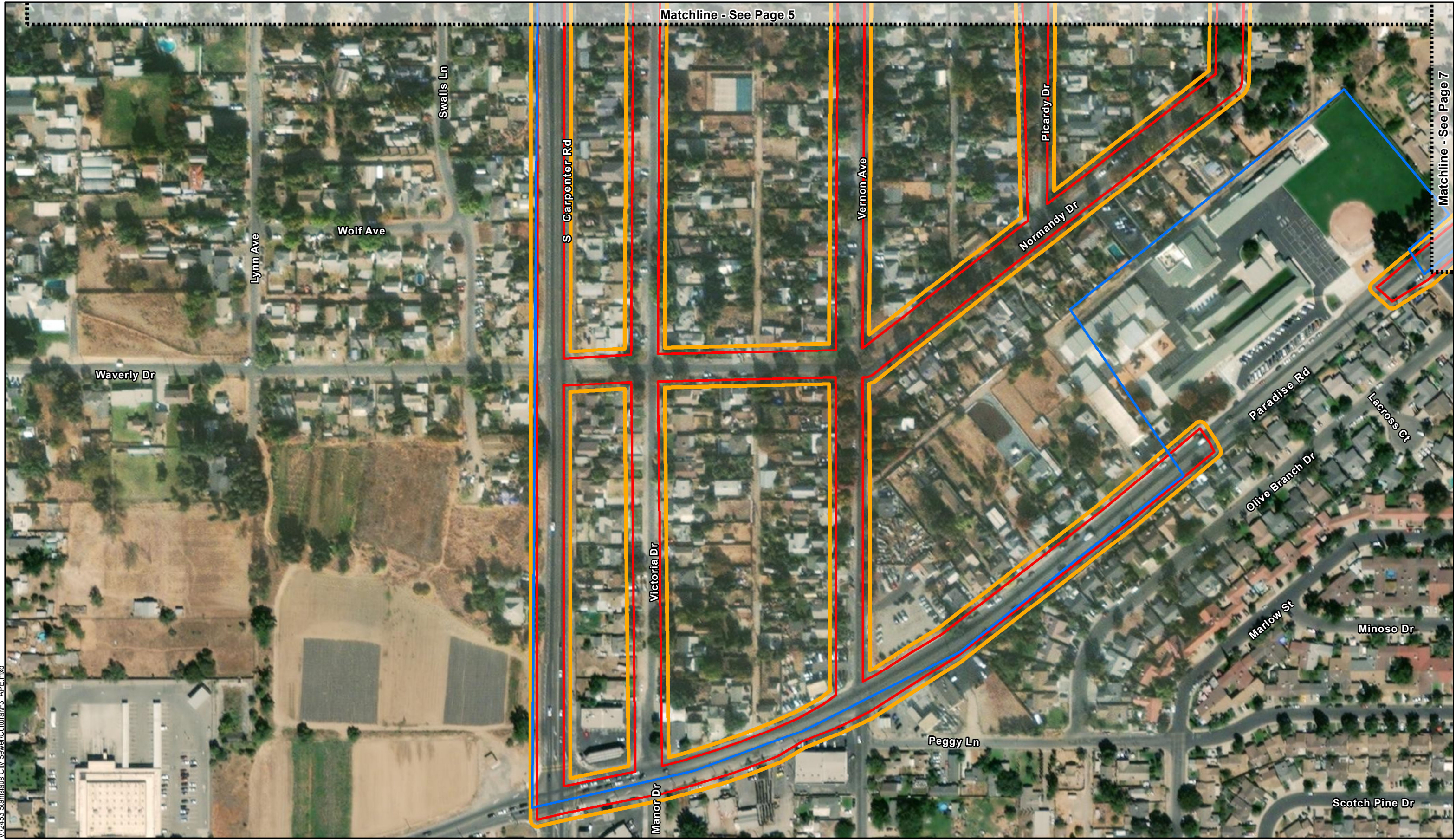


Figure 3
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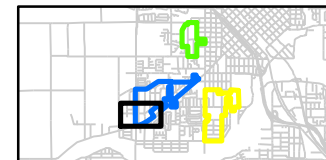
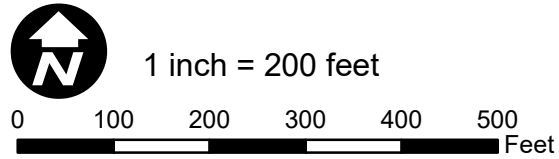
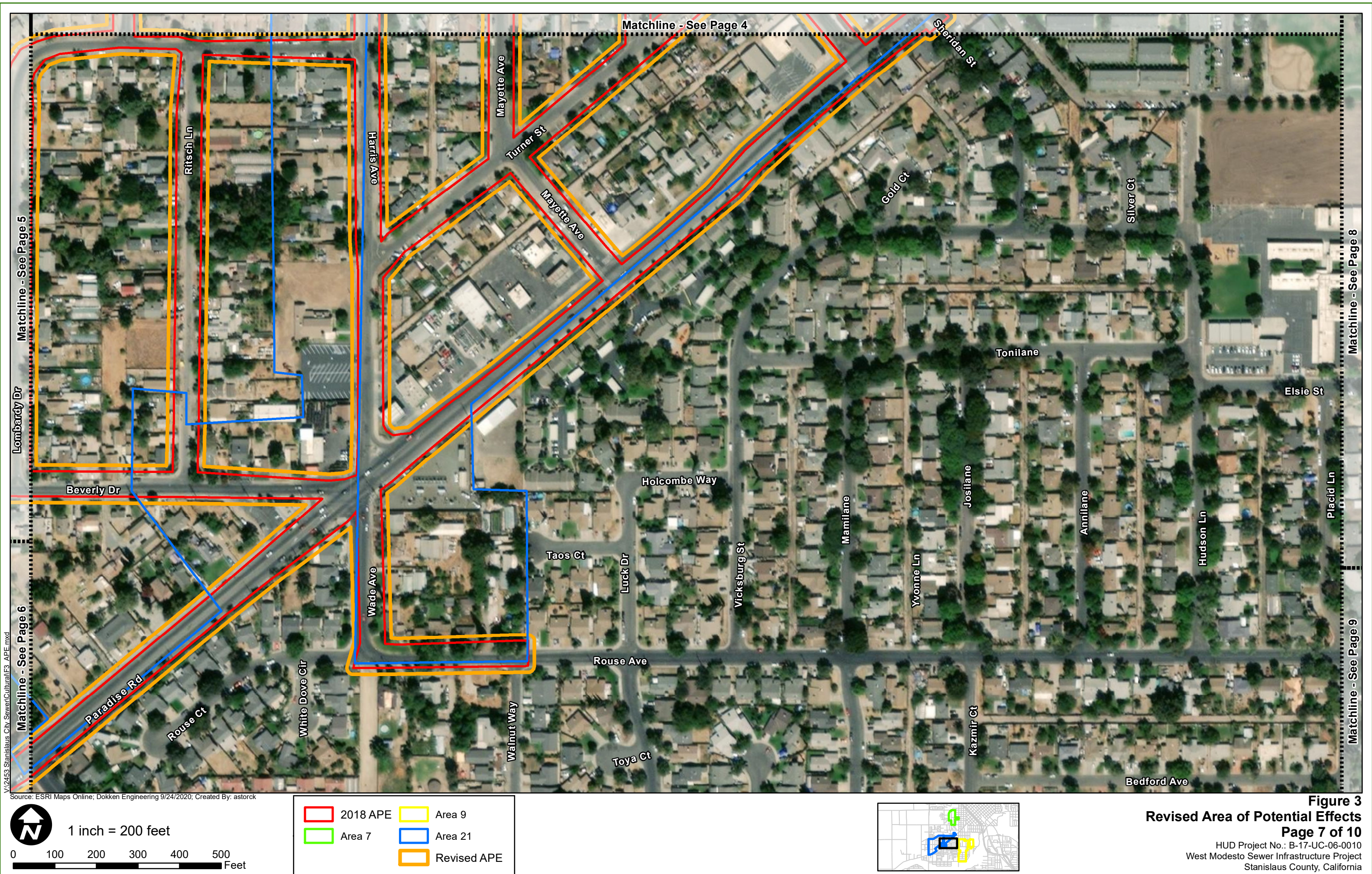


Figure 3
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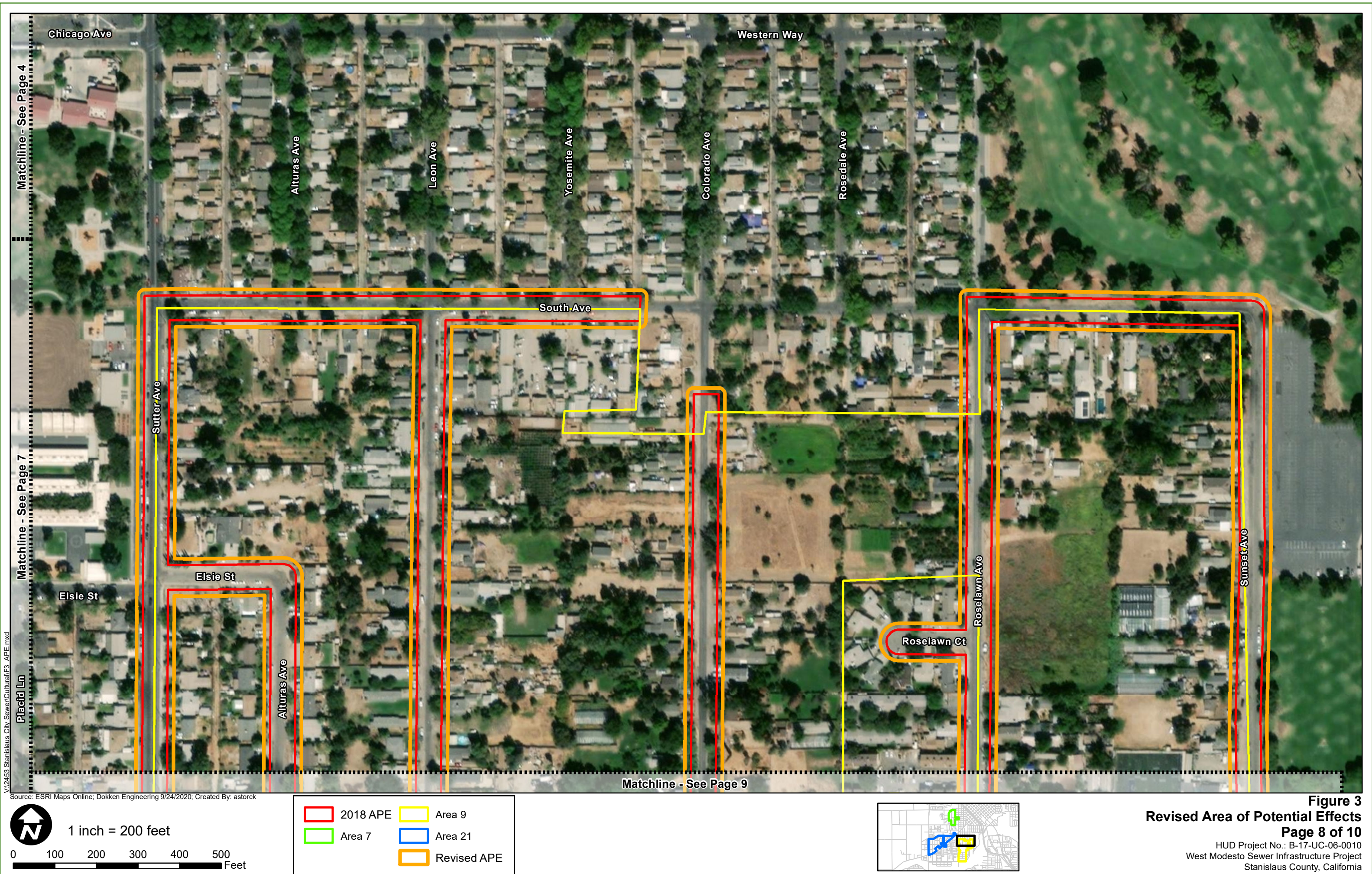
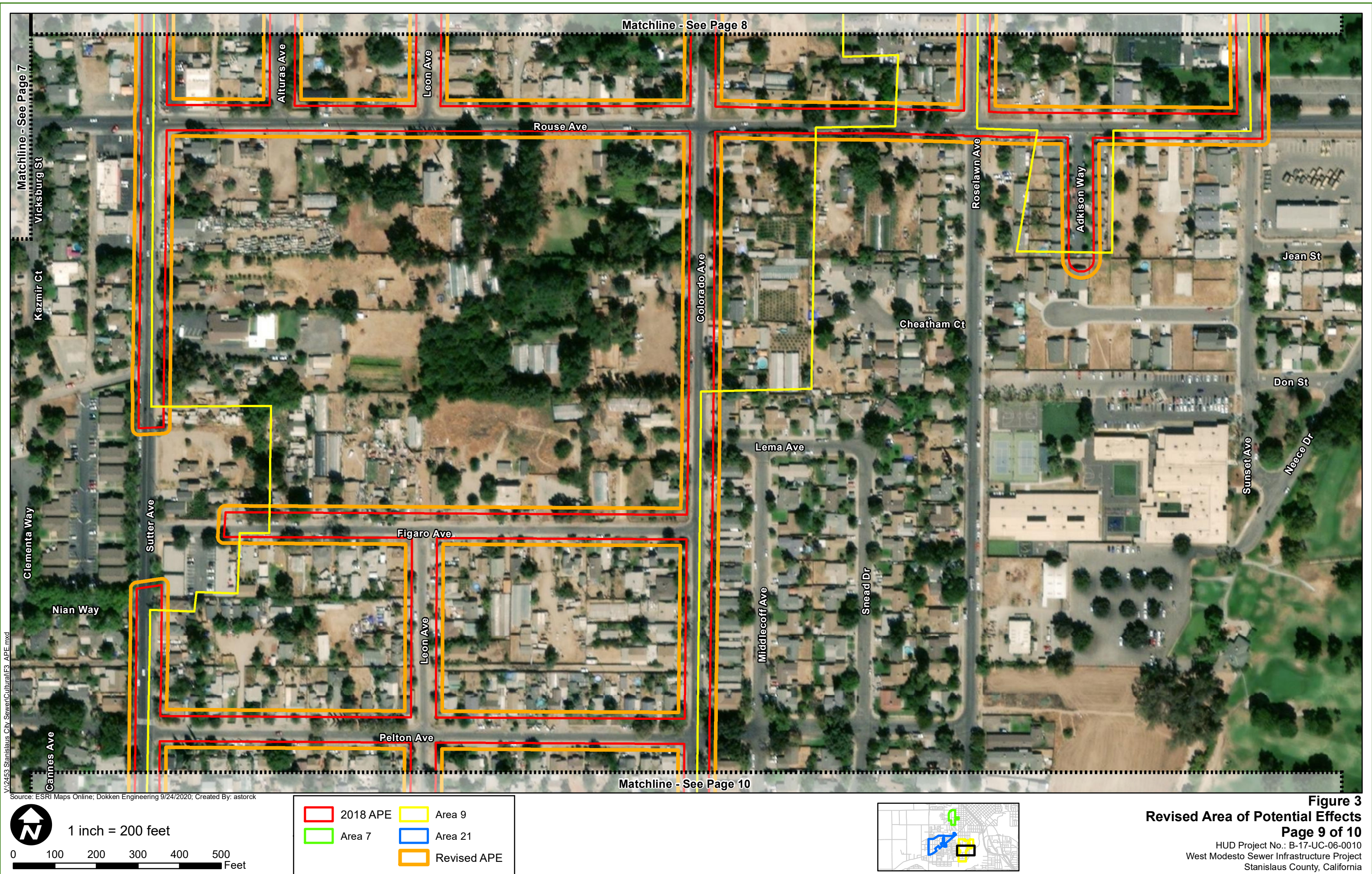
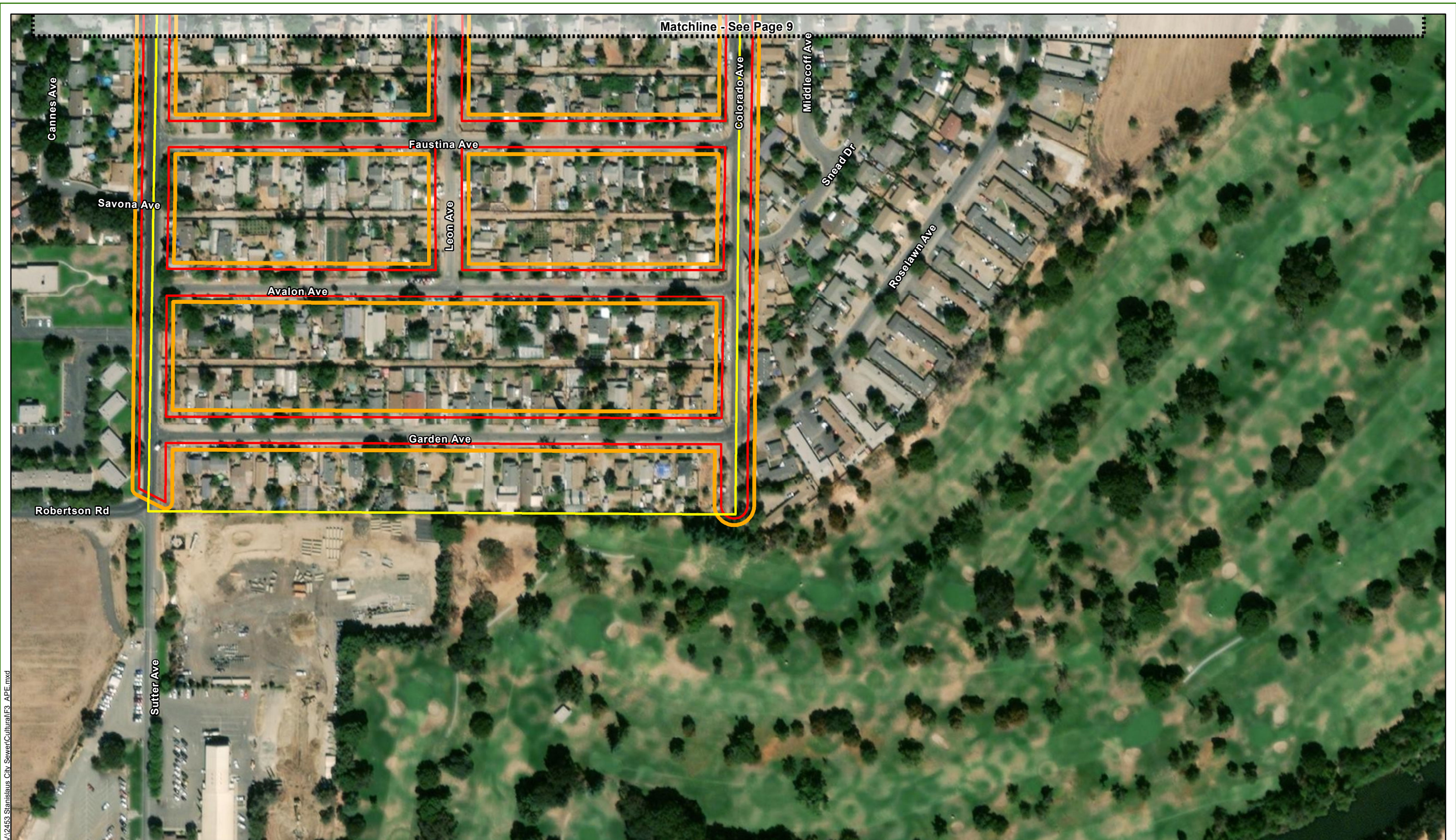


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Stanislaus County, California





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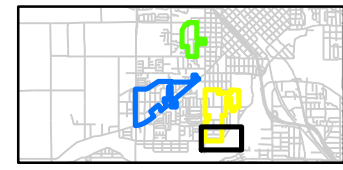
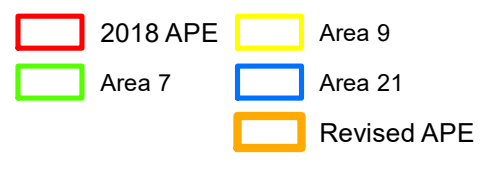
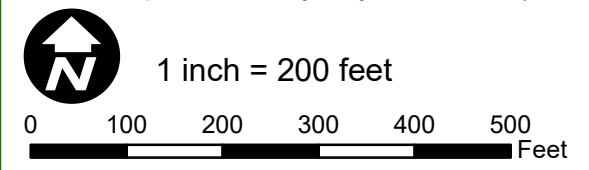


Figure 3
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 HUD Project No.: B-17-UC-06-0010
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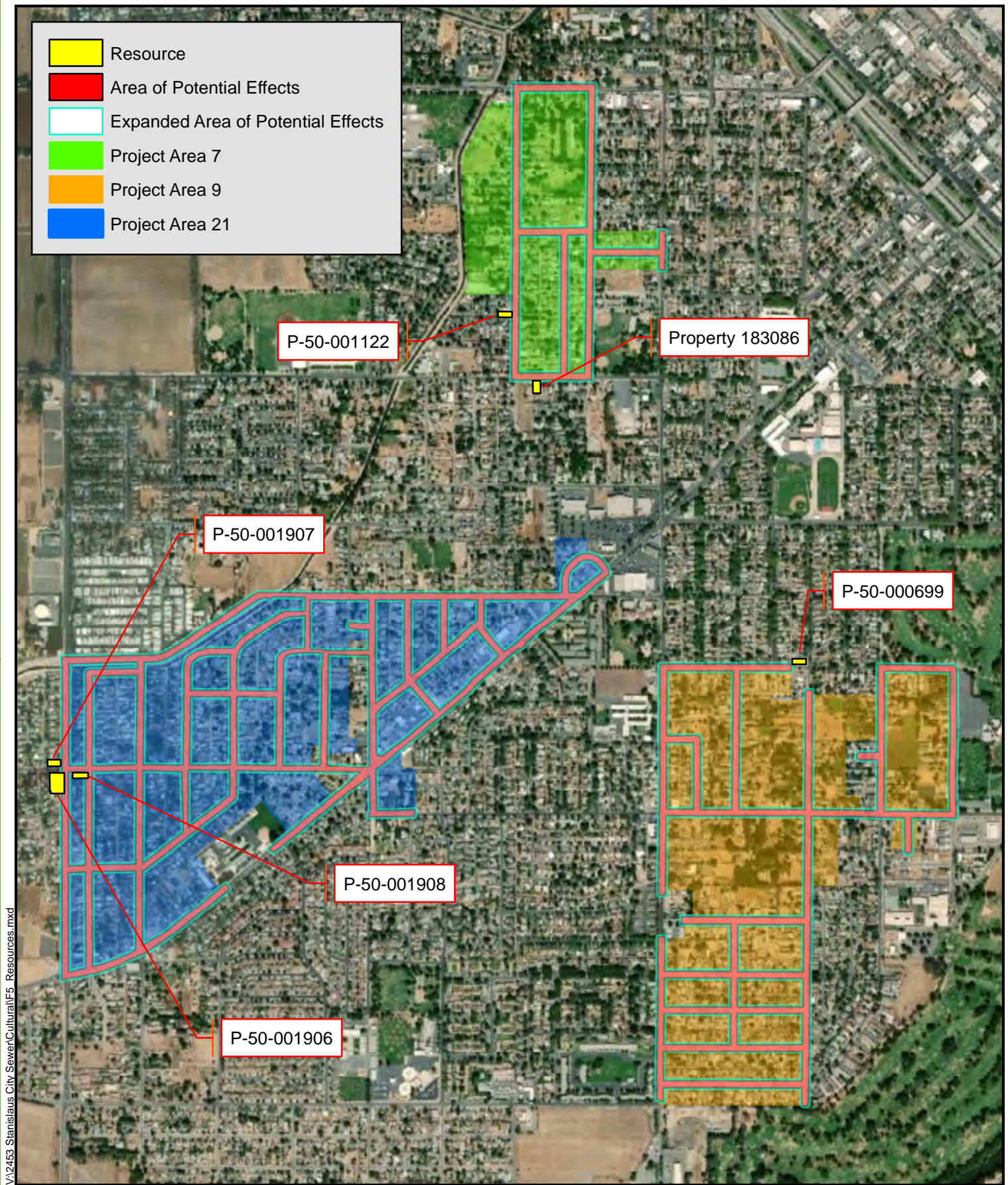


FIGURE 4

Identified Resources

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres

HUD Project No.: B-17-UC-06-0010

West Modesto Sewer Infrastructure Project

Stanislaus County, California



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

August 12, 2019

Julianne Polanco
State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816

RECEIVED

AUG 12 2019

OHP

Re: National Historic Preservation Act (NHPA) Section 106 Consultation for the West Modesto Sewer Infrastructure Project, Modesto, Stanislaus County, California.

Dear Ms. Polanco,

Stanislaus County (County), on behalf of the Department of Housing and Urban Development (HUD), is initiating the NHPA Section 106 process and is seeking your concurrence on a finding of no historic properties affected for the proposed West Modesto Sewer Infrastructure Project (Project) located in Modesto, Stanislaus County. HUD will provide funding for the Project through the Community Development Block Grant Program (CDBG) to install sanitary sewer mains and laterals in three discontinuous neighborhoods. The HUD Act of 1974 and 24 CFR 58 (Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities) authorizes local governments, defined as a "Responsible Entity" (RE), to assume federal responsibility for environmental compliance, which includes NHPA Section 106 consultation. Therefore, the County, functioning as the RE for the proposed project, is the NEPA and NHPA lead agency. As the Project will utilize CDBG funding, the expenditure of federal funds constitutes an undertaking, as defined by Section 301(7) of the NHPA (16 U.S.C. 470), and the County is consulting with your office pursuant to the 36 CFR Part 800 regulations that implement Section 106 of the NHPA.

A detailed project description of the proposed Project can be found on page 2 of the enclosed report, *Cultural Resources Inventory and Evaluation Report for the West Modesto Sewer Infrastructure Project, Modesto, Stanislaus County, California*. The Project includes the installation of a new sewer system with approximately 80,000 linear feet of sewer main and street reconstruction. The completed project will allow property owners to abandon their existing septic tanks and connect to a public sewer system. The new sewer infrastructure will connect into the City of Modesto's existing public sewer system. Upon completion of the proposed project, project ownership will be transferred to the City of Modesto for operation and maintenance. The project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality.

The County has determined the Area of Potential Effects (APE) for the Project encompasses approximately 96.5 acres and is comprised of the area of direct effects and indirect effects where construction activities, staging areas, and access is proposed to occur for the project (**Attachment A, Figure 3** in the enclosed report). The APE includes the streets where the sewer mains will be installed within three discontinuous neighborhoods. The vertical APE consists of the excavation depth required to install the sewer main, which has a maximum excavation depth of 10 feet below ground surface level. The majority of the APE is paved roadway with some areas of sidewalks, landscaped lawns, and unpaved roadway shoulders. For a detailed description of the APE and proposed work throughout the APE, please see page 3 in the enclosed report. The APE is located within Section 31 of Township 3 South, Range 9 East and Sections 5 and 6 of Township 4 South, Range 9 East as depicted on the

accompanying portions of the *Salida, California* and *Brush Lake, California* United States Geographic Survey (USGS) 7.5-minute topographic quadrangles (**Attachment A, Figure 2** in the enclosed Report).

In an effort to identify historic properties, the County conducted a record search through the California Historical Resources Information System (CHRIS), archival research, consultation with potential consulting parties, consultation with Native American tribal governments, and a pedestrian survey. The methods used, and the results of those efforts are detailed beginning on page 14 in the enclosed report. The CHRIS records search did not identify any previously recorded cultural resources within the APE but did identify one historic-era residence immediately adjacent to the APE and four historic-era residences and commercial buildings located within 500 feet of the APE. None of these resources would be directly or indirectly impacted by the Project as ground disturbance will occur beneath the existing paved street. As these historic-era buildings were constructed after the streets were constructed, there is no potential for subsurface archaeological deposits associated with these resources to be present within the APE.

Historic society and public outreach included sending letters to the Great Valley Museum and the McHenry Museum and Historical Society. The McHenry Museum and Historical Society provided history of the Project's vicinity, which was incorporated into the enclosed report's historical background section. For additional information, please see page 17 in the enclosed report.

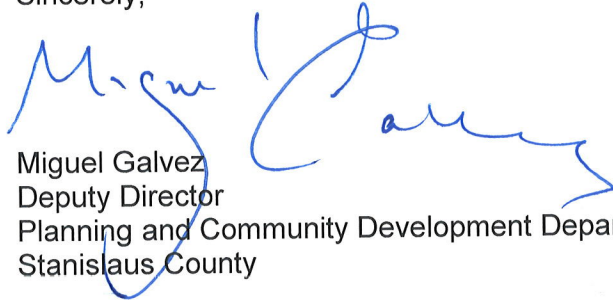
The County also sent letters and placed telephone calls to the following Native American tribal governments informing them of the Project and requesting responses if the tribal government wished to consult under Section 106 of the NHPA: Calaveras Band of Mi-Wuk Indians, Northern Valley Yokuts Tribe, Southern Sierra Miwuk Nation, California Valley Miwok Tribe, Tule River Indian Tribe, and the Tuolumne Band of Me-Wuk. The California Valley Miwok Tribe and the Tuolumne Band of Me-Wuk responded to the outreach by stating they would like to be contacted should Native American cultural resources be discovered during Project activities. The North Valley Yokuts Tribe, Tule River Indian Tribe, and Southern Sierra Miwuk Nation did not respond to any outreach attempts. The Calaveras Band of Mi-Wuk Indians stated they did not wish to consult as the Project was located outside their traditional lands. For more detailed information, please see pages 16-17 and **Attachment C** in the enclosed report. Should any additional correspondence or new information be received from the tribal governments which would change the determinations and findings of this Project, the County will continue consultation with the SHPO.

Finally, a pedestrian survey of the APE was conducted. While the majority of the APE consisted of paved facilities and landscaped lawns, all unpaved areas and area with exposed subsurface cuts were inspected for the presence of cultural resources or indications of buried cultural resource deposits, such as soil discoloration. No artifacts, archaeological features, or indications of buried cultural resource deposits were observed. Please see **Attachment B** of the enclosed report for photographs depicting the APE and survey conditions.

As a result of the above identification efforts, no cultural resources were identified which were 50 years in age or older. As no cultural resources were identified, the County, acting as the RE on behalf of HUD, has determined that there are no historic properties within the APE and has reached a finding of no historic properties affected for the proposed Project, pursuant to 36 CFR §800.4(d)(1). The County invites your comments on our delineation of the APE and our efforts to identify historic properties. The County also requests your concurrence on our finding of no historic properties affected.

We look forward to your response within 30 days of the receipt of this submittal. Please contact me at (209) 525-6330 or galvezm@stancounty.com if you have any questions regarding this letter or the enclosed report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Miguel Galvez", is written over the typed name and title.

Miguel Galvez
Deputy Director
Planning and Community Development Department
Stanislaus County

Enclosure: *Cultural Resources Inventory and Evaluation Report for the West Modesto Sewer Infrastructure Project, Modesto, Stanislaus County, California (2018)*

**CULTURAL RESOURCES INVENTORY
AND EVALUATION REPORT
FOR THE
WEST MODESTO SEWER INFRASTRUCTURE PROJECT
MODESTO, STANISLAUS COUNTY, CALIFORNIA**

Prepared by:



Brian S. Marks, Ph.D.
Archaeologist
Dokken Engineering
110 Blue Ravine, Suite 200
Folsom, CA 95630

Prepared for:

County of Stanislaus
Planning and Community Development
Modesto, CA 95354

Modesto, Stanislaus County
Salida and Brush Lake 7.5' USGS Quadrangles,
Township 3S Range 9E and
Township 4S Range 9E
Mount Diablo Meridian

May 2018

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Appendix A: Vicinity Map, Location Map, Area of Potential Effects

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Records Search Results

SUMMARY OF FINDINGS

Stanislaus County (County) is proposing to implement the West Modesto Sewer Infrastructure Project (project) which would involve installing sanitary sewer mains and laterals in three different unincorporated neighborhoods within the western City of Modesto (West Modesto) in Stanislaus County, California. West Modesto is a census-designated area located west of Modesto and north of the Tuolumne River Sacramento (see **Appendix A, Figures 1 and 2**). The proposed project would install sanitary sewer mains in three separate unincorporated neighborhoods. The proposed project is subject to compliance with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The County is the CEQA lead agency while the U.S. Department of Housing and Urban Development (HUD), who will be issuing a federal grant through the Community Development Block Grant (CDBG) Program, will act as the NEPA lead agency.

This Cultural Resources Inventory Report (CRIR) has been prepared to comply with federal, state, and local laws and evaluates the proposed project's anticipated effects on historic properties/historical resources. Efforts to identify potential archaeological resources in the Area of Potential Effects (APE) are detailed in this report and included background research, a search of archaeological site records and cultural survey reports on file at the Central California Information Center (CCIC), search of the Sacred Lands File (SLF) at the Native American Heritage Commission (NAHC), efforts to coordinate with Native American representatives, and an archaeological ground surface field survey. The CCIC records search indicated that no previously recorded archaeological resources are located within the APE. The NAHC reported negative SLF results in the APE.

An archaeological field survey and was conducted by Dokken archaeologist Brian S. Marks, Ph.D. on February 22, 2018 for the purpose of identifying and recording archaeological resources. The field survey did not identify any documented or previously undocumented cultural resources. As the proposed project takes place wholly within County streets, the APE was paved.

Although the field survey did not identify any historic properties/historical resources, the APE is entirely encompassed in paved streets, which obscured the natural ground surface.

1.0 INTRODUCTION

This document reports efforts to identify potential archaeological resources within the Area of Potential Effects (APE) in support of the proposed West Modesto Sewer Infrastructure Project (project). Stanislaus County (County), in cooperation with the Department of Housing and Urban Development (HUD) and State Water Resources Control Board (SWRCB), proposes to install sanitary sewer mains and laterals in three separate, unincorporated neighborhoods within West Modesto in Stanislaus County, California. It is estimated that the proposed project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in the Spencer/Marshall (144 services), Beverly/Waverly (527 services), and Rouse/Colorado (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see **Appendix A, Figures 1 through 3**). The following street intersections and road segment are part of the proposed project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100 feet east of the Lombardy Drive/Ritsch Lane intersection.

This proposed project is federally funded with Community Development Block Grant (CDBG) funds administered by HUD. To fund the proposed project's construction and final design, the County anticipates receiving grant funding from the Clean Water State Revolving Fund program administered by the SWRCB. As such, the project requires compliance with both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The County is the lead agency for CEQA purposes and HUD is the NEPA lead agency.

As HUD is providing federal money through the CDBG program, the proposed project is subject to federal approval. Use of federal money constitutes an undertaking as defined in Section 301 (7) of the National Historic Preservation Act (NHPA) (16 U.S.C. 470), and is therefore subject to Section 106 review pursuant to NHPA (16 U.S.C. 470 et seq.) and as outlined at 36 CFR Part 800. As the proposed project also requires discretionary approval by the County, the project is subject to CEQA and must consider its impacts to historical resources and Tribal Cultural Resources (TCRs).

1.1 Description of the Undertaking

The Spencer/Marshall (Area 7), Beverly/Waverly (Area 21), and Rouse/Colorado (Area 9) neighborhoods are disadvantaged communities located in West Modesto with predominantly residential parcels that currently rely on septic tanks for the treatment of sewage. The project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. The proposed project will include the installation of a new sewer system with approximately 80,000 linear feet of sewer main and street reconstruction. The completed project will allow property owners to abandon their existing septic tanks and connect to a public sewer system. The new sewer infrastructure will connect into the City of Modesto's existing public sewer system. Upon completion of the proposed project, project ownership will be transferred to the City of Modesto for operation and maintenance.

Existing private septic systems and water services will remain active during project construction. No road closures are anticipated to occur and access to each residence will be maintained. Minor temporary detours for local traffic may take place. Temporary construction easements, utility easements, and encroachment permits may be needed on a limited basis to accommodate the installation of the proposed improvements. Construction for the Spencer/Marshall area (Area 7)

is anticipated to last six months, for the Beverly/Waverly area (Area 21) eighteen months, and for the Rouse/Colorado area (Area 9) twelve months.

1.1.1 No-Project Alternative

The State CEQA Guidelines (Section 15126[e]) require consideration of a no-project alternative that represents the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved. For purposes of this analysis, it is assumed that, under the No-Project Alternative, no improvements to the sewer infrastructure will be made.

1.2 Project Location

The proposed project is located in three neighborhoods within the census-designated area of West Modesto, an unincorporated section of Stanislaus County, west of the City of Modesto (**Appendix A, Figure 1**). Specifically, the proposed project is located within the Section 31 of Township 3 South, Range 9 East and Sections 5 and 6 of Township 4 South, Range 9 East as depicted on the accompanying portions of the *Salida, California* and *Brush Lake, California* United States Geographic Survey (USGS) 7.5-minute topographic quadrangles (**Appendix A, Figure 2**). The Spencer/Marshall neighborhood (Area 7) is bounded by Maze Boulevard in the north, Spencer Avenue in the west, California Avenue in the south and Briggs Ditch Street in the east with a stretch of Spruce street east to Martin Luther King Drive. The Rouse/Colorado neighborhood (Area 9) is bounded by South Avenue in the north, Sutter Avenue in the west, Garden Avenue on the south, and Colorado Avenue in the east, with a section of neighborhood east to Sunset Avenue and north of Rouse. The Beverly/Waverly neighborhood (Area 21) is bounded by Chicago Avenue in the north, Carpenter Road in the west, and Paradise Road in the southeast with section of Wade Avenue and Rouse Avenue to Walnut Way, as well as Ellen Avenue.

1.3 Area of Potential Effects

The horizontal APE was established as the area of direct impacts and indirect impacts, and consists of approximately 96.5 acres. The APE is located along the streets where the sewer mains will be installed within the three neighborhoods (Areas 7, 9, and 21) mentioned above. The vertical APE is the depth of excavation to install the sewer main, which has a maximum excavation depth of 10 feet below ground surface level.

1.4 Regulatory Context

As stated previously, the County is the project proponent and lead agency under the CEQA. HUD, who will be issuing a federal grant through the CDBG program, will act as the NEPA lead agency. As the proposed project involves both CEQA and NEPA compliance, the appropriate regulatory contexts are presented below.

1.4.1 Federal Regulatory Context

The National Historic Preservation Act (NHPA) of 1966 is the primary Federal legislation which outlines the federal government's responsibility to cultural resources. More specifically, Section 106 of the NHPA and its implementing regulations located at 36 CFR Part 800, outline the federal government's responsibility in identifying and evaluating cultural resources.

Section 106 of the NHPA requires the federal government to take into account the effects of an undertaking on cultural resources inclusion in and eligible for inclusion in the National Register of Historic Places (National Register) and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment. Those resources that are in or eligible for inclusion

in the National Register are referred to as historic properties. The 36 CFR Part 800 regulations describe the Section 106 process. They outline the steps the federal agency takes to identify cultural resources and the level of effect that the proposed undertaking will have on historic properties. An undertaking is defined as any:

“...project, activity or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including:

- A) Those carried out by or on behalf of the agency;
- B) Those carried out with Federal assistance;
- C) Those requiring a Federal permit, license, or approval; and
- D) Those subject to state or local regulation administered pursuant to a delegation or approval by a Federal agency [Section 301(7) 16 U.S.C. 470w(7)]”

It is the initiation of an undertaking that begins the Section 106 process. Once an undertaking is initiated the federal agency must first determine if the action is the type of action that has the potential to affect historic properties. If the action is the type of action that has the potential to affect historic properties, the federal agency must 1) identify the APE, 2) determine if historic properties are present within the APE, 3) determine the effect that the undertaking will have on historic properties, and 4) consult with the appropriate State Historic Preservation Officer (SHPO) to seek concurrence with federal agencies findings. In addition, the federal agency is required through the Section 106 process to consult with Native American tribes if the undertaking may affect historic properties to which Native American tribes have attached religious and cultural significance. If the undertaking would result in adverse effects to historic properties, these adverse effects must be resolved in consultation with the SHPO and other parties identified during the Section 106 process before the undertaking can proceed to implementation.

1.4.2 State Regulatory Context

CEQA established statutory requirements for establishing the significance of historical resources in PRC Section 21084.1. The CEQA Guidelines (Section 10564.5[c]) also require consideration of potential project impacts to "unique" archaeological sites that do not qualify as historical resources. The statutory requirements for unique archaeological sites that do not qualify as historical resources are established in PRC Section 21083.2. These two PRC sections operate independently to ensure that significant potential impacts on historical and archaeological resources are considered as part of a project's environmental analysis. Historical resources, as defined in Section 15064.5 as defined in the CEQA regulations, include 1) cultural resources listed in or eligible for listing in the California Register of Historical Resources (California Register); 2) cultural resources included in a local register of historical resources; 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in one of several historic themes important to California history and development.

Under CEQA, a project may have a significant effect on the environment if the project could result in a substantial adverse change in the significance of a historical resource, meaning the physical demolition, destruction, relocation, or alteration of the resource would be materially impaired. This would include any action that would demolish or adversely alter the physical characteristics of an historical resource that convey its historic significance and qualify it for inclusion in the California Register or in a local register or survey that meets the requirements of PRC Section 5020.1(l) and 5024.1(g). PRC Section 5024 also requires state agencies to identify and protect state-owned resources that meet National Register of Historic Place (National Register) listing criteria. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the

SHPO before altering, transferring, relocation, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the National Register or are registered or eligible for registration as California Historical Landmarks.

CEQA and the CEQA Guidelines also recommend provisions be made for the accidental discovery of archaeological sites, historical resources, or Native American human remains during construction (PRC Section 21083.2(i) CCR Section 15064.5[d and f]).

1.4.2.1 Assembly Bill 52

Effective July 1, 2015, CEQA was revised to include early consultation with California Native American tribes and consideration of TCRs. These changes were enacted through Assembly Bill 52 (AB 52). By including TCRs early in the CEQA process, AB 52 intends to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to TCRs. CEQA now establishes that a “project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment” (PRC § 21084.2).

To help determine whether a project may have such an adverse effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (PRC § 21080.3.1). Consultation must consist of the lead agency providing formal notification, in writing, to the tribes that have requested notification or proposed projects within their traditionally and culturally affiliated area. AB 52 stipulates that the Native American Heritage Commission (NAHC) shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated within the project area. If the tribe wishes to engage in consultation on the project, the tribe must respond to the lead agency within 30 days of receipt of the formal notification. Once the lead agency receives the tribe’s request to consult, the lead agency must then begin the consultation process within 30 days. If a lead agency determines that a project may cause a substantial adverse change to TCRs, the lead agency must consider measures to mitigate that impact. Consultation concludes when either: 1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a TCR, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC § 21080.3.2). Under existing law, environmental documents must not include information about the locations of an archaeological site or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records act. TCRs are also exempt from disclosure. The term “tribal cultural resource” refers to either of the following:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register)
- Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code (PRC) Section 5020.1
- A resource determined by a California lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of the PRC Section 5024.1.

2.0 NATURAL AND CULTURAL CONTEXT

Brief sketches of the natural environment, ethnographic information, prehistoric record, and the historic period are included for contextual purposes and discussed, below.

2.1 Natural Environment Setting

West Modesto is located in the San Joaquin Valley along the north bank of the Tuolumne River. The valley floor is mostly flat with elevations ranging from near sea level to a few hundred feet above sea level. According to Arkley (1964), the APE is contained within the Dinuba soil series, Hanford soil series, and the Tujunga Soil Survey. The sediments of the Sacramento–San Joaquin Delta region accumulated in marine environments between 175 million and 25 million years ago (mya). Younger sediments (25 mya to recent) are considered non-marine.

The depositional history of the Sacramento–San Joaquin Valley during the late Quaternary/Holocene (approximately 12,000 years ago) was likely controlled by several cycles related to fluctuations in regional and global climate, when periods of deposition and non-deposition/erosion alternated. Tidewaters rose in the valley from the west, areas of erosion occurred when tidewaters receded, alluvial fans were deposited and reworked by wind to create expansive sand dunes, and alluvial fan deposition from streams emanated from the adjacent mountain ranges, which allowed for the creation of various stages of wetlands and floodplains in the valley during the late Quaternary (Arkley 1964; Rosenthal and Meyer 2004).

West Modesto exhibits a Mediterranean type climate that is warm and dry in the summer and cool and wet in the winter. Composite historic weather station data from a weather station in Modesto (Station 045738) provide a reasonably complete summary of temperature regime and precipitation for the area (Western Regional Climate Center [WRCC] 2018). Average monthly highs (90-94 degrees Fahrenheit) typically occur during July when monthly precipitation reaches the nadir (0.01-0.04 inches). Winter temperatures contrast accordingly with January returning the lowest temperature averages (37-40 degrees Fahrenheit) and the wettest monthly averages, precipitation at approximately 2.07-2.44 inches.

2.2 Cultural Setting

2.2.2 Prehistory

Prehistoric sequences for the San Joaquin Valley have not been fully developed. Instead, sequences generated for the Sacramento Valley are used with the acknowledgement that a wide range of local and regional traditions are not incorporated. More recently a simple classification, originally developed by Fredrickson's (1973, 1974) adaptation of the Willey and Phillips period and stage integrative scheme has been refined to include further divisions based on radiocarbon determinations of sites within the San Joaquin Valley. Developed by Rosenthal et al. (2007), the prehistoric sequences are divided into the following: Paleoindian (11,500-8550 cal B.C.), Lower Archaic (8550-5550 cal B.C.), Middle Archaic (5550-550 cal B.C.), Upper Archaic (550 cal B.C. to cal A.D. 1100), and Emergent (cal A.D. 1100 to Historic).

Paleo-Indian (11,500-8550 cal B.C.)

Not much is known from this era, as few sites can actually be confirmed. Currently, the southern basin of the Central Valley is believed to have very early occupation as indicated by the basally thinned and fluted projectile points found at a handful of sites. These types of projectile points are found in other parts in North America and have been dated to the interval between 11,550 and 9550 cal B.C. (Rosenthal et al. 2007). It is also believed that early occupation could have occurred at the Witt site (KIN-32) which contained hundreds of early concave base points along a remnant shoreline of Tulare Lake. Additional early sites discoveries are needed to better define this era.

Lower Archaic (8550-5550 cal B.C.)

This period is defined by only a few isolated finds and one site – KER-116 (approximately 155 miles south of the APE), associated with deeply buried soil on the ancient shoreline of Buena Vista Lake (approximately 195 miles south of the APE). Artifacts include stemmed points, chipped stone crescents, concave base points, wide stemmed points, and bi-pointed “humpies” (most likely used in light-duty woodworking tasks), all discovered within the Tulare Lake basin (Rosenthal et al. 2007; Sampson N.D.). Other points found within the Tulare Basin (approximately 130 miles south of the APE) include Lake Mojave, Silver Lake, and Pinto points similar to those found in the Great Basin. Ker-116 produced few finds but included stone crescents, stemmed projectile point fragment, a carved stone atlatl spur, human skull fragments, and evidence of fresh water fish, waterfowl, freshwater mussels, and artiodactyl exploitation. As neither milling tools nor seeds were recovered, plant use remains unknown during this period in the valley. Numerous milling tools (handstones, millingslabs, cobble-core tools) have been recovered from sites in the Sierra Nevada and Cost Range foothills which indicate that adjacent populations were indeed exploiting plants as an important resource (Rosenthal et al. 2007). The relationship between the valley cultures and the foothill cultures continues to remain unknown until more archaeological sites are found. As with the Paleoindian period, no burial preferences are known and no evidence of housing has yet to be encountered.

The Farmington Complex (~6,000 cal B.C.)

Distinctive to the regions of Stanislaus, Calaveras, and Sacramento counties, the Farmington Complex is characterized by large, early stage bifaces, choppers, edge-worked percussion flakes and core tools formed from cobbly greenstone and volcanic gray, fine-grained chert that often appear water-worn. While archaeological evidence is relatively scant for this complex, the Farmington Complex has been discovered primarily around creeks, tributaries, and drainages in the aforementioned counties (Krieger 1962; Ritter et al. 1976; Treganza 1952; Treganza and Heizer 1953). These areas are subject to heavy erosional and depositional processes that have altered the archaeological record and the archaeological interpretation of the artifacts and region (Rosenthal and Meyer 2004). The artifacts recovered occurred in primarily cemented gravel bars or cobble strata that underlie the lowest terraces along these channel deposits, and were originally interpreted as quarry debris related to the procurement of quality stone for manufacturing tools (Ritter et al. 1976; Rosenthal and Meyer 2004; Treganza and Heizer 1953).

Dating the Farmington Complex has been a point of contestation for many scholars (Antevs 1953, as cited in Ritter et al. 1976; Carter 1952; Ritter et al. 1976). With the issue related to the processes of erosion and deposition that includes intense periods of uplifting and weathering that have altered the geological and archaeological record (Rosenthal and Meyer 2004). It is through the deposition and water-worn appearance of these artifacts in the channel creek beds that led some researchers to suspect that the artifacts are not in their original quarry locations as previously posited, rather that they were moved along with the water into secondary depositional locations (Rosenthal and Meyer 2004).

Some scholars suggest that erosional and depositional processes occurred slowly throughout long spans of time (Ritter et al. 1976) while others indicate that they occurred catastrophically and ephemerally (Beaty 1974; McFall 1968, as cited in Ritter et al. 1976). Moratto (1984) posits that the combination of artifact bearing coarse-grained alluvial deposits and the early-stage stone artifacts indicates that the Farmington Complex likely dates to glacial period late Pleistocene (prior to 12,000 years ago) human occupation, whereas Treganza and Heizer (1953) argue that the artifacts are likely those of post-glacial, early Holocene age (10,000 to 12,000 years ago).

Recently, geoarchaeological work conducted in 2004 demonstrated that the artifact-bearing channel deposits occur within an older landform (Modesto formation) and Rosenthal and Meyer (2004) suggest that at least some of the Farmington Complex artifacts have been redeposited from archaeological sites upstream and subsequently capped by alluvium.

Middle Archaic (5550-550 cal B.C.)

During this period, the wetter, cooler climate of the Pleistocene/Holocene transition (10,000 to 12,000 years ago) is replaced by warmer and drier conditions. Desiccation of Tulare Lake occurs, but new wetland habitat forms in the Central Valley as rising sea levels create the Sacramento-San Joaquin Delta. Unlike the two previous periods, much more is known about the cultures during the Middle Archaic and there appear to be two distinct cultural traditions based on settlement-subsistence adaptations – Foothill traditions and Valley traditions (Rosenthal et al. 2007).

The Foothill Tradition deposits are characterized by expedient cobble-based pounding, chopping, scraping, and mulling tools. Evidence from CAL-789, CAL-629/630 and FRE-61 (approximately 75 miles south of the APE) has revealed that acorn and pine nuts were the main plant food exploited. Projectile points include notched, stemmed, thick-leaf, and narrow concave base darts. Assemblages seem to only include flake and/or ground stone utilitarian tools used in food procurement and processing. No bone or shell tools or ornamentation have been identified. Earth ovens and hearths are common and several burials capped by cairns of unmodified rock and/or milling equipment have been encountered (Rosenthal et al. 2007).

Evidence of the Valley Tradition is scarcer due to the geomorphic changes that occurred through the valley during the Pleistocene/Holocene transition. Few isolated artifacts and four sites comprise the total body of evidence for the culture during the early Middle Archaic. The later portions of the Middle Archaic have significantly more associated sites and showcase diverse material culture. Assemblages point to an adaptive pattern of extended inhabitation along major watercourse corridors. Material culture include mortar and pestles, gorge hooks, composite bone hooks, spears (fishing), notched pebble net sinkers, leaf-shaped points, Martis corner-notched point, contracting-stemmed points, basketry, basketry awls, pottery and baked clay objects, stone plummets, bird bone tubes, shell and obsidian beads, and other personal ornamentation (Rosenthal et al. 2007). Faunal assemblages reveal exploitation of diverse ecosystems which include marshes, riparian forests, and grasslands. Lastly, there are numerous burials recovered from this period. The Windmill Pattern is very prevalent and consists of westerly oriented, ventrally and dorsally extended burials. Included with the burials are extensive grave offerings. While certainly the most prominent example of burials, flexed burials are not uncommon (Rosenthal et al. 2007).

Upper Archaic (550 cal B.C. to cal A.D. 1100)

This period corresponds with the abrupt return to cooler, wetter climate conditions seen in the late Holocene. Tulare Lake filled as did many other lakes that were desiccated during the Middle Archaic. Cultural diversity is even greater during this time period than before and is marked by burial postures, artifact styles, and other material culture (Rosenthal et al. 2007). Different geographic areas witnessed slightly different material cultures or resource dependence, but in general, this time period experienced new tool technology and settlement preferences. New bone tools and implements are present and reliance on manufactured goods such as beads, obsidian bifacial rough-outs, and ceremonial blades are evident. Many sites show a preference for seasonal food resources that could be collected and stored in bulk, such as acorns, salmon, shellfish, rabbits, and deer (Rosenthal et al. 2007). Settlements are marked by large mounded villages with fire-cracked rock, shallow hearths, rock-lined earth ovens, and house floors. While

evidence of somewhat large settlements is present, more seasonal habitation also occurs. Flexed burials become more common as this preference slowly phased out the Windmill Pattern (Rosenthal et al. 2007).

Emergent (cal A.D. 1100 to Historic Period)

Several patterns have been identified during the Emergent period, including the Augustine Pattern in the lower Sacramento Valley and the Sweetwater and Shasta Complexes in the northern Sacramento Valley. To-date, no such formal pattern has been established for the San Joaquin Valley. In general, archaic material culture assemblages are replaced by those used during contact with Europeans (Rosenthal et al. 2007). Settlements become much larger and are located at places along watercourses where fish weirs had been constructed (Rosenthal et al. 2007). Material culture appears to be defined by two broad phases: Lower Emergent and Upper Emergent. Lower Emergent is defined by the appearance of banjo-type *Halotis* shell ornaments as well as elaborately incised bird bone whistles and tubes, flanged soapstone pipes, and rectangular *Olivella* sequin beads (Rosenthal et al. 2007). Upper Emergent is defined by small corner-notched and desert series points, *Olivella* shell lipped and clam disk beads and bead drills, magnesite cylinders, and hopper mortars. Village sites generally in correspondence with later known ethnographic settlements are also prevalent (Rosenthal et al. 2007).

Diverse material culture is abundant throughout the Emergent period and includes new types of tools and technologies such as the bow and arrow. Other tools include harpoons, fish hooks, netting, basketry, pottery (Cosumnes brownware), baked clay balls, human and animal baked clay effigies, serrated points, Panoche side-notched point, cottonwood points, Gunther-barbed points, and Desert side-notched points (Rosenthal et al. 2007). Plant exploitation is still very prevalent with countless mortars and pestles found in assemblages. Burial preferences continue to diversify during the Emergent period and contain various postures. Most contain grave offerings consisting of both utilitarian and decorative items, with evidence of ritual “killings” prior to burial (Rosenthal et al. 2007).

2.2.1 Ethnography

Northern Valley Yokuts

The APE is located within the traditional boundaries of the Northern Valley Yokuts--the historical occupants of the central and northern San Joaquin Valley. *Yokuts* is a term applied to a large and diverse number of people inhabiting the San Joaquin Valley and Sierra Nevada foothills of central California. Northern Valley Yokuts’ territory extended north on both sides of the San Joaquin River near Mendota to midway between the Calaveras and Mokelumne Rivers north of Stockton (Kroeber 1925; Heizer 1949; Moratto 1984; Wallace 1978:462).

For the Northern Valley Yokuts, the San Joaquin River and its main tributaries served as a lifeline to the valley; consequently, their villages tended to congregate around these main water sources. They gained much of their livelihood through fishing (in particular, salmon fishing) and varied their diet with waterfowl and the harvesting of wild plant food, such as acorns, tule root, and seeds (Wallace 1978).

Settlements

For protection against spring flooding, most settlements, including primary residences, were built atop low mounds on or near the banks of large watercourses (Cook 1960 Schenck 1926; Schenck and Dawson 1929). Given that many sites were occupied for generations, the Northern Valley Yokuts chose to adapt to their riverine environment, rather than abandon their sedentary lifeway. Flooding posed the primary threat to a fully stationary existence. The local rivers, swollen from

melting Sierra snows and heavy rains, periodically overflowed their banks and drove the villagers to even higher ground (Wallace 1978).

Culture/Organization

A headman guided each tribe, and village populations averaged around 300 people. Family houses were round or oval, with a conically shaped pole frame sunk into the ground and covered with tule mats. Each village also had a community lodge for dances and community functions, as well as a sweathouse (Wallace 1978).

The Northern Valley Yokuts manufactured a range of intricate and carefully woven baskets for a variety of purposes, including storing, cooking, eating, winnowing, grinding, and transporting food materials. Local craftsmen also fashioned a wide range of essential tools and implements from stone (Wallace 1978).

European Contact

Most Northern Valley Yokuts groups had their first contact with Europeans in the early 1800s, when the Spanish began exploring the Sacramento–San Joaquin River Delta. The gradual erosion of Yokuts culture began during the mission period, when escaped neophytes brought foreign (European and other Native American) habits and tastes back to their native culture, and Spanish expeditions to recover them followed. Epidemics of European diseases played a large role in the decimation of the native population. The secularization of the missions and the release of neophytes set tribal and territorial adjustments in motion. Former neophytes returned to Native American groups other than their groups of origin, and a number of polyglot “tribes” were formed. The final blow to the aboriginal population came with the Gold Rush. The ensuing rush to find and mine gold pushed native populations out or exterminated them. Many natives became dependent on the Gold Rush economy for their subsistence, drastically changing their way of life. Ex-miners who settled in the fertile valley applied further pressure to the native groups and altered the landforms and waterways of the valley. Many Yokuts resorted to wage labor on farms and ranches. Others were settled on land set aside for them on the Fresno and Tule River Reserves (Wallace 1978:468–469).

2.2.3 History

Exploration

The first expedition into Stanislaus County was led by Lieutenant Jose Joaquin Moraga in 1776. Moraga traveled from San Francisco Presidio, to Livermore Valley, and then up the San Joaquin River, until Dry Creek (a branch off the Tuolumne River) (Carey and Co., Inc. 2009). The exploration of Stanislaus County continued with the visits of Gabriel Moraga (1806, 1808, 1810), who was exploring the interior for possible mission sites and for runaway neophytes. The later Moraga expedition is said to have ascended the Stanislaus River “some distance toward the mountains” (Cleland et al. 1988).

The first Spanish settler made his home in the San Joaquin Valley around 1820. He was a deserter from the Spanish Calvary. He was later captured, but his descendants continued to live in the area (Carey and Co., Inc. 2009).

Fur trappers, beginning with Jedediah Smith in 1827, were active in the San Joaquin Valley until 1845. In the spring of 1827, Smith's party followed the Stanislaus River eastward from the San Joaquin River and camped at a point believed to have been near Oakdale. Leaving most of his party at this base camp to trap, Smith and two others proceeded eastward along the Stanislaus to accomplish the first American crossing of the Sierra Nevada. The following year, Smith was reunited with the main party on the Stanislaus (Cleland et al. 1988).

In 1829, three Mexican military expeditions were sent up the Stanislaus River in pursuit of Estanislao. Estanislao was a former mission Indian who led an armed band of neophytes believed to be plotting an uprising against the mission (Cleland 1988). The Indians were defeated by Mariano Guadalupe Vallejo after a three-day battle ensued (Carey and Co., 2009).

Exploration of Stanislaus County continued with the first overland migration of American settlers to cross the Sierra. The Bartleson-Bidwell Party, followed the Stanislaus River in the fall of 1841. In March 1844 John C. Fremont traveled along the Stanislaus River some 25 miles to its junction with the San Joaquin River (Cleland et al. 1988; Carey and Co., Inc. 2009).

Gold Rush

A few months after the discovery of gold at Coloma at Sutter's Mill, in January 1848, Captain Charles Weber (a member of the Bartleson-Bidwell party and the founder of Stockton) organized a prospecting party to search for gold along the Stanislaus River (Cleland et al. 1988; SWCA Environmental Consultants 2006). Unsuccessful, the party continued northward, finally discovering gold along the Mokelumne River. While mining along Weber Creek, near Placerville, Weber taught mining to a band of Yokuts Indians from the Knights Ferry area. Native Americans were sent to the Stanislaus and Tuolumne rivers, where they discovered rich gold deposits probably near Knights Ferry, 18 miles east of Riverbank. Their success brought a large number of American and foreign miners into the "Southern Mines," as the mining region in the tributary to the San Joaquin River came to be called. Only two Stanislaus County towns, Knights Ferry (on the Stanislaus) and La Grange (on the Tuolumne), were actively engaged in mining. The county's principal roles in the Gold Rush were providing access and foodstuffs to the miners (Cleland et al. 1988).

Ferry crossings and landings were established on the Stanislaus beginning in 1849. The Stanislaus, San Joaquin and Tuolumne Rivers were used to transport miners, supplies and livestock to miners. Twelve ferries were established within six months. When gold mining decreased the ferries were used as a gateway to transport agricultural products. Knight's Ferry (1949) was Stanislaus County's first ferry and developed as a trading post on the Stockton-Sonora road (Cleland et al. 1988).

Transportation Development

After the Gold Rush, transportation and agriculture worked together to promote settlement and growth of Stanislaus County. This is particularly true during the late nineteenth and early twentieth century. The synergy between the establishment of railroads, diversification of agriculture, settlement pattern alteration and rise of secondary industries helped spur the export of agricultural products to national market, the growth of towns, and an increase in population (Waetcher and Bunse 2007).

The arrival of several railroad companies – primarily the Sierra Railroad, the Tidewater Railroad, and the Stockton and Tulare Railroad - between 1870 and 1896 changed the face of the Central Valley. With the development of the railroad companies, many ferries were forced out of business and towns along the waterways died out or were relocated next to the railroads. During this time many new towns were founded near the railroad lines. These towns included Modesto. (Carey and Co, Inc. 2009; Cleland et al. 1988). The route was eventually developed into a major corridor for the transportation of commercial goods and remains an important corridor today (Caltrans 2003).

Robert McHenry and the McHenry Mansion

Robert McHenry is a prominent figure in Modesto (established in 1870) history, as a rancher/businessman who purchased over 2,600 acres of land along the Stanislaus River, which

later became the Bald Eagle Ranch, on May 26, 1880 approximately 6 miles outside of modern-day Modesto, and eventually built the McHenry Mansion (National Register No. 78000805 located approximately 1 mile northeast of the APE, east of Highway 99) in 1883 in central Modesto (Bare 1985). The mansion is known for its High Victorian Italianate architectural style, and still stands on the corner of 15th and I Streets, today (McHenry Mansion 2018). McHenry likely moved to California from Ohio in the 1852 (although there are various accounts of his arrival), married, and began gold mining, before becoming a prominent rancher, producing primarily wheat and cattle, and living (and commuting) from his ranch to Modesto.

Soon after arriving to the Modesto area, McHenry held a place on the Board of Supervisors (1854), and eventually became a founding member and officer of the Stanislaus County Society of California Pioneers in 1887 (Bare 1985). McHenry also assisted in the formation of the McHenry School District in 1865, serving as Clerk of the District, and became a prominent banker in 1875, serving as a director of the first bank in the area—the Farmers Savings Bank (Bare 1985). In 1878, the Farmers Savings Bank merged with the Modesto Bank, and McHenry served as one of six directors of the facility until becoming a cashier (Chief Administrative Officer), Secretary, and Treasurer. Eventually in 1885, McHenry also became the President and Director of the First National Bank of Modesto (Bare 1985).

McHenry, and his wife Matilda, were also prominent figures in the Presbyterian Church as generous benefactors in Modesto, as he directed a committee to construct the first building (First Presbyterian Church on the corner of 14th and I Streets, across from modern-day McHenry Museum) of the church in Modesto around 1879 (Bare 1985). He was also responsible for organizing meetings and fundraising for victims of the yellow fever epidemic occurring in the American south, and transporting the funds outside of California. During his ranching endeavors, McHenry became a popular leader to push towards irrigation in the Central Valley, including the incorporation of the Modesto Irrigation Canal Company so that water could reach Tuolumne and Stanislaus Rivers (Bare 1985). McHenry died in 1890 and his wife resided in the McHenry Mansion until her death in 1896. McHenry's son, Oramil, lived in the house with his wife until his death in 1906. In 1919, the house became the Elmwood Sanitarium, before its conversion into apartments in 1923 (McHenry Mansion 2018). In 1976, the McHenry Mansion was purchased by the Julio R. Gallo Foundation and gifted to the City of Modesto to be restored and accessible by the public, which it is today.

Agriculture and Irrigation

An important adjunct to mining in the foothills was the establishment of the livestock and grain-growing industries in the adjacent Central Valley (Cleland et al. 1988). The population boom that occurred during the Gold Rush influenced the demand for water supplies, which supported farms and settlements across the state (Carey and Co., Inc. 2009).

In the years following the Gold Rush, Stanislaus County became established as “cow country” (Cleland et al. 1988). This era was short lived as from 1861-1864, periods of drought and severe flooding destroyed the cattle industry. The No Fence Law of 1870 ended the era of open range, requiring stockmen to fence their ranges. As the cattle industry declined, the Civil War raged, and Europe's wheat crop failed, California's wheat industry grew (Cleland et al. 1988). By 1868, Stanislaus County was celebrated as “the banner wheat county” in California (Cleland et al. 1988).

From the 1850s through the 1870s many farmers in the county operated without a guaranteed water supply. This either required a reliance on dry-farming methods or raising livestock. As the business of agriculture grew in Stanislaus County, wheat, corn, and other grains dominated the

cultivated acreage. While the development of railroads continued to make agriculture successful, the possibility of a drought to ruin a crop was substantial (Waechter and Bunse 2007).

It was in 1870, when the railroad went from Sacramento to Los Angeles, that Modesto was formed as stop along the train tracks. The town was going to be named Ralston, after the founder William C. Ralston, but his own modesty asked the town to name the town another name, hence the name became Modesto, after Ralston's modesty (Hoover 1966).

The move toward irrigation began in 1871. Intensive agriculture spurred the development of the irrigation system, which also served as a means to control the disastrous springtime floods and mitigate the effects of the dry summer months (Napton 1992). The decrease in cattle and wheat farming continued until the 1860s when an unusual cycle of drought and flooding plagued the Central Valley (Carey and Co., Inc. 2009).

In the 1880s, irrigation systems began to be developed. Miller and Lux, a livestock and meat plant, built the first irrigation canal in the 1870s. Charles Tulloch devoted his time to developing an irrigation system that ensured a steady supply of water. Tulloch purchased a canal and water rights from placer miners. The canal ran from a dam on the Stanislaus River, six miles north of Knights Ferry, to Knights Ferry. The canal was extended farther downstream and eventually reached Oakdale (Waechter and Bunse 2007)

In 1887 irrigation efforts received a further boost with the passage of the Wright Act and the creation of the Modesto Irrigation District (MID). The Wright Act provided for the creation of irrigation districts modeled on county governments with an elected board and powers to assess, levy, and collect taxes. Armed with this legislation MID constructed a series of canals, dams, and reservoirs diverting water from the Tuolumne River (Waechter and Bunse 2007).

While the development of railroads initially supported population growth and grain agriculture, irrigation provided the impetus for population growth and increased the diversity of the plants and animals being grown. Because the population no longer had to live along the natural waterways, the population could disperse over the landscape. Large-scale grain farms gave way to small alfalfa fields. Eventually, alfalfa replaced wheat as the primary crop and fruit, grape, and nut farming began in earnest (Waechter and Bunse 2007). With the increase, intensification, and diversification of agriculture the visual impact of the San Joaquin Valley changed as farming methods resulted in the leveling of vast tracts of land (Napton 1992).

Due to the success of agriculture in Stanislaus County, the county experienced an unsurpassed rate of growth in farming and farmers within California during the early twentieth century. In the early twentieth century, Modesto and Salida, along with Oakdale and Riverbank communities that took shape with the railroad in the 1870s, continued to serve as "processing and shipping points for local agriculture" (Waechter and Bunse 2007).

Later Development

With the increase in irrigated farming, the population of Modesto increased during the first part of the twentieth century. The boom of agriculture also brought about various processing businesses, and the new residents started civic and social institutions like Women's Improvement Club and City Beautiful movement.

Following World War I, the population of Modesto continued to grow, and schools like Modesto Junior College were established. The Symphony Orchestra was established in 1930. During

World War II, Modesto was pressed into service to feed the troops, despite a labor shortage caused by many of the farmers leaving to serve in the military.

After World War II, Modesto continued to grow and the GI Bill allowed returning soldiers to purchase homes and cars. This growth caused urban sprawl began to spread beyond the limits of the City. It was during this time that the development of West Modesto began. West Modesto started as a small rural community and grew into suburbs of Modesto. Portions of the APE were established as residential areas prior to World War II, particularly the Beverly/Waverly neighborhood, but many of the neighborhoods greatly expanded after the war.

3.0 ARCHAEOLOGICAL SITE POTENTIAL

Before the urban development of Modesto, the area surrounding the APE was utilized for agriculture, primarily orchards and other crops. As the population of Modesto grew, the area around the APE was converted into housing. As these houses were not on the municipal sewer system, all the houses had septic tanks and leach lines buried in the yards. The utility lines are placed above ground along unpaved alleyways behind homes in the APE.

3.1 Buried Archaeological Site Potential

Current knowledge of the geologic history of the region provides a strong basis for assessing the potential to discover buried archaeological sites in and adjacent to the APE. A *high* potential exists for the discovery of buried archaeological deposits in the project vicinity given the extent and depth of Quaternary alluvium deposits (California Geologic Survey 2010). Quaternary alluvium deposits accumulated during the Holocene and Pleistocene epochs (approximately 10,000 to 12,000 years ago) in which human beings were present in the area. Alluvium deposits are typified by deep sediment accumulation resulting in the potential for very deeply buried archaeological sites.

Vertical depth of ground-disturbing activities for the proposed project range from 5 feet to 10 feet, depending on the depth of excavation for the sewer mains. The entire APE facility has experienced extensive ground disturbance, which extends to a known depth of at least 18 inches below ground surface, due to the installation of roadways, house foundations, septic tanks, and utility poles. Prior to house construction, the area was modified by agricultural activities.

Given the known disturbances present throughout the APE and historic past use of the area, there is a *low* potential for intact, archaeological resources and TCRs to be present within the APE.

4.0 INVENTORY METHODS AND RESULTS

Background research was conducted to identify previous studies and recorded cultural resources within and adjacent to the APE. Background research consisted of search the archaeological site records and survey reports on file at the Central California Information Center (CCIC), literature and map review, consultation with the NAHC, and consultation with Native American tribes. Field methods included a ground surface field survey.

4.1 Records Search

Dokken Engineering obtained a records search (CCIC File No. 10628N) for the APE and a 500-foot radial study area, conducted by CCIC personnel, located at California State University, Stanislaus on February 27, 2018. The request also included a search of the National Register of Historic Places, the California Register of Historical Resources, the *California Inventory of Historical Resources* (1976), the *California Historical Landmarks* (1996), the *California Points of Historical Interest* listing (May 1992 and updates), the Historic Property Data File (HPDF) and the

Archaeological Determinations of Eligibility (ADOE), the *Survey of Surveys* (1989), and other pertinent historic data available at the CCIC for Stanislaus County and the City of Modesto.

The size of the study was restricted to a 500-foot radius due to the extent of residential development in the vicinity, the size of the APE, and the scope of the proposed project. The majority of the proposed project would occur within areas already highly disturbed due to past road paving and agricultural activities. The records search results can be found in **Appendix D** of this report.

4.1.1 Previous Survey Coverage

The records search revealed that six previously conducted cultural resource surveys have been conducted within the APE and eleven surveys have been conducted within 500 feet of the APE. The surveys are presented in **Table 1**.

Table 1: Survey within APE

Author	Year	Document No.	Title	Sites Within APE
Peter Jensen	1996	ST-02930	Archaeological Inventory Survey; Tracy to Fresno Longhaul Fiber Optics Data Transmission Line, Portions of Fresno, Madera, Merced, Stanislaus, and San Joaquin Counties, California.	No
R.S. Levey	2000	ST-04783	Historic Property Survey Report for a Proposed Rehabilitation on California State Highway 132, Between P. M. 13.0 and 15.0 (KP 20.92/24.14) in Stanislaus County, California.	No
R.S. Levey	2000	ST-04784	Department of Transportation Negative Archaeological Survey Report, 10-STA-132, P. M. 13.0/15.0, 10-171, EA 10- 278820.	No
K. Hattersley-Drayton	2000	ST-04785	Historic Architectural Survey Report for Rehabilitation State Route 132, Stanislaus County; 10-STA-132, P. M. 13.0/15.0 (KP 20.92/24.14), EA 10-278820.	No
C. Francis and J. Marvin	2003	ST-05518	Historic Property Survey Report, for Carpenter Road at Beverly Drive Traffic Signal Project, Stanislaus County, California.	No
S. Johnston	2003	ST-05636	Positive Archaeological Survey Report, State Route 132/99 Four-Lane Project, Franklin Avenue to Dakota Avenue, West of Modesto, Stanislaus County, California, 10-STA-132, P.M. 10.0/14.7.	No

4.1.2 Previously Recorded Cultural Resources

The records search revealed no previously recorded cultural resources within the APE, and one recorded historic-era cultural resource immediately adjacent to the APE – the Popal Residence (P-50-001908). The Popal Residence is a one-story frame house constructed in 1937 and recorded in 2003. The house was evaluated and recommended not eligible for inclusion in the National Register. Since its recordation, the house has been expanded to two stories. Further, during additional background research, four historic era structures were identified within 500 feet of the APE: P-50-1863, P-50-1864, P-50-1906, and P-50-1907. None of these previously recorded cultural resources and structures will be impacted by the proposed project.

4.1.3 HISTORIC MAP REVIEW

A review of historic aerial images and United States Geographic Survey (USGS) topographic maps revealed several historic-era structures exist adjacent to the APE. The 1915 *Salida, California* map depicts one structure along modern-day Marni Way and one structure between modern-day Spencer Avenue and Marshall Ave in the Area 7 adjacent to the APE. Twenty structures are depicted on the 1915 *Westport, California* map throughout Area 9 and four in Area 21 adjacent to the APE. Historic aerial images also depict multiple structures/houses adjacent to the APE. None of these structures will be impacted by the proposed project. The historic Lateral No. 5 Modesto Irrigation Canal (located adjacent to Area 7 of the APE) is first depicted on the 1915 *Westport, California* map; it will not be impacted by the proposed project.

4.2 Native American Consultation

On February 23, 2018 Dokken Engineering sent a letter and a map depicting the project vicinity to the NAHC in West Modesto asking the NAHC to review the Sacred Lands File (SLF) for any Native American cultural resources that might be affected by the project. The request to the NAHC seeks to identify any Native American cultural resources within the project area or a one-mile study area. A list of Native American governments who might have information or concerns about the project was also requested. On February 28, 2018, Ms. Sharaya Souza, NAHC Staff Services Analyst sent a response that a review of the SLF returned negative results. The NAHC letter can be found in **Appendix C** of this report.

On March 5, 2018, the County sent an initial letter initiating an invitation for AB 52 consultation to the Native American contacts provided by the NAHC, as well as those provided by the Stanislaus County Tribal List. The letter provided preliminary project details and relayed that both CEQA and NEPA compliance were required for the proposed project. The letter requested information regarding any known resources comments or concerns the Native American community might have about the project (**Appendix C**). Dokken Engineering placed follow up calls and emails on April 16, 2018 to tribes that do not respond within 30 days. Letter recipients included the following:

- Calaveras Band of Mi-Wuk Indians
- Northern Valley Yokuts Tribe
- Southern Sierra Miwuk Nation
- California Valley Miwok Tribe
- Tule River Indian Tribe
- Tuolumne Band of Me-Wuk

The following discussion summarizes correspondence with the letter recipients. For copies of initial notification letters, responses, and other correspondence, please see **Appendix C**.

Calaveras Band of Mi-Wuk Indians, Debra Grimes, Cultural Resources Specialist. The initial letter was received on March 8, 2018 with no response to the letter. A follow-up phone call was placed on April 16, 2018, and Ms. Grimes expressed that the Tribe had no comment regarding the project area, as it was located outside of their traditional lands. No further consultation is required.

Tule River Indian Tribe, Neil Peyron, Chairperson. The initial letter was received on March 8, 2018 with no response to the letter. A follow-up phone call and email were sent on April 16, 2018 with no response; however, a secretary stated that Ryan Garfield no longer worked at the office and that Neil Peyron was to be the primary point of contact. A voice message was left and consultation is ongoing, to-date.

California Valley Miwok Tribe. The initial letter was received on March 8, 2018 with no response to the letter. A follow-up phone call was placed on April 16, 2018 with no response; a voice message was left. Mr. Tiger Paulk returned the voice message later the same day and stated that the Tribe had no comments or requests for consultation at this time; however, if cultural materials and/or human remains are discovered the Tribe would like to be contacted. In addition, Mr. Paulk stated that it is the preference of the Tribe that cultural materials are repatriated and re-buried on-site or in the same area. No further consultation is required.

North Valley Yokuts Tribe, Katherine Erolinda Perez, Chairperson. The initial letter was received on March 7, 2018 with no response to the letter. A follow-up phone call and email were sent on April 16, 2018 with no response. A voice message was left and consultation is ongoing, to-date.

Tuolumne Band of Me-Wuk, Kevin Day, Mary Camp, Stanley Cox, Reba Fuller, and Robert Cox. The initial letters were received on March 7, 2018 with no response to the letters. A follow-up phone call was placed on April 16, 2018, and Mr. Robert Cox (Cultural Resources Director) stated that the Tribe would like to be notified only if cultural materials and/or human remains were uncovered during the proposed project activities. Further consultation is required at this time; however, if cultural materials are uncovered then the Tribe will be notified.

Southern Sierra Miwuk Nation, Bill Leonard, Chairperson. The initial letter was received on March 12, 2018 with no response to the letter. A follow-up phone call was placed on April 16, 2018 and a voice message was left. No response has been received, to-date, and consultation is still ongoing.

4.3 Other Research

As part of background research, the Great Valley Museum was contacted on March 15, 2018 regarding historic information of the APE and surrounding area. Mr. Chavez from the museum stated in a phone conversation that the museum's primary focus is on wildlife and habitats in the local area and to contact the McHenry Museum and Historical Society for historic information of the area.

The McHenry Museum and Historical Society was contacted via email for information on March 15, 2018 regarding historic use of the APE and surrounding area. Scanned pages from a history book regarding the importance of Robert McHenry to the Modesto area were sent via email to include in the background information of this report. In addition, the following information was provided:

Area 7. The northern boundary faces Maze Road (State Highway 132) which carries heavy commuter traffic in the area. The Modesto Irrigation District Canal separates Area 7 from Franklin Elementary School, and the southeast border faces Mellis Park - named after a former City Council member.

Area 9. The northeast corner and east side of Area 9 face the Modesto Municipal Golf Course, which was established in 1933. The land was originally part of the local airport established in 1920, and was the first in the nation provided for in a City Charter. A successful bond measure provided the \$50,000 to purchase the land for the Modesto Municipal Aviation Field. A small west section (Sutter Avenue) of Area 9 faces John Marshall School and a City park. The south boundary faces the Dryden Park Municipal Golf Course, and in 1954 Horace and Dorothy Dryden donated 60 acres of land to the City for a golf course. This had been the site of the once world-famous Dryden Poultry Farm. The City eventually purchased additional land to complete the golf course.

Area 21. Paradise Road in Area 21 was the historical route to Stanislaus river towns and ferries. Today, both Carpenter Road and Paradise Road carry heavy traffic to Modesto High School (located approximately 0.3-mile northeast of Area 21).

4.4 Field Inventory Methods

A ground surface field survey of the APE was conducted on February 22, 2018 by Mr. Brian S. Marks, Ph.D., Dokken Engineering archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for an archaeologist. The roadway was surveyed and the dirt shoulders were examined for the presence of artifacts.

Constraints

The APE consists almost entirely of paved roadways. Roadway sides consisted of dirt, landscaped lawn, and sidewalks. Therefore, visibility in the APE ranged between 0 and 10 percent.

4.5 Field Inventory Results

As a result of the ground surface archaeological field survey conducted on February 22, 2018, no cultural resources were identified within the APE.

5.0 DETERMINATIONS OF ELIGIBILITY

5.1 National Register Criteria for Evaluation

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of significant persons in or past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in history or prehistory.

In evaluating the National Register's significance of properties, Criterion D is most frequently applied to archaeological sites. Critical to addressing eligibility under Criterion D is identification of the kinds of important information that are sought and demonstration that the property is likely to contain that information. In National Register Bulletin 36, *Guidelines for Evaluating and Registering Archaeological Properties* (Little et al. 2000), a five-step process for determining the research potential of an archaeological site is presented:

- 1. Determine the property's structure and content, and categories of data it may contain
- 2. Identify the appropriate historic context by which to evaluate it
- 3. Identify important research themes and questions that the data it contains may be able to address
- 4. Considering the property's integrity, assess whether the data it contains are of sufficient quality to address these important research themes and questions
- 5. Identify the important information that an archaeological study of the property is likely to contain.

5.2 California Register Criteria for Evaluation

Only properties which meet the established criteria, as set out below, may be listed on or formally determined eligible for listing on the CRHR. The Final Text of the CEQA Guidelines Revisions 15064.5 *Determining the Significance of Impacts to Archaeological and Historical Resources* defines a “historical resource” as any resource: (1) listed in or determined eligible for the California Register by the State Historical Resources Commission; or (2) a resource included in a local register which meets the requirements of Section 5024.1(g) of the Public Resources Code; or (3) any object, building, structure, site, area, place, record, or manuscript which is determined to be significant by the lead agency, including those which meet the criteria for listing on the California Register that:

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;
4. has yielded, or may be likely to yield, information important in prehistory or history.

5.3 National Register and California Register Evaluations

As a result of the background research, field investigations, and consultation efforts conducted for the proposed project, no cultural resources were identified.

No cultural resources greater than 50 years in age were identified in the APE; therefore, these resources do not appear to meet any of the National Register or California Register Criteria. Additionally, no resources appear to qualify under Criterion Consideration G of the National Register, as they have not achieved significance within the last 50 years due to exceptional significance, pursuant to 36 CFR §60.4(g).

6.0 FINDING OF EFFECT

As previously discussed, no cultural resources were identified in APE. As there are no historic properties/historical resources in the APE, a finding of no historic properties/historical resources affected for the proposed project is recommended.

7.0 RECOMMENDATIONS AND CONCLUSIONS

The proposed project involves the installation of new sewer mains along paved streets of three neighborhoods within West Modesto in Stanislaus County. This proposed project does not include tie-ins to any of the adjacent houses.

In an effort to identify historic properties/historical resources that might be affected by the proposed project, a pedestrian field survey, background research, Native American consultation, historic society consultation, a search of the NAHC-maintained SLF, and a search of files on record at the CCIC were conducted. These efforts resulted in no cultural resources identified in the APE. However, a chance exists to encounter intact cultural resources during project implementation; therefore, the following recommended measures to ensure that no adverse effects to cultural resources or TCRs shall occur as a result of the proposed project:

Unanticipated Finds

CR-1: If previously unidentified archaeological resources and/or TCRs are unearthed during construction, all ground -disturbing activities shall be immediately suspended in that area

and within 100 feet of the discovery. A qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards in Archaeology shall assess the significance of the find and determine appropriate mitigation, if necessary. Additional archaeological survey will be needed if the proposed project limits are extended beyond the present survey limits. If adverse impacts to TCRs, unique Native American archaeological resources, or other Native American cultural resources occur during the proposed project, the County of Stanislaus shall notify the NAHC who will contact the affected Native American tribe for consultation regarding mitigation, pursuant to Public Resources Code section 21084.3(a) and (b) and CEQA Guidelines 15370.

Human Remains

CR-2: Section 5097.98 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, all ground-disturbing activities shall be immediately suspended in that area and within 100 feet of the discovery, and the Stanislaus County Coroner should be notified immediately. At the same time, the A qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards in Archaeology shall also be contacted to evaluate the situation. If the Stanislaus County Coroner determines the remains are Native American in origin, the Stanislaus County Coroner must notify the NAHC within 24 hours of such identification so that the NAHC can contact the Most Likely Descendant (MLD). The MLD shall be provided access to the discovery and will provide recommendations or preferences for treatment of the remains within 48 hours of accessing the discovery. Sections 5097.94 and 5097.98 of the Public Resources Code; Section 7050.5 of the California Health and Safety Code; and CEQA Guidelines Section 15064.5 provide further guidance regarding discovery of Native American remains.

8.0 BIBLIOGRAPHY

Antevs, E.

- 1953 Age of the Farmington Complex Stone Artifacts. University of California Archaeological Research Facility Manuscript No. 167.

Arkley, Rodney J.

- 1964 Soil Survey of the Eastern Stanislaus Area, California. United States Department of Agriculture in Cooperation with the University of California Agricultural Experiment Station.

Bare, C.S.

- 1985 The McHenry Mansion, Modesto's Heritage. The McHenry Foundation Press: Modesto, CA.

Beaty, C.B.

- 1974 Debris Flows, Alluvial Fans, and a Revitalized Catastrophism. *Zeitschrift fur Geomorphologie* 21:39-51.

California Department of Parks and Recreation

- 1976 California Inventory of Historic Resources. Listing on file at the Central California Information Center, California State University, Stanislaus.
2011 California Points of Historical Interest. Listing on file at the Central California Information Center, California State University, Stanislaus.
2011 California Historical Landmarks. Listing on file at the Central California Information Center, California State University, Stanislaus.

California Geologic Survey

- 2010 2010 Geological Map of California, Sacramento Quadrangle.
<<http://www.quake.ca.gov/gmaps/RGM/sacramento/sacramento.html>>

Carey and Co., Inc

- 2009 San Joaquin Pipeline System Pipeline Project Historic Resources Inventory and Evaluation Report. San Francisco, CA

Carter, G.F.

- 1952 Interglacial Artifacts from the San Diego Area. *Southwestern Journal of Anthropology* 8(4):444-456.

Cleland, H. James, Andrew L. Christensen, Clyde M. Woods, and J. Christina Smith

- 1988 An Archaeological Overview Management Plan for the Riverbank Army Ammunition Plant Riverbank, California. Wirth Environmental Services, San Diego, CA.

Cook, S. F.

1960. Colonial Expeditions to the Interior of California: Central Valley, 1800–1820. *University of California Anthropological Records* 16(6): 239–292.

Fredrickson, D.A.

1973 Early Cultures of the North Coast Ranges, California. Doctoral Dissertation, Department of Anthropology, University of California, Davis.

1974 Cultural Diveristy in Early Central California: A View from the North Coast Ranges. *Journal of California Anthropology* 1(1):41-53.

Heizer, R.F.

1949 The Archaeology of Central California, I: The Early Horizon. Berkeley: University of California Anthropological Records 12(1):1-84.

Hoover, M.B., H.E. Rensch and E.G. Rensch

1966 Historic Spots in California, edited by William N. Abeloe. Stanford: Stanford University Press.

Krieger, A.D.

1962 The Earliest Cultures in the Western United States. *American Antiquity* 28(2):138-143.

Kroeber, A.

1925 Handook of the Indians of California: Bulletin 78; Bureau of American Ethnology of the Smithsonian.

Little, B., E.M. Seibert, J. Townend, J.H. Sprinkle, Jr., and J. Knoerl

2000 Guidelines for Evaluation and Registering Archaeological Properties Bulletin. US Department of the Interior, National Park Service.

McFall, C.

1968 Reconnaissance Geology of the Concepcion Bay area, Baja California, Mexico. Stanford University Publications in the Geological Sciences 10(5).

McHenry Mansion

2018 McHenry Mansion: Modesto's Treasure. Available at:
<<http://www.mchenrymansion.org/>> (accessed April 16, 2018).

Moratto, M.J.

1984 California Archaeology. Academic Press, Orlando, Florida.

Napton, L.K.

1992 Archaeological Investigation at CA-SJO0203 (Locke Site): Exetuiive Management Summary. On file at the Central California Information Center, California State University, Stanislaus

National Resources Conservation Service (NRCS)

2003 Dinuba Soil Series. Accessed February 15, 2018:
<https://soilseries.sc.egov.usda.gov/OSD_Docs/D/DINUBA.html>

1999 Hanford Soil Series. Accessed February 15, 2018:
<https://soilseries.sc.egov.usda.gov/OSD_Docs/H/HANFORD.html>

2017 Tujunga Soil Series. Accessed February 15, 2018:
<https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TUJUNGA.html>

2014 Web Soil Survey. Accessed February 15, 2018: <<http://websoilsurvey.nrcs.usda.gov/>>

Office of Historic Preservation

N.D. California Register of Historical Resources

2014 Archaeological Determinations of Eligibility. Listing on file at the Central California Information Center, California State University, Stanislaus.

2014 Directory of Properties in the Historic Property Data File. Listing on file at the Central California Information Center, California State University, Stanislaus.

Ritter, E.W., B.W. Hatoff, and L.A. Payen

1976 Chronology of the Farmington Complex. *American Antiquity* 3:334-341.

Rosenthal, J.S., and J. Meyer

2004 Cultural Resources Inventory of Caltrans District 10 Rural Conventional Highways; Volume III: Geoarchaeological Study—Landscape Evolution and the Archaeological Record of Central California. June. Far Western Anthropological Research Group, Davis, California, and Sonoma State University, Rohnert Park, California. Submitted to District 10, California Department of Transportation, Stockton. Contract No. 10A0346, EA 10 0E7100.

Rosenthal, J.S., G.G. White, and M.Q. Sutton

2007 The Central Valley: A View from the Catbird's Seat. In *California Prehistory: Colonization, Culture, and Complexity*, edited by T.L. Jones and K.A. Klar, pp. 147-163. Alta Mira Press, Lanham, MD.

Schenck, W.E.

1926 Historic Aboriginal Groups of the California Delta Region. *University of California Publications in American Archaeology and Ethnology* 23:123-145.

Schenck, W. E., and E. J. Dawson.

1929. Archaeology of the Northern San Joaquin Valley. *University of California Publications in American Archaeology and Ethnology*. 25(4):289-413.

State of California Department of Conservation

2010 2010 Geologic Map of California. Accessed February 15, 2018:
<http://www.quake.ca.gov/gmaps/GMC/stategeologicmap.html>

SWCA Environmental Consultants

2006 Cultural Resources Final Report of Monitoring and Findings for the Quest Network Construction Project, State of California.

Treganza, A.E.

1952 Archaeological Investigations in the Farmington Reservoir Area, Stanislaus County, California. University of California Archaeological Survey Report 14.

Treganza, A.E. and R.F. Heizer

1953 Additional Data on the Farmington Complex, a Stone Implement Assemblage of Probable Early Postglacial Date from Central California. University of California Archaeological Survey: Papers on California Archaeology: 21-26.

U.S. Department of Agriculture Natural Resources Conservation Service

1999 Soil Taxonomy. A Basic System of Soil Classification for Making and Interpreting Soil Surveys. second ed. By soil survey staff. U.S. Department of Agriculture Natural Resources Conservation Service. Agriculture Handbook Number 436.

U.S.G.S

1969 Salida, California, 7.5 Minute Topographic Map (Photo Revised 1987)

1969 Brush Lake, California, 7.5 Minute Topographic Map (Photo Inspected 1976)

Waechter, Sharon and Meta Bunse

2007 North County Corridor Environmental Constraints Analysis: Cultural Resources. Far Western Anthropological Research Group, Inc. Davis, California.

Wallace, William J.

1978 Northern Valley Yokuts. In *California*, Robert F. Heizer, ed. pp. 462–470. *Handbook of North American Indians, Vol. 8*. William C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

Web Soil Survey

2018 Soil Map available at <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>.

Western Regional Climate Center (WRCC)

2018 Weather Station Data for Modesto (045738) from 1906-2016 available at <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca5738> .

Appendix A:
Vicinity Map
Location Map
Area of Potential Effects Map

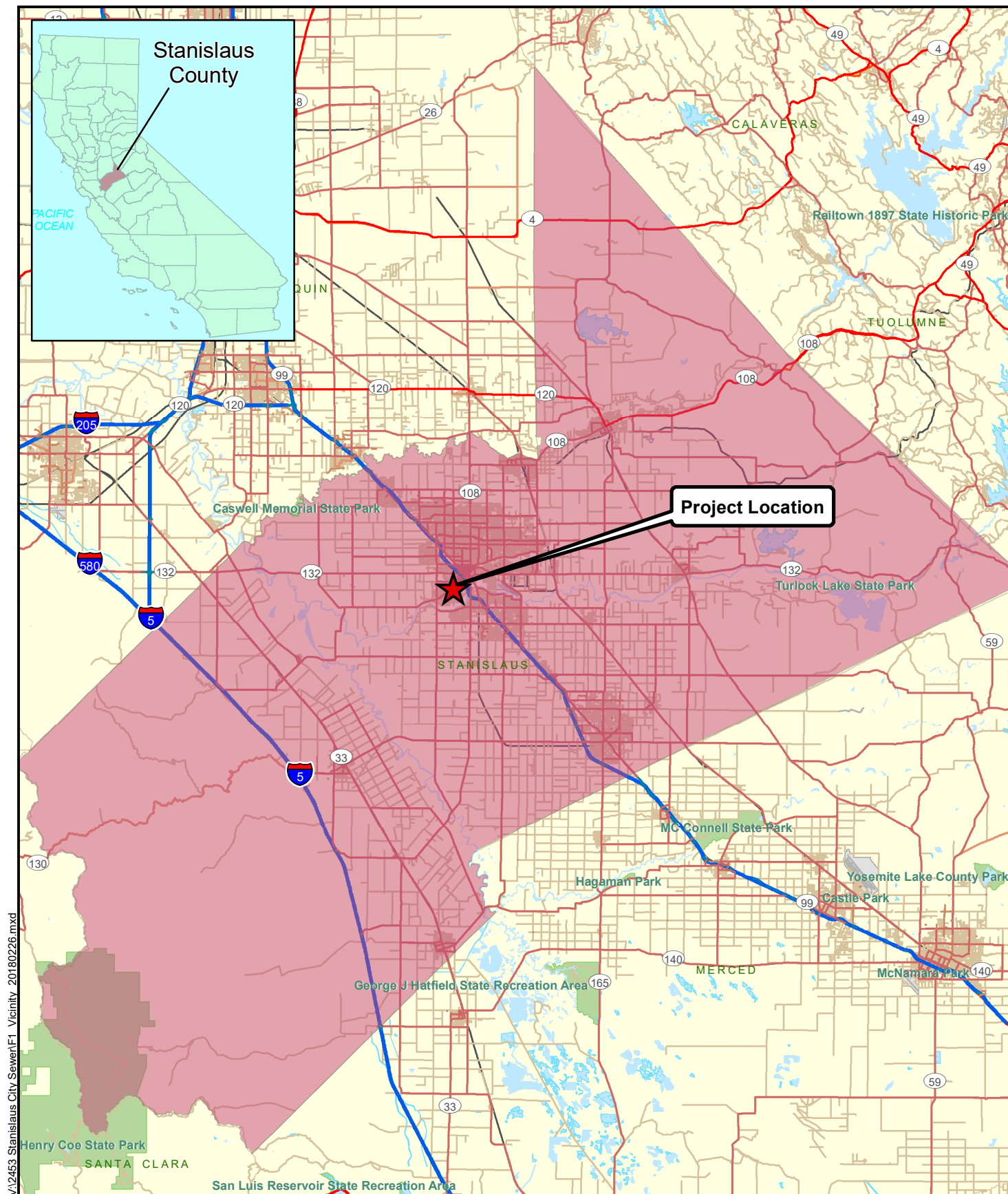
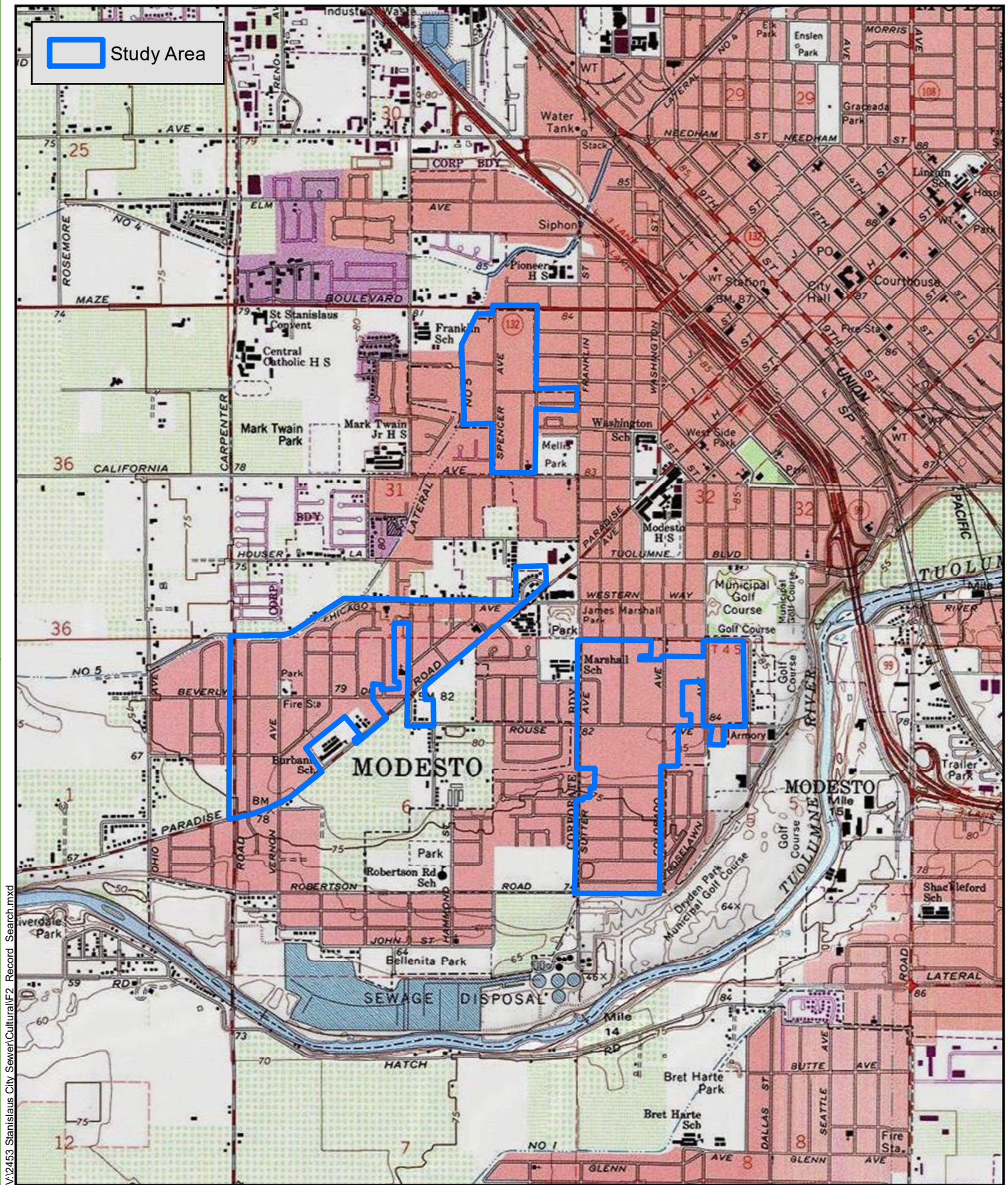


FIGURE 1
Project Vicinity

HUD Project No: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



0 5 10 15 Miles



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Source: USA Topo Maps Online; Dokken Engineering 4/16/2018; Created By: aasaro



1 inch = 2,000 feet

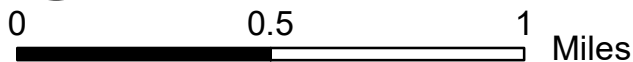


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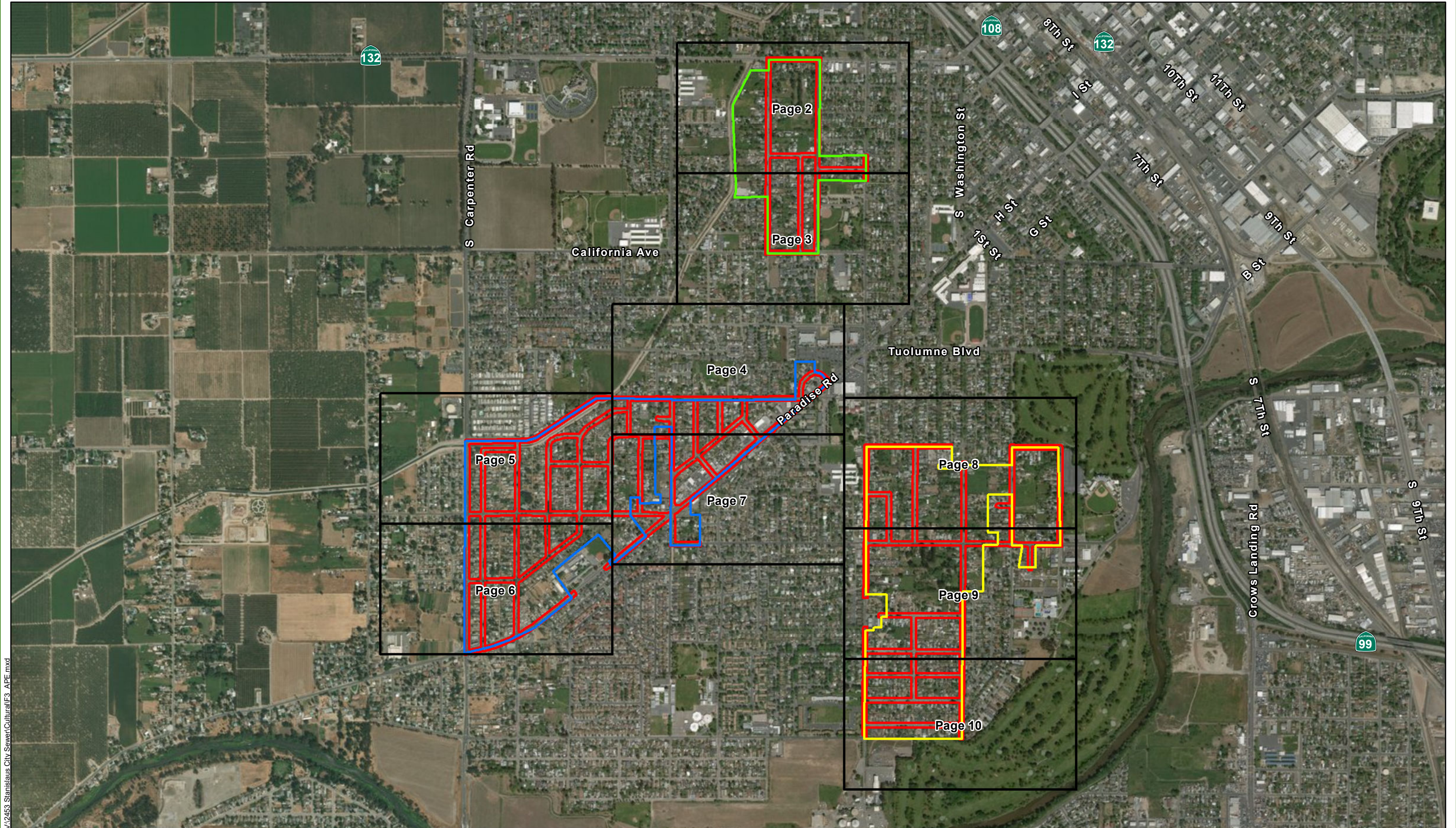
Topographic Map

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres

HUD Project No.: B-17-UC-06-0010

West Modesto Sewer Infrastructure Project

Stanislaus County, California



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Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: brianm

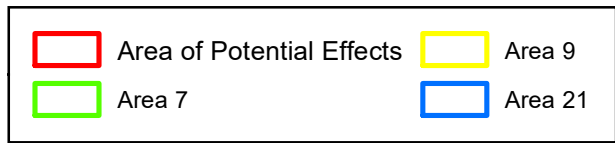
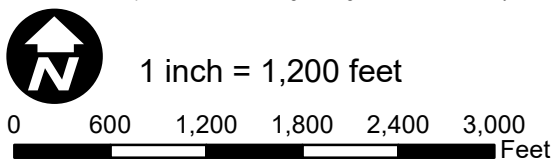
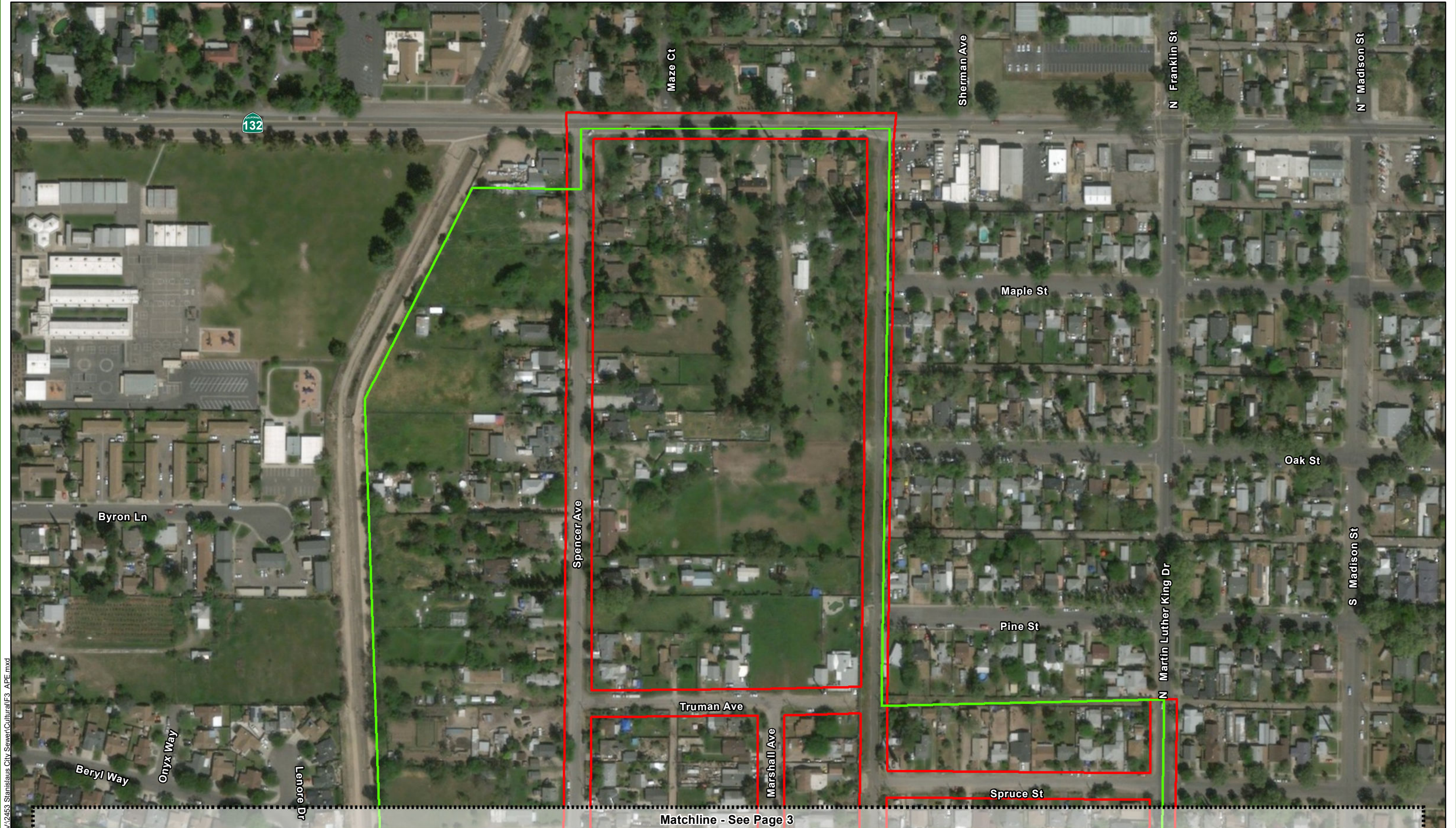


Figure 3
Area of Potential Effects
Page 1 of 10
 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



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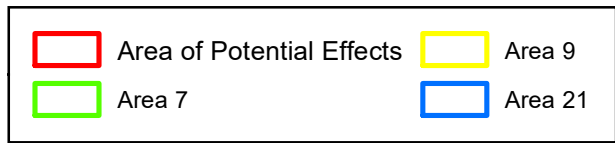
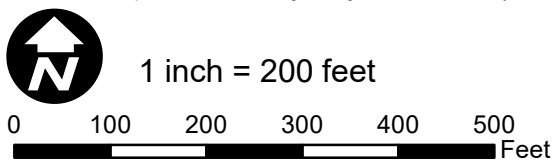
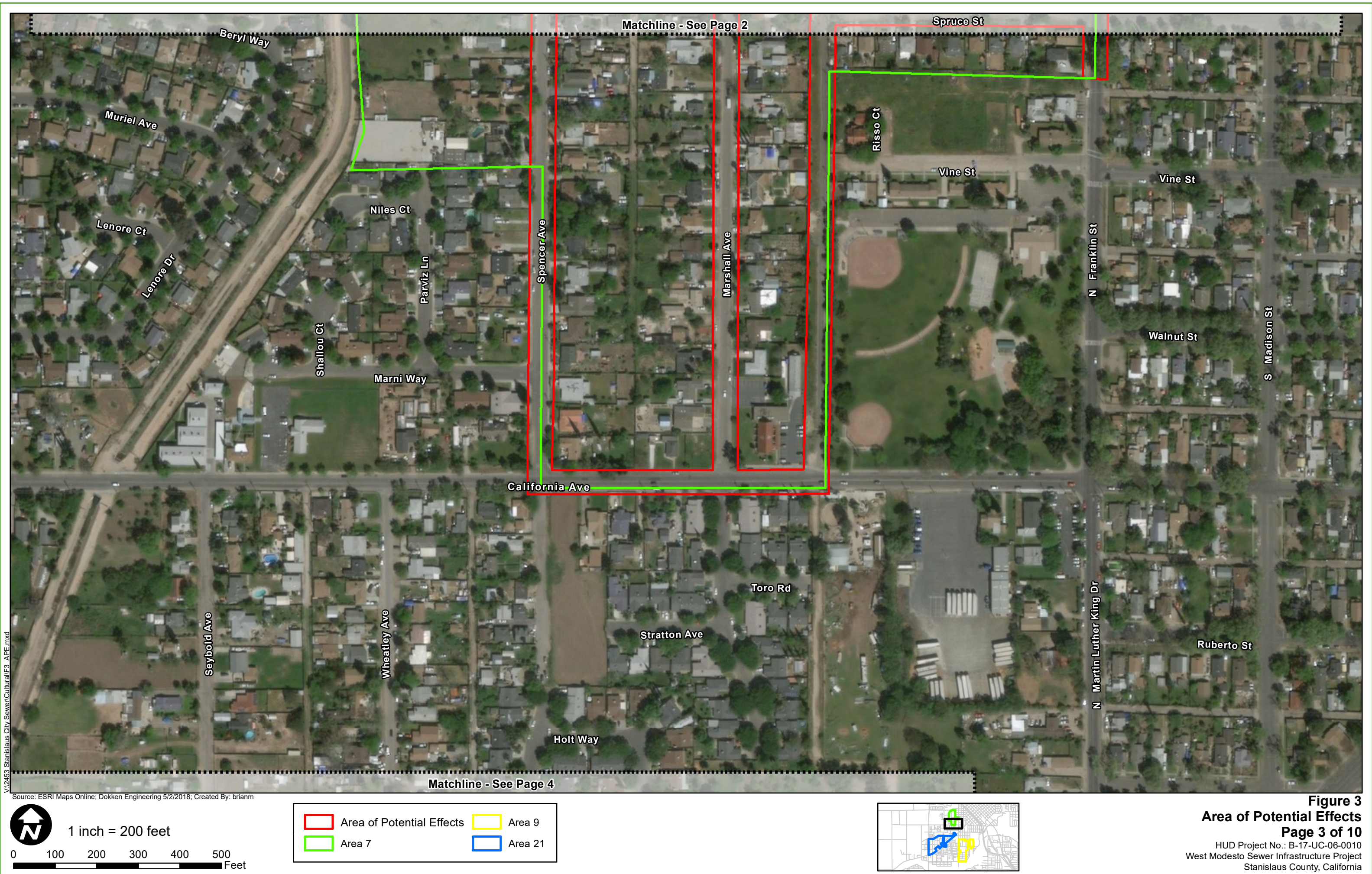
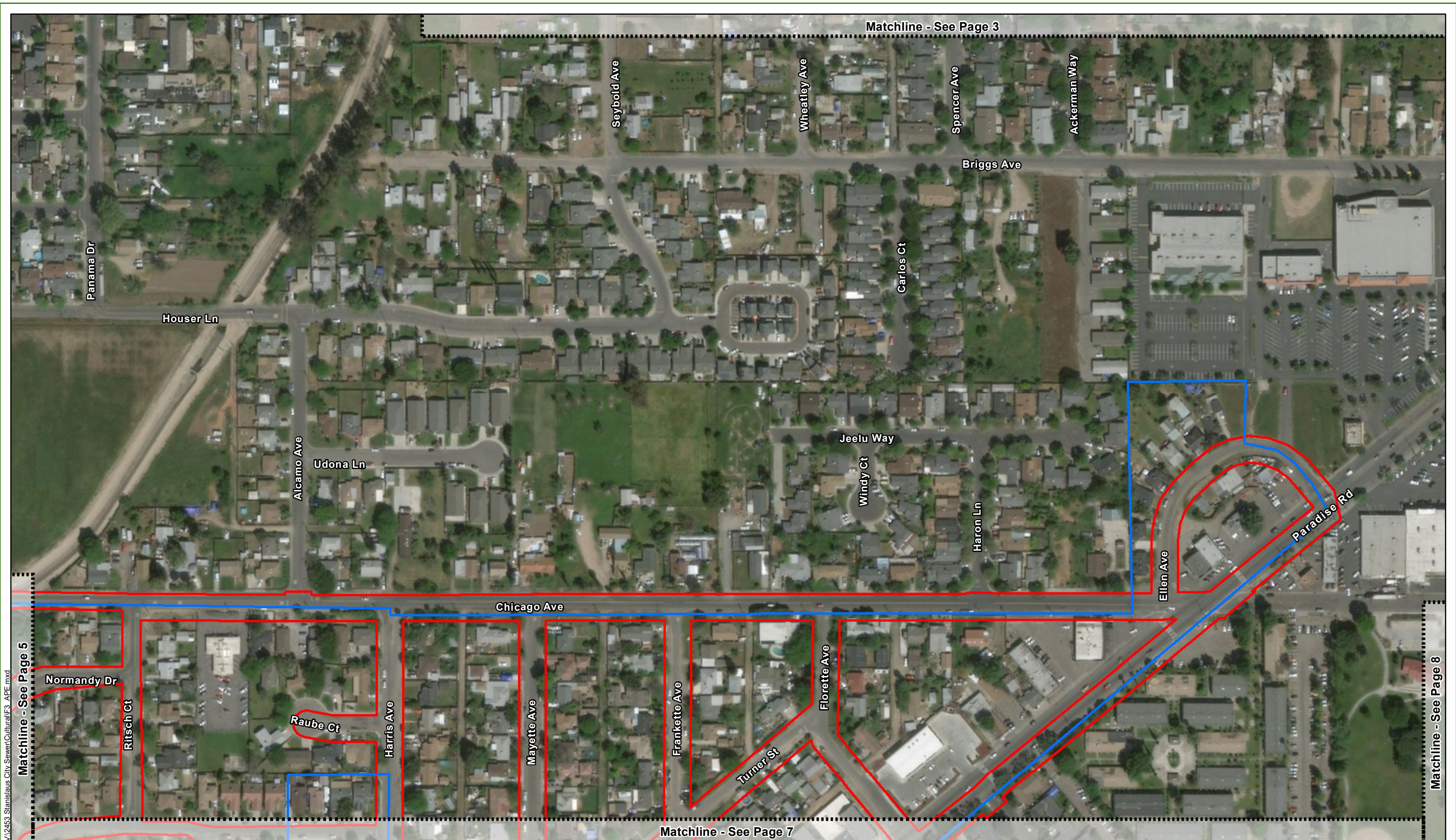
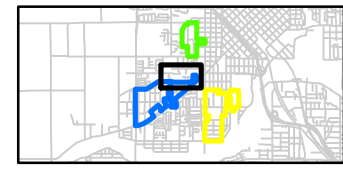
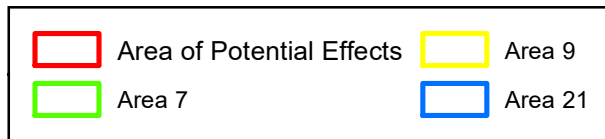
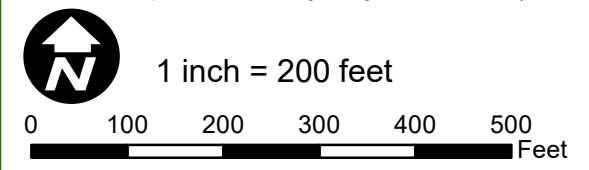


Figure 3
Area of Potential Effects
Page 2 of 10
 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

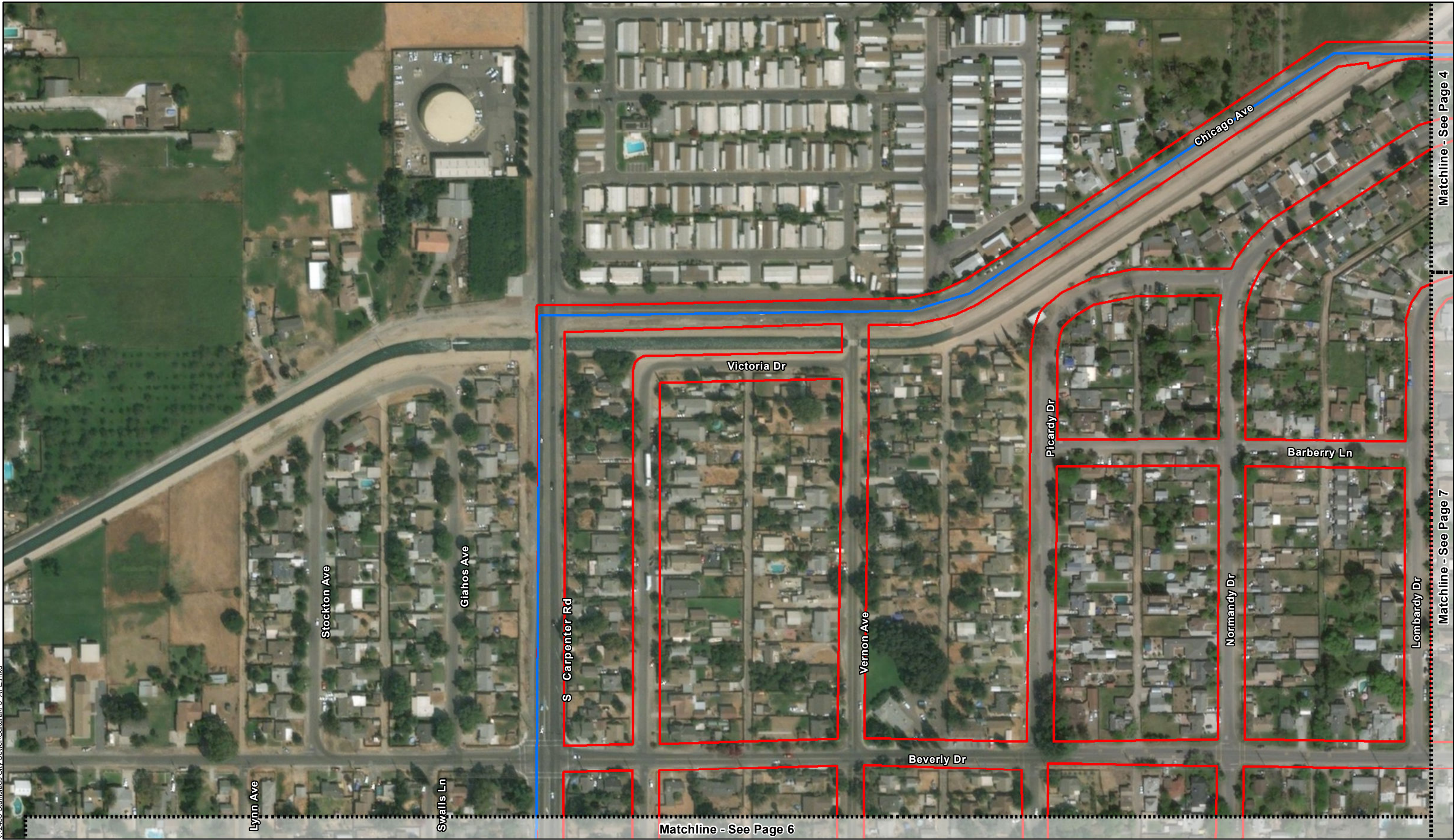




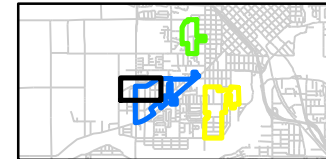
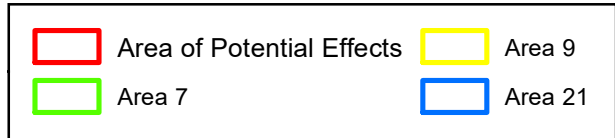
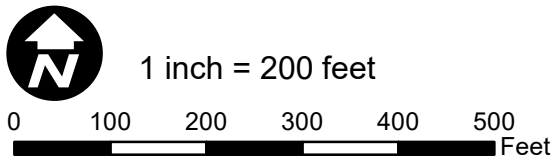
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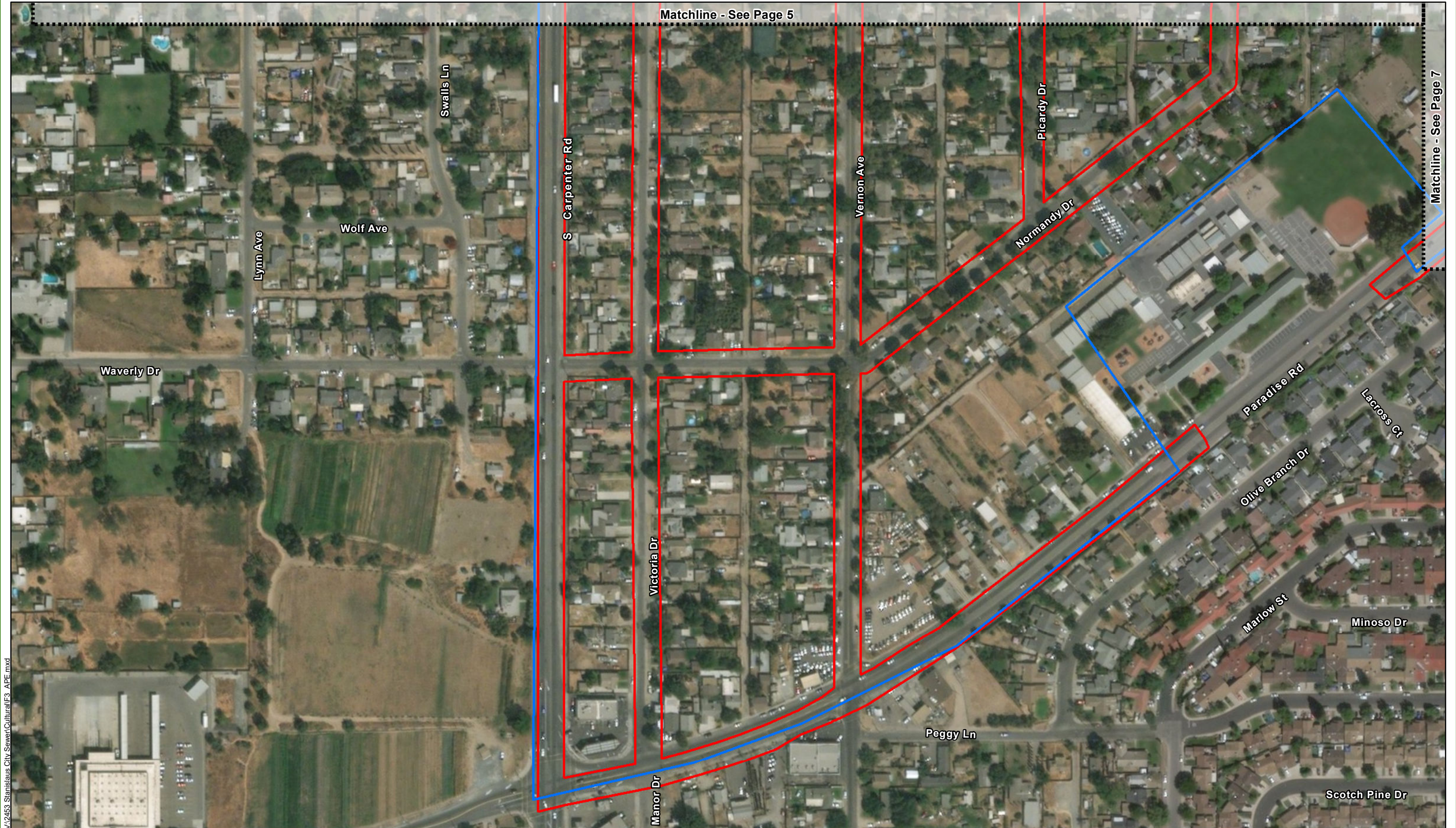


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Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: brianm





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Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: briannm

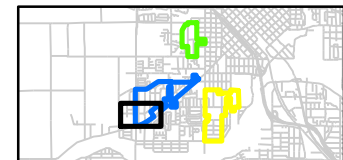
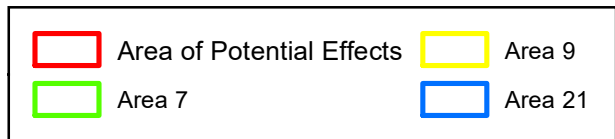
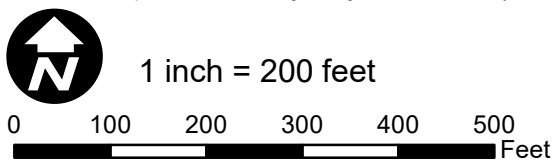
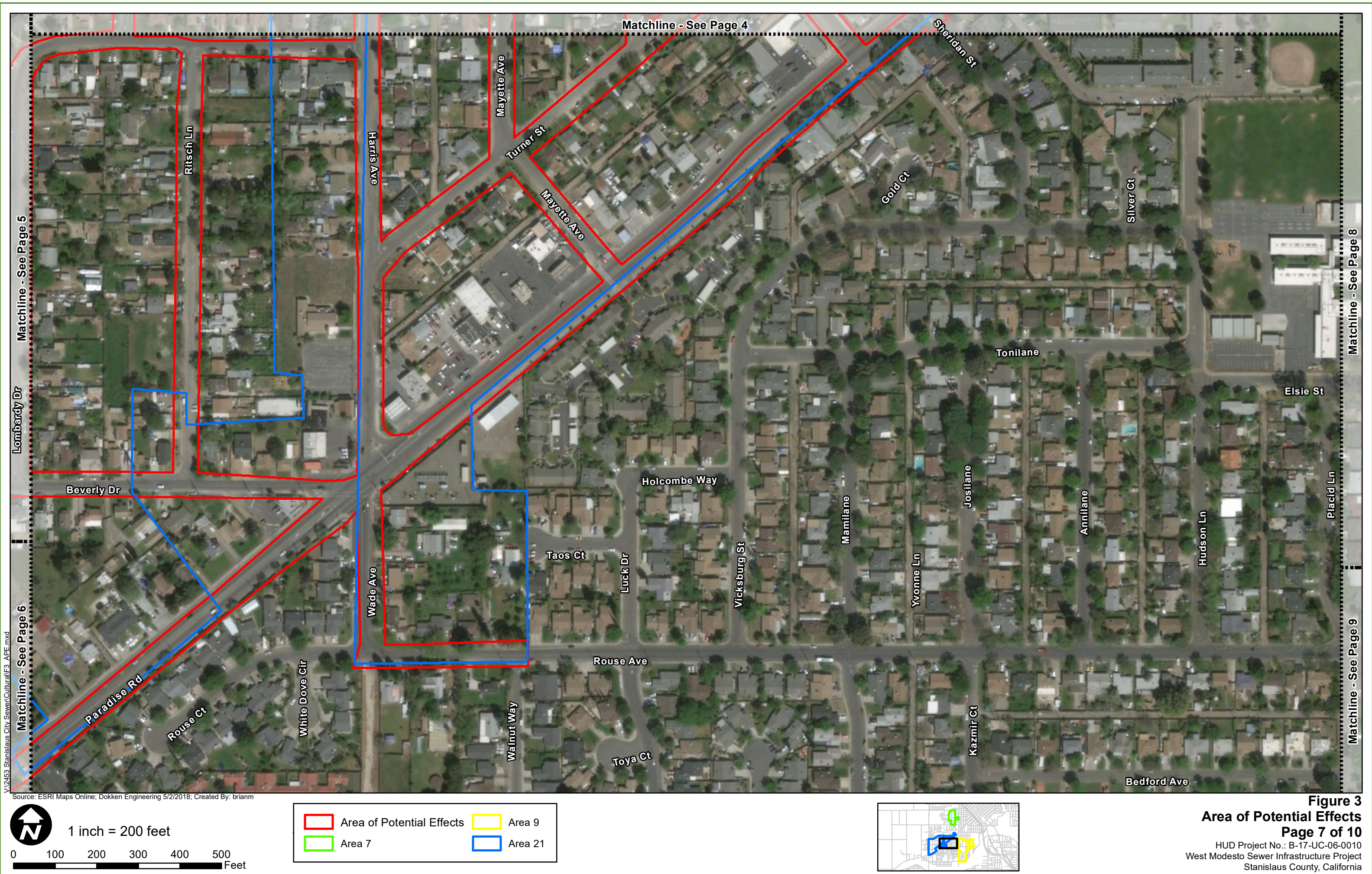
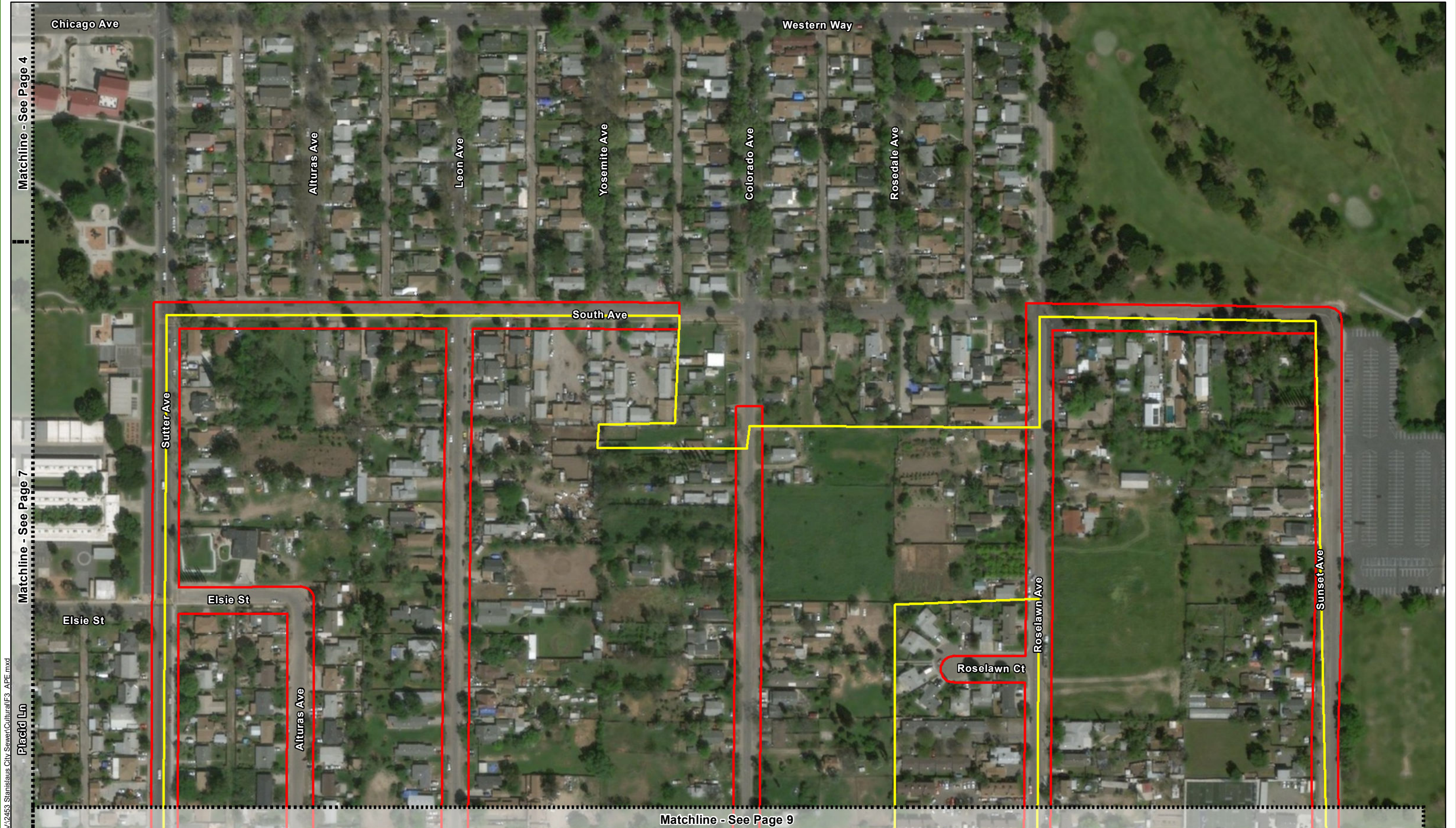


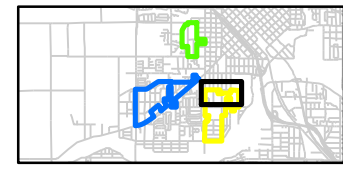
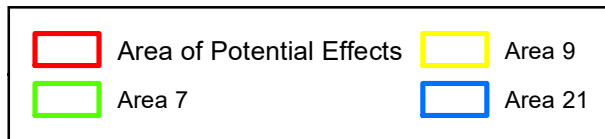
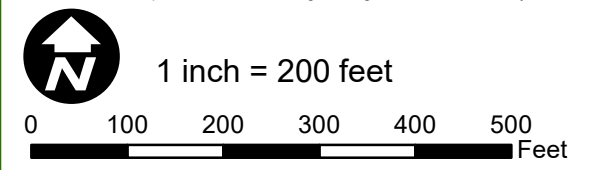
Figure 3
Area of Potential Effects
Page 6 of 10
 HUD Project No.: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

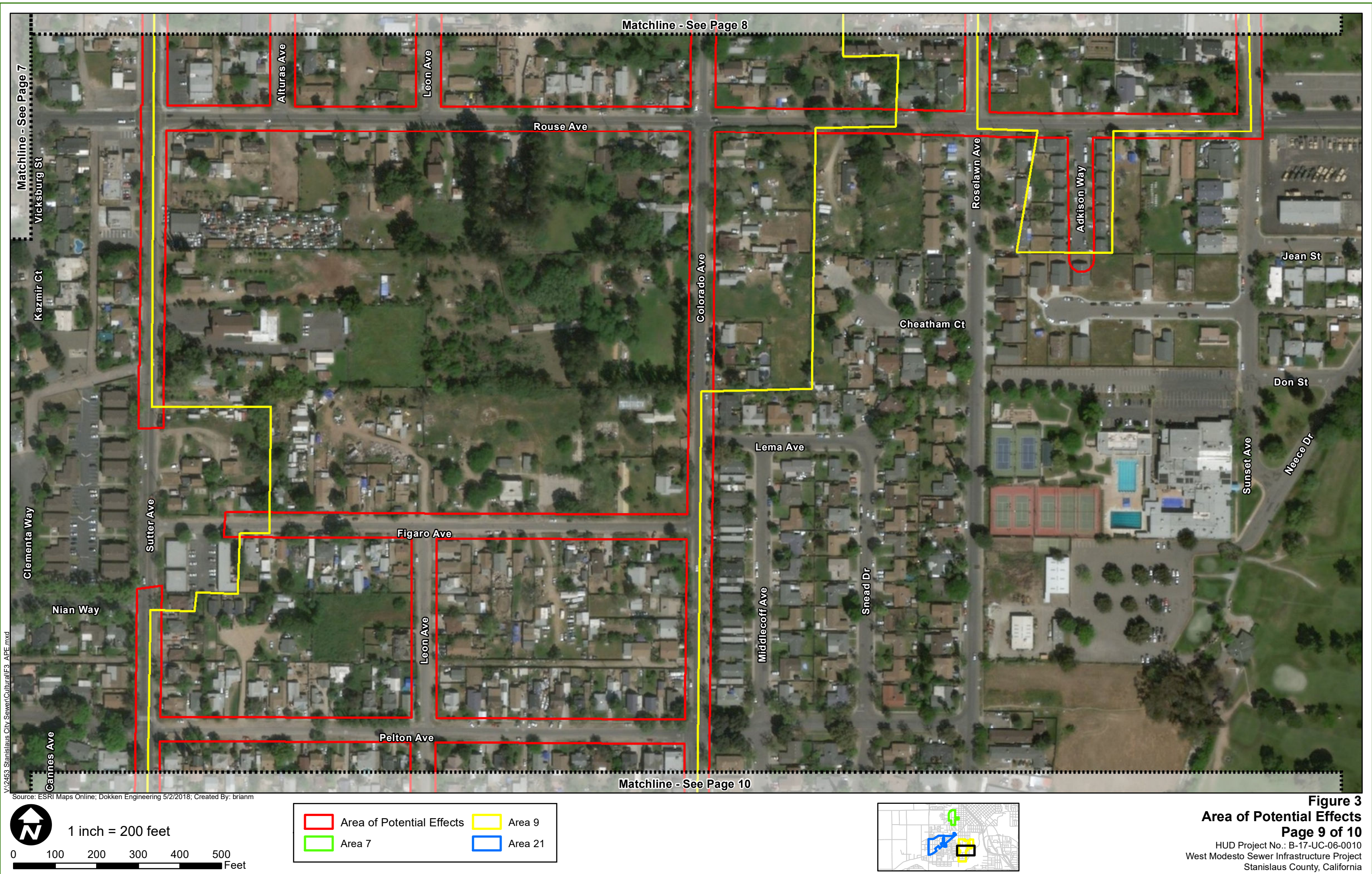


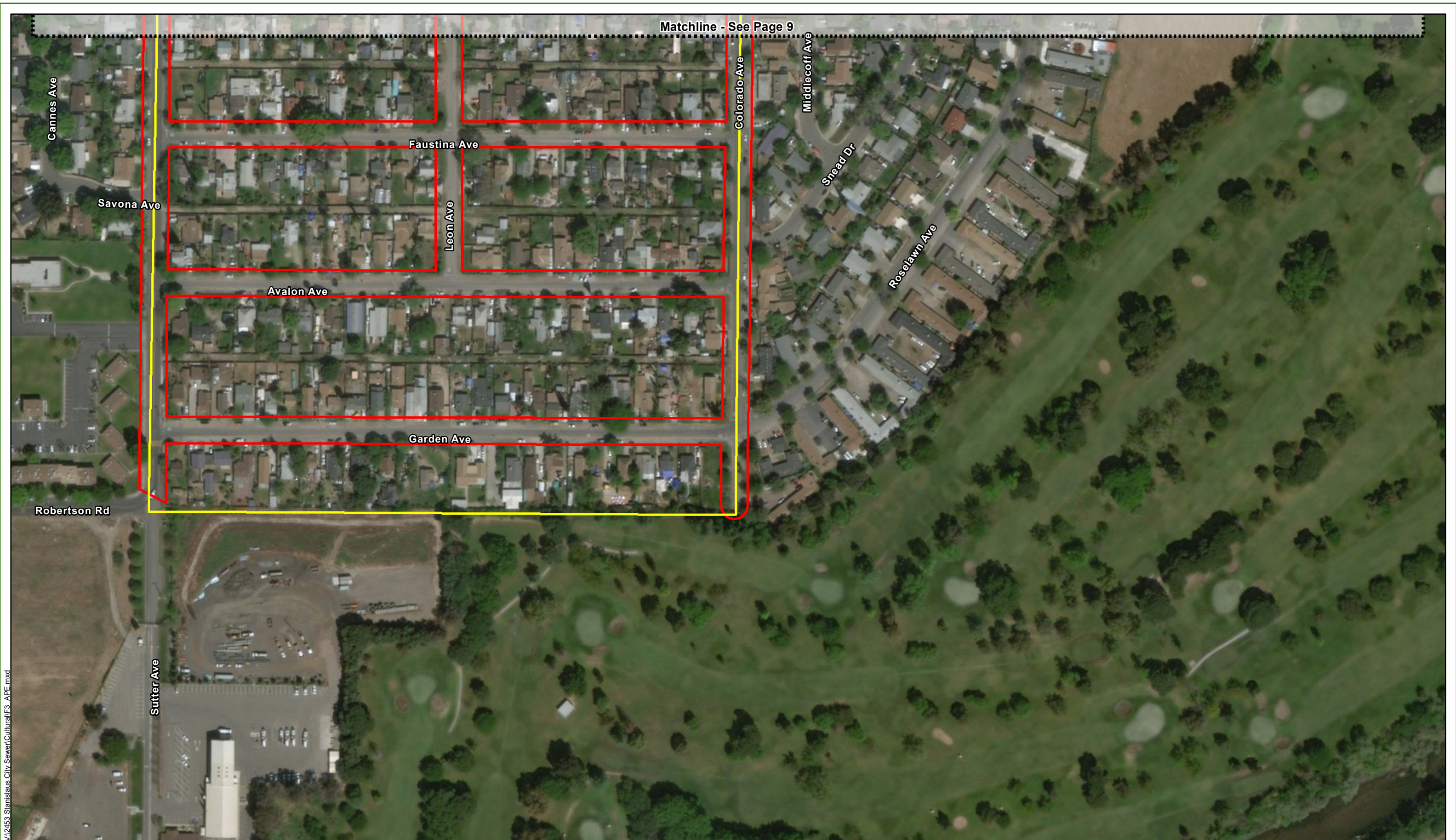


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Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: briannm

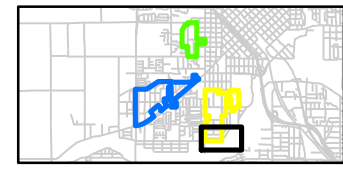
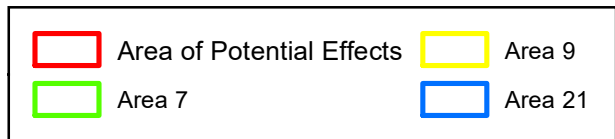
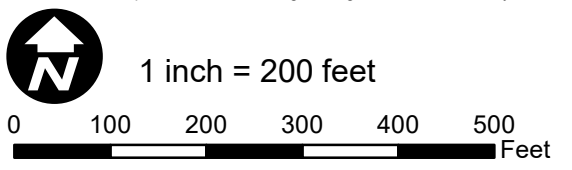






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Source: ESRI Maps Online; Dokken Engineering 5/2/2018; Created By: brianm



Appendix B:

Field Survey Photographs



Photograph 1. Representative photograph of APE along Rouse Road in Area 9. Facing West along Rouse Road at Atkinson Way



Photograph 2. Representative photograph of APE along Colorado Avenue in Area 9. Facing North along Colorado Avenue, south of Faustina Avenue.



Photograph 3. Representative photograph a vacant lot in Area 9. Facing Northwest, located south of the intersection of Colorado Avenue and Garden Avenue



Photograph 4. View of PG&E excavation along Avalon Avenue, facing south.



Photograph 5. Representative photograph of APE along Harris Avenue in Area 21. Facing South along Harris Avenue at Raube Court.



Photograph 6. Representative photograph of APE along Spruce Street in Area 7. Facing east from Briggs Ditch Street



Photograph 7. Representative photograph of APE along Marshall Avenue in Area 7. Facing east along Truman Avenue at Marshall Avenue.



Photograph 8. Representative photograph of APE along Briggs Ditch Street in Area 7. Facing North along Briggs Ditch Street at Spruce Street.

Appendix C:

Native American Consultation

Native American Consultation Log
West Modesto Sewer Infrastructure Project, Stanislaus County, California

Affiliation	Name	Contact Date	Contact Type	Response
Native American Heritage Commission (NAHC)	Sharaya Souza	2018 Feb 28	Letter	Ms. Sharaya Souza replied via email with a letter stating that a review of the Sacred Lands File failed to indicate the presence of Native American cultural resources in the APE. The letter also provided a list of Native American contacts for the proposed project.
California Valley Miwok Tribe	None	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone	A follow-up phone call was placed at 11:30am regarding the initial letter. A voicemail was left.
		2018 April 16	Phone	Mr. Tiger Paulk returned the voicemail later that day indicating that the Tribe had no comments or requests for consults; however, if cultural material and/or human remains are found during project-related activities to inform the Tribe. It is also the Tribe's preference that anything found be repatriated and reburied onsite or near the location.
Calaveras Band of Mi-Wuk Indians	Debra Grimes, Cultural Resources Specialist	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone	Ms. Grimes stated that the APE is located outside of tradional Tribal land and that the Tribe had no comment or requests for consultation on the proposed project.
North Valley Yokuts Tribe	Katherine Erolinda Perez	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone/Email	A follow-up phone call was placed regarding the initial letter, and a voicemail was left. An email was also sent on the same day. No response has been returned.
Tule River Indian Tribe	Neil Pevron, Chairperson	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone	A follow-up phone call and email were sent on April 16, 2018 with no response; however, a secretary stated that Ryan Garfield no longer worked at the office and that Neil Pevron was to be the primary point of contact. A voicemail was left. No response has been returned.
Tuolumne Band of Me-Wuk	Kevin Day, Mary Camp, Stanley Cox, Reba Fuller, and Robert Cox	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone	A follow-up phone call was placed on April 16, 2018, and Mr. Robert Cox (Cultural Resources Director) stated that the Tribe would like to be notified only if cultural materials and/or human remains were uncovered during the proposed project activities. Further consultation is required at this time; however, if cultural materials are uncovered then the Tribe will be notified.
Southern Sierra Miwuk Nation	Bill Leonard, Chairperson	2018 March 5	Letter	An initial letter was sent via certified mail initiating AB 52 and Section 106 consultation.
		2018 April 16	Phone	A follow-up phone call was placed on April 16, 2018 and a voice message was left. No response has been received.



February 26, 2018

Native American Heritage Commission
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691

RE: Records Search Request for the Stanislaus County Island Sewer Infrastructure Project, Stanislaus County, California

To Whom It May Concern:

Dokken Engineering is conducting cultural resource investigations on behalf of the County of Stanislaus (County) in cooperation with the Department of Housing and Urban Development (HUD), California who proposes to install sanitary sewers mains (please see Figures 1 and 2).

As part of the fulfillment of state and federal project approval requirements, Dokken Engineering is requesting your assistance in gathering information from members of the Native American community. We request a list of Native American individuals and organizations maintained for the purposes of Section 106 consultation that may have knowledge of cultural resources within the project area, located in the Sections 30 through 32 of Township 3 South, Range 9 East and Sections 5 and 6 of Township 4 South, Range 9 East as depicted on the accompanying portions of the Salida, Riverbank, Brush Lake, and Ceres United States Geographic Survey 7.5-minute topographic quadrangles (Figure 2). Additionally, please conduct a search of the Sacred Lands File for the presence of Native American cultural resources within the immediate project area and within a half-mile radius. Please find attached two maps depicting the proposed project's location and vicinity.

If you have any questions or concerns, please contact me at 916-858-0642 or bmarks@dokkenengineering.com. Thank you in advance for your time and assistance.

Sincerely,

Brian S. Marks, Ph.D., R.P.A.
Environmental Planner/Archaeologist

Enclosure
file: 2452/230/BSM

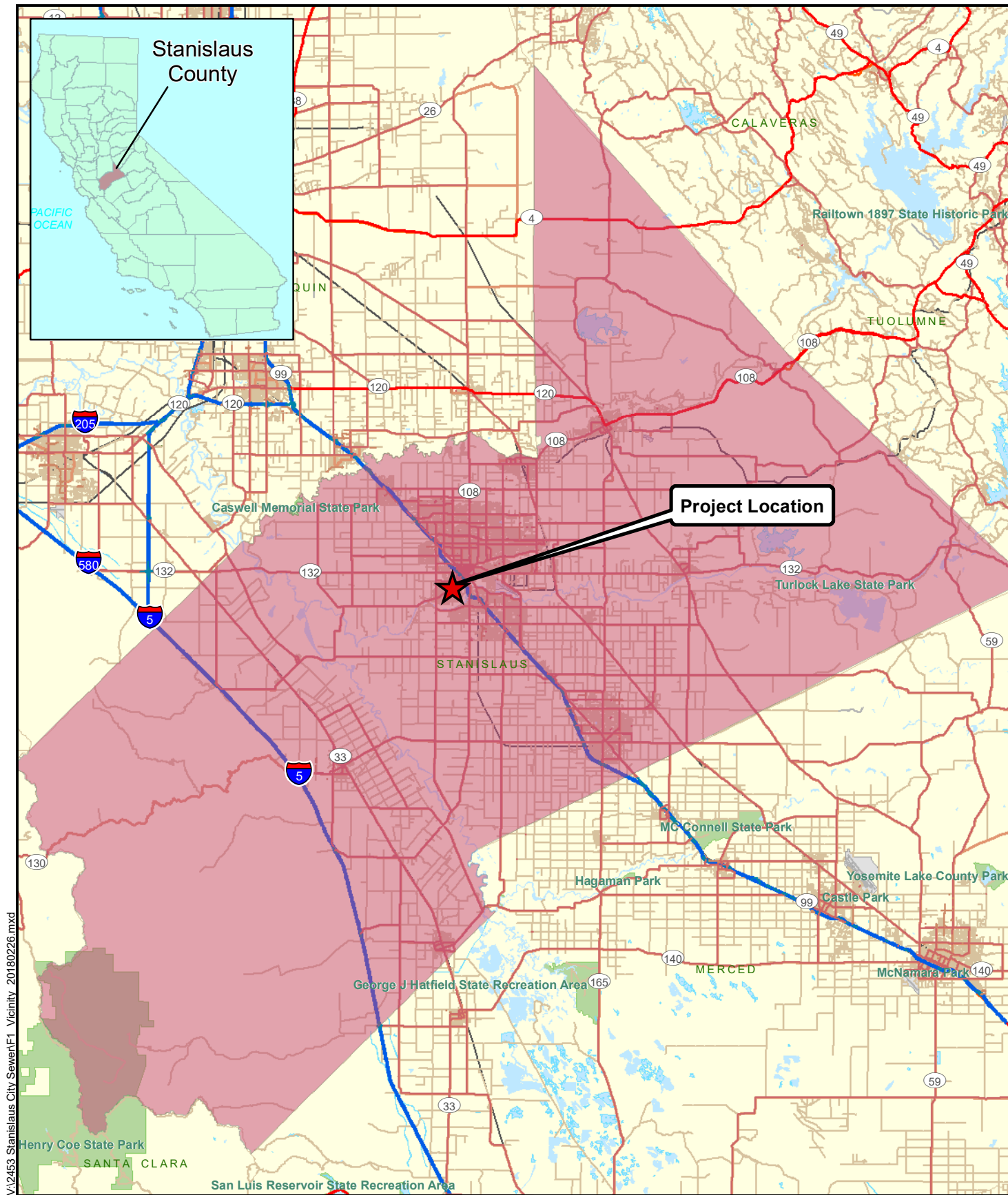
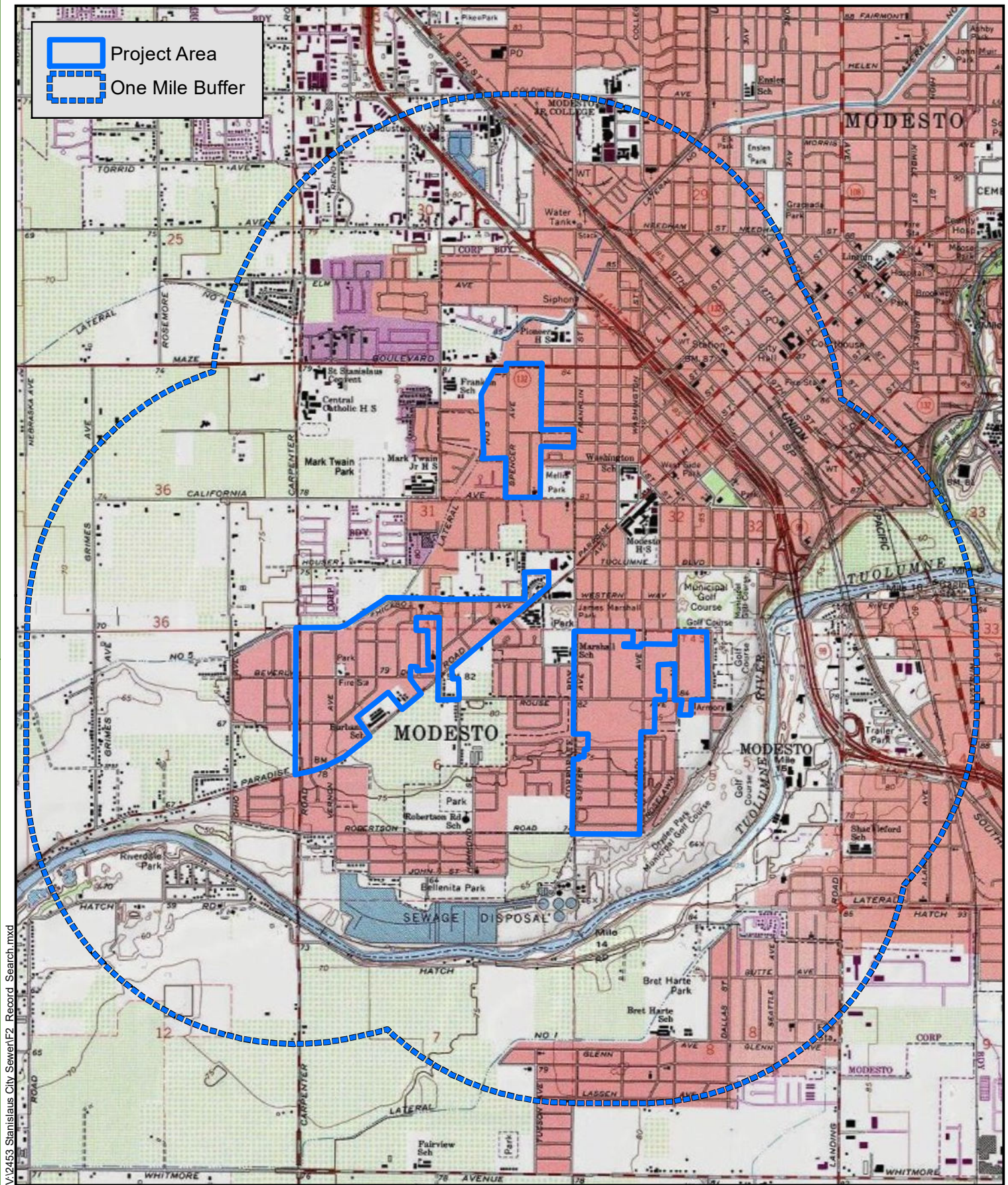


FIGURE 1
Project Vicinity

HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



0 5 10 15 Miles



V:\2453 Stanislaus City Sewer\F2 Record Search.mxd

Source: USA Topo Maps Online; Dokken Engineering 2/26/2018; Created By: briann

FIGURE 2
Record Search

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres
 HUD Project #: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710



February 28, 2018

Brian Marks
Dokken Engineering

Sent by Email: bmarks@dokkenengineering.com
Number of Pages: 2

RE: Stanislaus County Island Sewer Infrastructure, Stanislaus County

Dear Mr. Marks:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. **Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.souza@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharaya Souza".

Sharaya Souza
Staff Services Analyst
(916) 573-0168

**Native American Heritage Commission
Native American Contacts
2/28/2018**

Calaveras Band of Mi-Wuk Indians
Debra Grimes. Cultural Res. Specialist
P.O. Box 899 Mi-Wuk
West Point , CA 95255 Miwok
calaverasmiwukpreservation@gmail.com
(209) 470-8688

Tuolumne Band of Me-Wuk Indians
Kevin Dav. Chairperson
P.O. Box 699 Me-Wuk - Miwok
Tuolumne , CA 95379
receptionist@mewuk.com
(209) 928-5300 Office

(209) 928-1677 Fax

California Valley Miwok Tribe
4620 Shippee Lane Miwok
Stockton , CA 95212
CalaverasMiwukPreservation
(209) 931-4567 Office

(209) 931-4333 Fax

North Valley Yokuts Tribe
Katherine Erolinda Perez. Chairperson
P.O. Box 717 Ohlone/Costanoan
Linden , CA 95236 Northern Valley Yokuts
canutes@verizon.net Bav Miwok
(209) 887-3415

Southern Sierra Miwuk Nation
Lois Martin. Chairperson
P.O. Box 186 Miwok
Mariposa , CA 95338 Pauite
(209) 742-6867 Office Northern Valley Yokut

Tule River Indian Tribe
Neil Pevron. Chairperson
P.O. Box 589 Yokuts
Porterville , CA 93258
chairman@tulerivertribe-nsn.gov
(559) 781-4271

(559) 781-4610 Fax

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes for the proposed:
Stanislaus County Island Sewer Infrastructure, Stanislaus County.



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

March 5, 2018

CERTIFIED MAIL

**California Valley Miwok Tribe
4620 Shippee Lane
Stockton, CA 95212**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of California Valley Miwok Tribe:

The County of Stanislaus (County) has received your letter requesting to be formally notified of projects in the area traditionally and culturally affiliated with the California Valley Miwok Tribe, pursuant to the requirements of the California Environmental Quality Act (CEQA) AB 52 consultation, Public Resources Code (PRC) § 21080.3.1.

In compliance with PRC § 21080.3.1 (d), this formal notification letter describes the proposed West Modesto Sewer Infrastructure Project (Project) and its location. In accordance with the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), preliminary research indicates that a Negative Declaration is the appropriate environmental review document.

The proposed Project is federally funded with Community Development Block Grant funds administered by the Department of Housing and Urban Development (HUD). To fund the Project's construction and final design, the County anticipates receiving grant funding from the Clean Water State Revolving Fund program administered by the State Water Resources Control Board. As such, the Project requires compliance with both the National Environmental Policy Act (NEPA) and CEQA. Stanislaus County is the lead agency for CEQA purposes and HUD is the lead agency for NEPA purposes. Under 24 Code of Federal Regulations (CFR) Part 58.4, the County has assumed responsibility for environmental review, decision-making, and action for the proposed Project.

The Project site consists of three separate locations: Area 7 (Spencer/Marshall), Area 9 (Rouse/Colorado), and Area 21 (Beverly/Waverly) (see **Figures 1-3**). Area 7 is located in Section 31 of Township 3 South, Range 9 East of the *Salida, California* United States Geological Survey (USGS) topographic map. Area 9 is located in Sections 5 and 6 of Township 4 South, Range 9 East. Area 21 is located in Sections 6 and 31, of Townships 3 and 4 South, Range 9 East of the *Salida and Brush Lake, California* (1969) USGS topographic map.

The County, on behalf of HUD, proposes to install sanitary sewer mains and laterals in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. The Project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. It is estimated that the proposed Project will include the

installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in Area 7 (144 services), Area 21 (527 services), and Area 9 (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see Figures 1 through 3). The following street intersections and road segment are part of the project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100 feet east of the Lombardy Drive/Ritsch Lane intersection.

A records search of the study area was conducted at the Central California Information Center. No Native American cultural resources were identified within this search; and a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC) returned negative results.

Please consider this letter and preliminary project information as formal notification of a proposed project as required under the CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1(d), if you would like to consult on this project.

The request should be addressed to the following personnel:

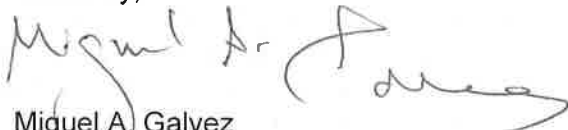
Name: Miguel A. Galvez, Deputy Director
Address: 1010 10th Street, Suite 3400, Modesto, CA 95354
Phone Number: (209)-525-6330
Email Address: Galvezm@Stancounty.com

The NEPA lead agency, HUD, also requests that this letter and preliminary project information be regarded as initiation of Section 106 consultation, pursuant to the NHPA (36 CFR Part 800.3). Please respond in writing within 30 days and specify whether you would like to consult under Section 106.

Your comments and concerns will be important to the County as we move forward with the proposed project. Any tribal cultural resources information provided will be treated confidentially in accordance with CEQA, NEPA, and the NHPA. The County's consultant, Environmental Planner/Archaeologist Brian S. Marks, Ph.D., RPA, can also be contacted by phone at (916) 858-0642 or email at bmarks@dokkenengineering.com.

Thank you for your time and attention to this matter.

Sincerely,


Miguel A. Galvez
Deputy Director

Attachments: Figure 1-Project Vicinity
Figure 2- Project Location
Figure 3- Project Features



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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Building Phone: (209) 525-6557 Fax: (209) 525-7759

March 5, 2018

CERTIFIED MAIL

**Calaveras Band of Mi-Wuk Indians
Debra Brimes, Cultural Resources Specialist
PO Box 899
West Point, CA 95255**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of Calaveras Band of Mi-Wuk Indians:

The County of Stanislaus (County) has received your letter requesting to be formally notified of projects in the area traditionally and culturally affiliated with the Calaveras Band of Mi-Wuk Indians, pursuant to the requirements of the California Environmental Quality Act (CEQA) AB 52 consultation, Public Resources Code (PRC) § 21080.3.1.

In compliance with PRC § 21080.3.1 (d), this formal notification letter describes the proposed West Modesto Sewer Infrastructure Project (Project) and its location. In accordance with the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), preliminary research indicates that a Negative Declaration is the appropriate environmental review document.

The proposed Project is federally funded with Community Development Block Grant funds administered by the Department of Housing and Urban Development (HUD). To fund the Project's construction and final design, the County anticipates receiving grant funding from the Clean Water State Revolving Fund program administered by the State Water Resources Control Board. As such, the Project requires compliance with both the National Environmental Policy Act (NEPA) and CEQA. Stanislaus County is the lead agency for CEQA purposes and HUD is the lead agency for NEPA purposes. Under 24 Code of Federal Regulations (CFR) Part 58.4, the County has assumed responsibility for environmental review, decision-making, and action for the proposed Project.

The Project site consists of three separate locations: Area 7 (Spencer/Marshall), Area 9 (Rouse/Colorado), and Area 21 (Beverly/Waverly) (see **Figures 1-3**). Area 7 is located in Section 31 of Township 3 South, Range 9 East of the *Salida, California* United States Geological Survey (USGS) topographic map. Area 9 is located in Sections 5 and 6 of Township 4 South, Range 9 East. Area 21 is located in Sections 6 and 31, of Townships 3 and 4 South, Range 9 East of the *Salida and Brush Lake, California* (1969) USGS topographic map.

The County, on behalf of HUD, proposes to install sanitary sewer mains and laterals in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. The Project is proposed in response to health and safety concerns associated with failing septic systems which could

lead to the degradation of groundwater quality. It is estimated that the proposed Project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in Area 7 (144 services), Area 21 (527 services), and Area 9 (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see Figures 1 through 3). The following street intersections and road segment are part of the project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100 feet east of the Lombardy Drive/Ritsch Lane intersection.

A records search of the study area was conducted at the Central California Information Center. No Native American cultural resources were identified within this search; and a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC) returned negative results.

Please consider this letter and preliminary project information as formal notification of a proposed project as required under the CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1(d), if you would like to consult on this project.

The request should be addressed to the following personnel:

Name: Miguel A. Galvez, Deputy Director
Address: 1010 10th Street, Suite 3400, Modesto, CA 95354
Phone Number: (209)-525-6330
Email Address: Galvezm@Stancounty.com

The NEPA lead agency, HUD, also requests that this letter and preliminary project information be regarded as initiation of Section 106 consultation, pursuant to the NHPA (36 CFR Part 800.3). Please respond in writing within 30 days and specify whether you would like to consult under Section 106.

Your comments and concerns will be important to the County as we move forward with the proposed project. Any tribal cultural resources information provided will be treated confidentially in accordance with CEQA, NEPA, and the NHPA. The County's consultant, Environmental Planner/Archaeologist Brian S. Marks, Ph.D., RPA, can also be contacted by phone at (916) 858-0642 or email at bmarks@dokkenengineering.com.

Thank you for your time and attention to this matter.

Sincerely,


Miguel A. Galvez
Deputy Director

Attachments: Figure 1-Project Vicinity
Figure 2- Project Location
Figure 3- Project Features



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Building Phone: (209) 525-6557 Fax: (209) 525-7759

March 5, 2018

CERTIFIED MAIL

**Northern Valley Yokuts Tribe
Katherine Erolinda Perez
PO Box 717
Linden, CA 95236**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

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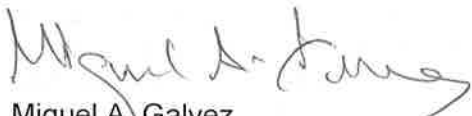
Name: Miguel A. Galvez, Deputy Director
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Phone Number: (209)-525-6330
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Sincerely,



Miguel A. Galvez
Deputy Director

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

March 5, 2018

CERTIFIED MAIL

**Southern Sierra Miwuk Nation
Bill Leonard, Tribal Chair
PO Box 186
Mariposa, CA 95338**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of Southern Sierra Miwuk Nation:

The County of Stanislaus (County) has received your letter requesting to be formally notified of projects in the area traditionally and culturally affiliated with the Southern Sierra Miwuk Nation, pursuant to the requirements of the California Environmental Quality Act (CEQA) AB 52 consultation, Public Resources Code (PRC) § 21080.3.1.

In compliance with PRC § 21080.3.1 (d), this formal notification letter describes the proposed West Modesto Sewer Infrastructure Project (Project) and its location. In accordance with the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), preliminary research indicates that a Negative Declaration is the appropriate environmental review document.

The proposed Project is federally funded with Community Development Block Grant funds administered by the Department of Housing and Urban Development (HUD). To fund the Project's construction and final design, the County anticipates receiving grant funding from the Clean Water State Revolving Fund program administered by the State Water Resources Control Board. As such, the Project requires compliance with both the National Environmental Policy Act (NEPA) and CEQA. Stanislaus County is the lead agency for CEQA purposes and HUD is the lead agency for NEPA purposes. Under 24 Code of Federal Regulations (CFR) Part 58.4, the County has assumed responsibility for environmental review, decision-making, and action for the proposed Project.

The Project site consists of three separate locations: Area 7 (Spencer/Marshall), Area 9 (Rouse/Colorado), and Area 21 (Beverly/Waverly) (see **Figures 1-3**). Area 7 is located in Section 31 of Township 3 South, Range 9 East of the *Salida, California* United States Geological Survey (USGS) topographic map. Area 9 is located in Sections 5 and 6 of Township 4 South, Range 9 East. Area 21 is located in Sections 6 and 31, of Townships 3 and 4 South, Range 9 East of the *Salida and Brush Lake, California* (1969) USGS topographic map.

The County, on behalf of HUD, proposes to install sanitary sewer mains and laterals in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. The Project is proposed in response to health and safety concerns associated with failing septic systems which could

lead to the degradation of groundwater quality. It is estimated that the proposed Project will include the installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in Area 7 (144 services), Area 21 (527 services), and Area 9 (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see Figures 1 through 3). The following street intersections and road segment are part of the project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100 feet east of the Lombardy Drive/Ritsch Lane intersection.

A records search of the study area was conducted at the Central California Information Center. No Native American cultural resources were identified within this search; and a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC) returned negative results.

Please consider this letter and preliminary project information as formal notification of a proposed project as required under the CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1(d), if you would like to consult on this project.

The request should be addressed to the following personnel:

Name: Miguel A. Galvez, Deputy Director
Address: 1010 10th Street, Suite 3400, Modesto, CA 95354
Phone Number: (209)-525-6330
Email Address: Galvezm@Stancounty.com

The NEPA lead agency, HUD, also requests that this letter and preliminary project information be regarded as initiation of Section 106 consultation, pursuant to the NHPA (36 CFR Part 800.3). Please respond in writing within 30 days and specify whether you would like to consult under Section 106.

Your comments and concerns will be important to the County as we move forward with the proposed project. Any tribal cultural resources information provided will be treated confidentially in accordance with CEQA, NEPA, and the NHPA. The County's consultant, Environmental Planner/Archaeologist Brian S. Marks, Ph.D., RPA, can also be contacted by phone at (916) 858-0642 or email at bmarks@dokkenengineering.com.

Thank you for your time and attention to this matter.

Sincerely,


Miguel A. Galvez
Deputy Director

Attachments: Figure 1-Project Vicinity
Figure 2- Project Location
Figure 3- Project Features



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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March 5, 2018

CERTIFIED MAIL

**Tule River Indian Tribe
Neil Pevron, Chairperson
PO Box 589
Porterville, CA 93258**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of Tule River Indian Tribe:

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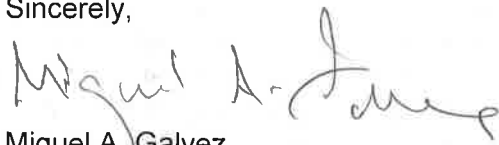
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Thank you for your time and attention to this matter.

Sincerely,



Miguel A. Galvez
Deputy Director

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March 5, 2018

CERTIFIED MAIL

**Tule River Indian Tribe
Ryan Garfield, Chairperson
PO Box 589
Porterville, CA 93258**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

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Thank you for your time and attention to this matter.

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Miguel A. Galvez
Deputy Director

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Figure 2- Project Location
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March 5, 2018

CERTIFIED MAIL

**Tuolumne Band of Me-Wuk
Mary Camp, Tribal Administrator
PO Box 699
Tuolumne, CA 95379**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of Tuolumne Band of Me-Wuk Tribe:

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Deputy Director

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March 5, 2018

CERTIFIED MAIL

**Tuolumne Band of Me-Wuk
Reba Fuller
PO Box 699
Tuolumne, CA 95379**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

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CERTIFIED MAIL

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PO Box 699
Tuolumne, CA 95379**

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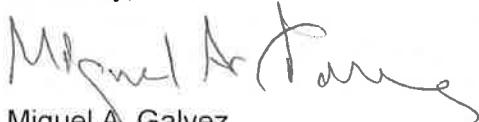
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Planning Phone: (209) 525-6330 Fax: (209) 525-5911
Building Phone: (209) 525-6557 Fax: (209) 525-7759

March 5, 2018

CERTIFIED MAIL

**Tuolumne Band of Me-Wuk
Stanley Cox, Cultural Resources Director
PO Box 699
Tuolumne, CA 95379**

Re: Formal Notification of Proposed West Modesto Sewer Infrastructure Project, Stanislaus County, California, Pursuant to the California Environmental Quality Act Assembly Bill (AB) 52 Consultation, Public Resources Code § 21080.3.1 (d) and Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800.3)

Dear Member of Tuolumne Band of Me-Wuk Tribe:

The County of Stanislaus (County) has received your letter requesting to be formally notified of projects in the area traditionally and culturally affiliated with the Tuolumne Band of Me-Wuk, pursuant to the requirements of the California Environmental Quality Act (CEQA) AB 52 consultation, Public Resources Code (PRC) § 21080.3.1.

In compliance with PRC § 21080.3.1 (d), this formal notification letter describes the proposed West Modesto Sewer Infrastructure Project (Project) and its location. In accordance with the CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), preliminary research indicates that a Negative Declaration is the appropriate environmental review document.

The proposed Project is federally funded with Community Development Block Grant funds administered by the Department of Housing and Urban Development (HUD). To fund the Project's construction and final design, the County anticipates receiving grant funding from the Clean Water State Revolving Fund program administered by the State Water Resources Control Board. As such, the Project requires compliance with both the National Environmental Policy Act (NEPA) and CEQA. Stanislaus County is the lead agency for CEQA purposes and HUD is the lead agency for NEPA purposes. Under 24 Code of Federal Regulations (CFR) Part 58.4, the County has assumed responsibility for environmental review, decision-making, and action for the proposed Project.

The Project site consists of three separate locations: Area 7 (Spencer/Marshall), Area 9 (Rouse/Colorado), and Area 21 (Beverly/Waverly) (see **Figures 1-3**). Area 7 is located in Section 31 of Township 3 South, Range 9 East of the *Salida, California* United States Geological Survey (USGS) topographic map. Area 9 is located in Sections 5 and 6 of Township 4 South, Range 9 East. Area 21 is located in Sections 6 and 31, of Townships 3 and 4 South, Range 9 East of the *Salida and Brush Lake, California* (1969) USGS topographic map.

The County, on behalf of HUD, proposes to install sanitary sewer mains and laterals in three separate unincorporated neighborhoods within West Modesto in Stanislaus County, California. The Project is proposed in response to health and safety concerns associated with failing septic systems which could lead to the degradation of groundwater quality. It is estimated that the proposed Project will include the

installation of up to 80,000 linear feet of gravity mains and approximately 1,004 new house laterals in Area 7 (144 services), Area 21 (527 services), and Area 9 (333 services) neighborhoods. The Spencer/Marshall neighborhood is generally located approximately 0.3 mile west of Highway 99 and is accessible from State Route 132 and Spencer Avenue. The Beverly/Waverly neighborhood is located approximately 0.9 mile west of Highway 99 and is accessible from Paradise Road. The Rouse/Colorado neighborhood is located approximately 0.6 mile west of Highway 99 and is accessible from Tuolumne Boulevard and Roselawn Avenue (see Figures 1 through 3). The following street intersections and road segment are part of the project site: the California/Marshall Avenue intersection; Paradise Road/Pine Tree intersection; and approximately 100 feet east of the Lombardy Drive/Ritsch Lane intersection.

A records search of the study area was conducted at the Central California Information Center. No Native American cultural resources were identified within this search; and a search of the Sacred Lands File (SLF) by the Native American Heritage Commission (NAHC) returned negative results.

Please consider this letter and preliminary project information as formal notification of a proposed project as required under the CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1(d), if you would like to consult on this project.

The request should be addressed to the following personnel:

Name: Miguel A. Galvez, Deputy Director
Address: 1010 10th Street, Suite 3400, Modesto, CA 95354
Phone Number: (209)-525-6330
Email Address: Galvezm@Stancounty.com

The NEPA lead agency, HUD, also requests that this letter and preliminary project information be regarded as initiation of Section 106 consultation, pursuant to the NHPA (36 CFR Part 800.3). Please respond in writing within 30 days and specify whether you would like to consult under Section 106.

Your comments and concerns will be important to the County as we move forward with the proposed project. Any tribal cultural resources information provided will be treated confidentially in accordance with CEQA, NEPA, and the NHPA. The County's consultant, Environmental Planner/Archaeologist Brian S. Marks, Ph.D., RPA, can also be contacted by phone at (916) 858-0642 or email at bmarks@dokkenengineering.com.

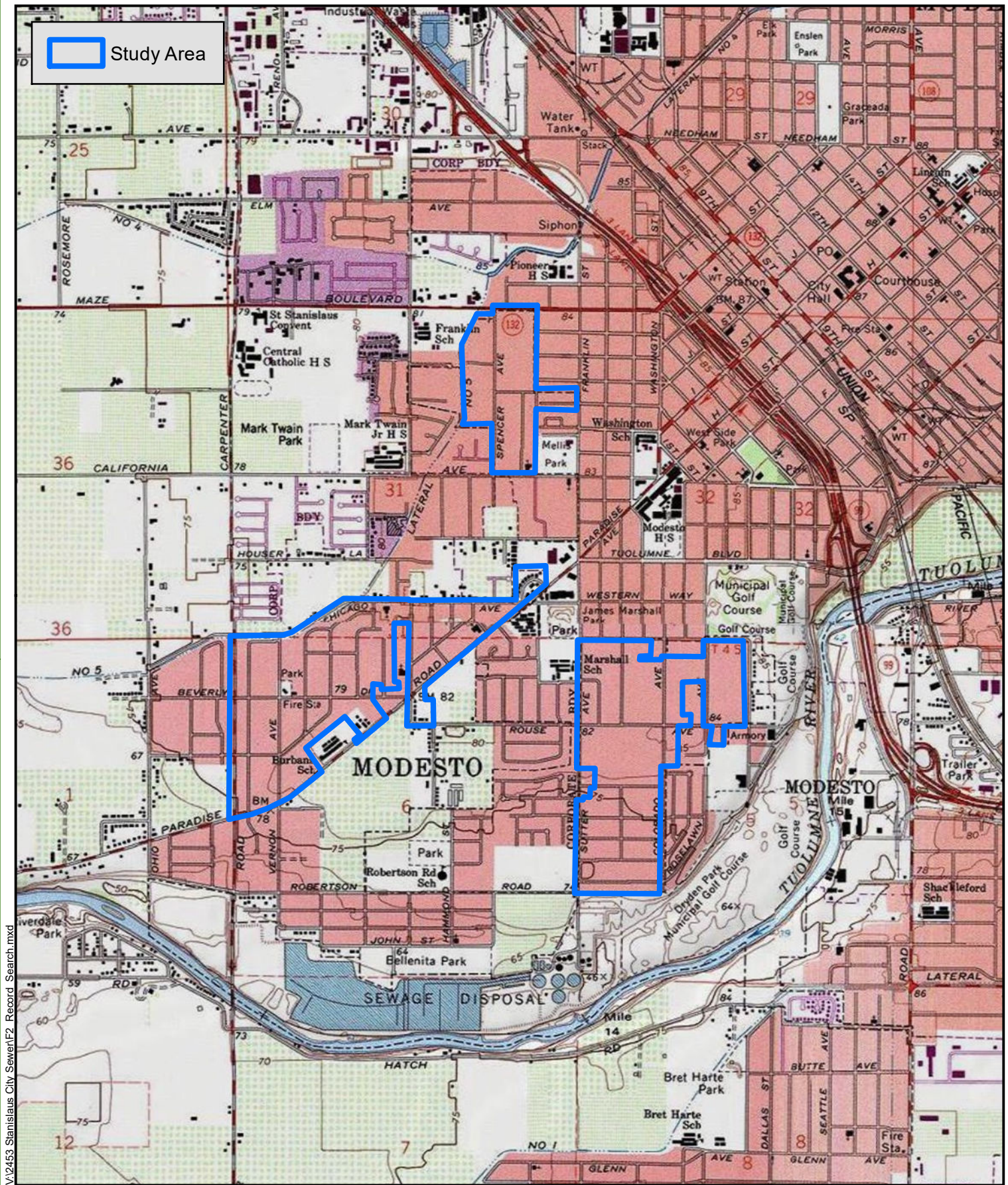
Thank you for your time and attention to this matter.

Sincerely,



Miguel A. Galvez
Deputy Director

Attachments: Figure 1-Project Vicinity
Figure 2- Project Location
Figure 3- Project Features



V:\2453 Stanislaus City Sewer\F2 Record Search.mxd

Source: USA Topo Maps Online; Dokken Engineering 2/28/2018; Created By: briann



1 inch = 2,000 feet

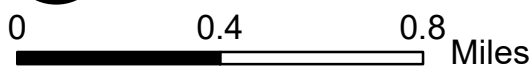
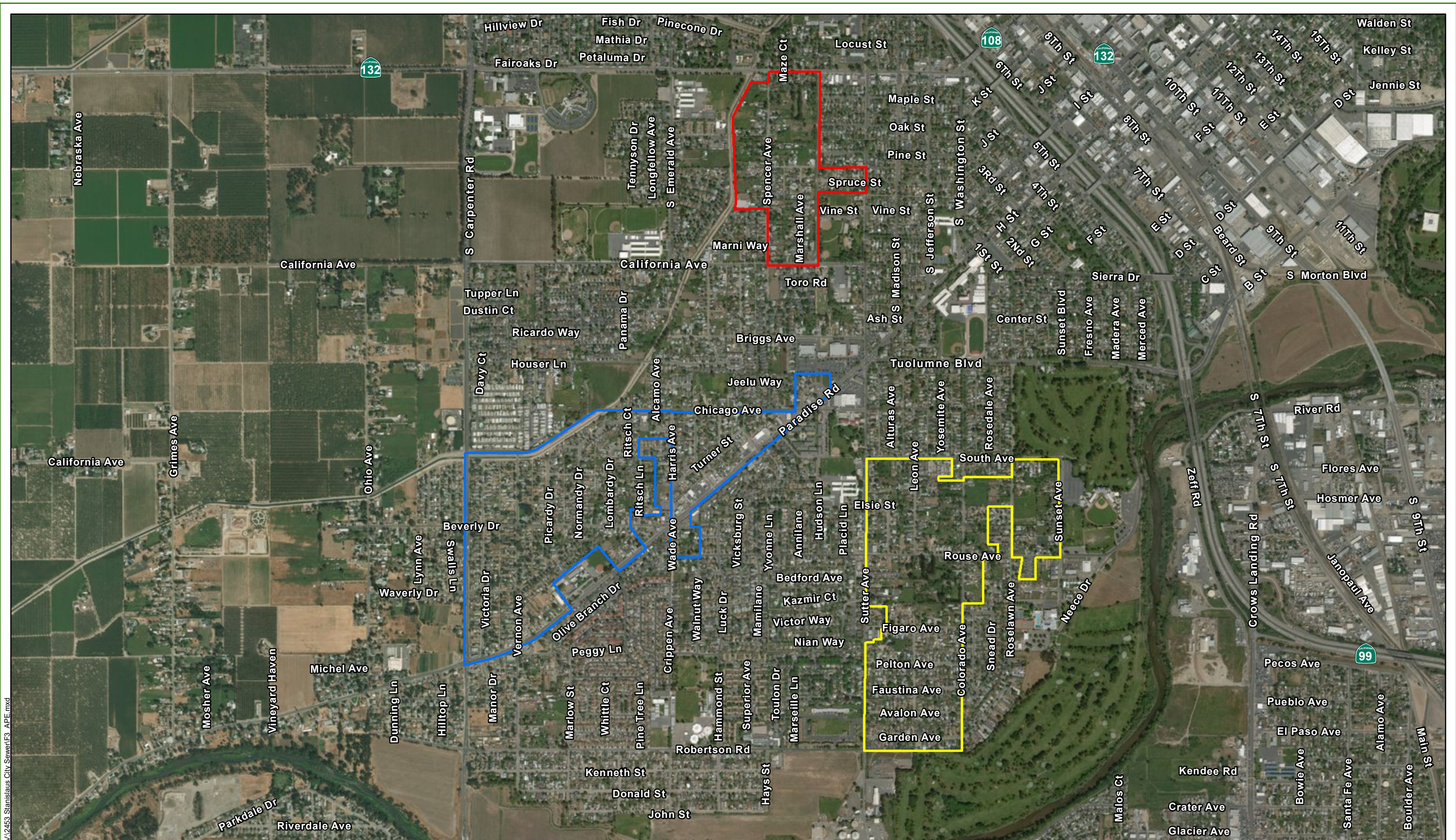


FIGURE 2
Topographic Map

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres
 HUD Project #: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



V:\2453 Stanislaus City Sewer\F3 APE.mxd

Source: ESRI Maps Online; Dokken Engineering 2/26/2018; Created By: brianm

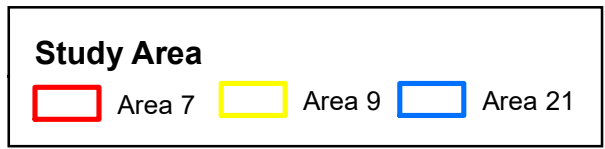
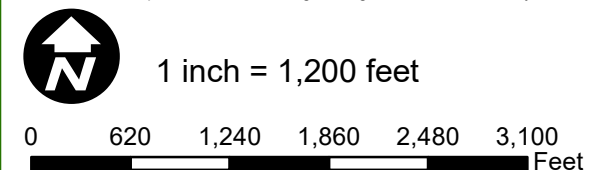


Figure 3
Study Area

RECORD OF CONVERSATION

DATE: April 16, 2018 **RECORDED BY:** Althea Asaro
TALKED
WITH: Robert Cox, Cultural Resources Director of Tuolumne Band of Me-Wuk Indians
SUBJECT: (2453) West Modesto Sewer Infrastructure Project, Stanislaus County
NATURE: ☐ Incoming Call ☒ Outgoing Call ☐ Meeting

The item(s) presented below summarize the substantive item(s) discussed/resolved during this conversation to the best of the writer's memory.

ITEM(S) DISCUSSED: Ms. Asaro called and spoke with Mr. Robert Cox, Cultural Resources Director of the Tuolumne Band of Me-Wuk Indians, to verify the consultation letter was received on March 7, 2018. Mr. Cox stated that he was under the impression a letter was sent in response to the initial consultation letter; however, Ms. Asaro informed him that to her knowledge, no letter was received. Mr. Cox also stated that the Tribe had no concerns of the project areas; however, they would like to be notified if any cultural materials and/or human remains are found.

ACTION REQUIRED: None, at this time. If any cultural materials and/or human remains are uncovered during project activities, the Tribe will be notified.

RECORD OF CONVERSATION

DATE: April 16, 2018 **RECORDED BY:** Althea Asaro

TALKED

WITH: Debra Grimes, Cultural Resources Specialist

SUBJECT: (2453) West Modesto Sewer Infrastructure Project, Stanislaus County

NATURE: ☐ Incoming Call ☒ Outgoing Call ☐ Meeting

The item(s) presented below summarize the substantive item(s) discussed/resolved during this conversation to the best of the writer's memory.

ITEM(S) DISCUSSED: Ms. Asaro called and spoke with Ms. Brimes to verify the consultation letter was received on March 8, 2018. Ms. Brimes stated that she did receive the letter and would prepare an email in response to the outreach for consultation. She stated that the Tribe has no comments on the proposed project, as it is located outside of their traditional lands. In addition, she stated that the Tribe should not be contacted for any projects outside of Calaveras and Amador County, and that the NAHC should take them off of such lists.

ACTION REQUIRED: None.

RECORD OF CONVERSATION

DATE: April 16, 2018 **RECORDED BY:** Althea Asaro

TALKED

WITH: Tiger Paulk, California Valley Miwok Tribe

SUBJECT: (2453) West Modesto Sewer Infrastructure Project, Stanislaus County

NATURE: ☐ Incoming Call ☒ Outgoing Call ☐ Meeting

The item(s) presented below summarize the substantive item(s) discussed/resolved during this conversation to the best of the writer's memory.

ITEM(S) DISCUSSED: Mr. Paulk returned a voice message left earlier in the day to state that the Tribe had no comments or need for consultation at this time, unless cultural materials and/or human remains are found during project-related activities. In addition, Mr. Paulk also noted that it is the Tribe's preference to repatriate and re-bury cultural materials on-site or in the same location.

ACTION REQUIRED: None. If cultural materials and/or human remains are discovered during project-related activities then the Tribe will be contacted.

Appendix D:

CONFIDENTIAL

NOT FOR PUBLIC DISCLOSURE

CCIC Records Search Results



February 26, 2018

Central California Information Center
Ms. Elizabeth A. Greathouse, Coordinator
Department of Anthropology
California State University, Stanislaus
One University Circle
Turlock, CA 95382

**RE: Records Search Request for West Modesto Sewer Infrastructure Project,
Stanislaus County County, California**

Dear Ms. Greathouse:

Attached please find the following documents regarding the West Modesto Sewer Infrastructure Project, in Stanislaus County, California, the Confidential Data Request Form, a project vicinity map, and the Brush Lake and Salida USGS 7.5' Topographic Maps. Our Access and Use Agreement is No. 65.

Please prepare a records search and additional information for the project area including the 500 ft radius study area delineated on the attached topographic map.

The bill and the results can be submitted to me at the address below, please reference project number 2453 on the invoice.

If you have any questions or concerns, please contact me at 916-858-0642 or bmarks@dokkenengineering.com. Thank you in advance for your time and assistance.

Sincerely,

Brian S. Marks, Ph.D., R.P.A.
Environmental Planner/Archaeologist

Enclosure
file: 2452/230/BSM

CHRIS Data Request Form

ACCESS AND USE AGREEMENT NO.: _____ **IC FILE NO.:** _____

To: _____ Information Center

Print Name: _____ Date: _____

Affiliation: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Billing Address (if different than above): _____

Project Name / Reference: _____

Project Street Address: _____

County: _____

Township/Range/UTMs: _____

USGS 7.5' Quad(s): _____

PRIORITY RESPONSE (Additional Fee): yes / no

TOTAL FEE NOT TO EXCEED: \$ _____

Special Instructions:

Information Center Use Only

Date of CHRIS Data Provided for this Request: _____

Confidential Data Included in Response: yes / no

Notes: _____

CHRIS Data Request Form

Include the following information (mark as necessary) for the records search area(s) shown on the attached map(s) or included in the associated shapefiles. Shapefiles are the current CHRIS standard format for digital spatial data products.

NOTE: All digital data products are subject to availability - check with the appropriate Information Center.

1. **Map Type Desired:** Digital map products will be provided only if they are available at the time of this request. *Regardless of what is requested, only hard copy hand-drawn maps will be provided for any part of the requested search area for which digital map products are not available at the time of this request.*
There is an additional charge for shapefiles, whether they are provided with or without Custom GIS Maps.

Mark one map choice only

Custom GIS Maps Shapefiles Custom GIS Maps **and** Shapefiles Hard Copy Hand-Drawn Maps **only**

Any selection below left unmarked will be considered a "no."

2a.	Within project area	Within _____ radius
ARCHAEOLOGICAL Resource Locations⁺	yes / no	yes / no
NON-ARCHAEOLOGICAL Resource Locations	yes / no	yes / no
Report Locations⁺	yes / no	yes / no
Resource Database Printout* (list)	yes / no	yes / no
Resource Database Printout* (detail)	yes / no	yes / no
Resource Digital Database Records (spreadsheet)*	yes / no	yes / no
Report Database Printout* (list)	yes / no	yes / no
Report Database Printout* (detail)	yes / no	yes / no
Report Digital Database Records (spreadsheet)*	yes / no	yes / no
ARCHAEOLOGICAL Resource Record copies**	yes / no	yes / no
PDF / Hard Copy		
NON-ARCHAEOLOGICAL Resource Record copies*	yes / no	yes / no
PDF / Hard Copy		
Report copies**:	yes / no	yes / no
PDF / Hard Copy		
	Only directory listing	Associated documentation
OHP Historic Properties Directory**		
within project area	yes / no	yes / no
within _____ mi radius	yes / no	yes / no
OHP Archaeological Determinations of Eligibility*		
within project area	yes / no	yes / no
within _____ mi radius	yes / no	yes / no
California Inventory of Historical Resources (1976):		
within project area	yes / no	yes / no
within _____ mi radius	yes / no	yes / no

+ In order to receive archaeological information, requestor must meet qualifications as specified in Section III of the current version of the California Historical Resources Information System Information Center Rules of Operation Manual and be identified as an Authorized User under an active CHRIS Access and Use Agreement.

* These documents may be supplied as PDF files, if available

** Includes, but is not limited to, information regarding National Register of Historic Places, California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and historic building surveys.

CHRIS Data Request Form

2b. Listed below are sources of additional information that may be available at the Information Center. Indicate if a review and documentation of any of the following types of information is requested.

Caltrans Bridge Survey	yes / no
Ethnographic Information	yes / no
Historical Literature	yes / no
Historical Maps	yes / no
Local Inventories	yes / no
GLO and/or Rancho Plat Maps	yes / no
Shipwreck Inventory	yes / no
Soil Survey Maps	yes / no

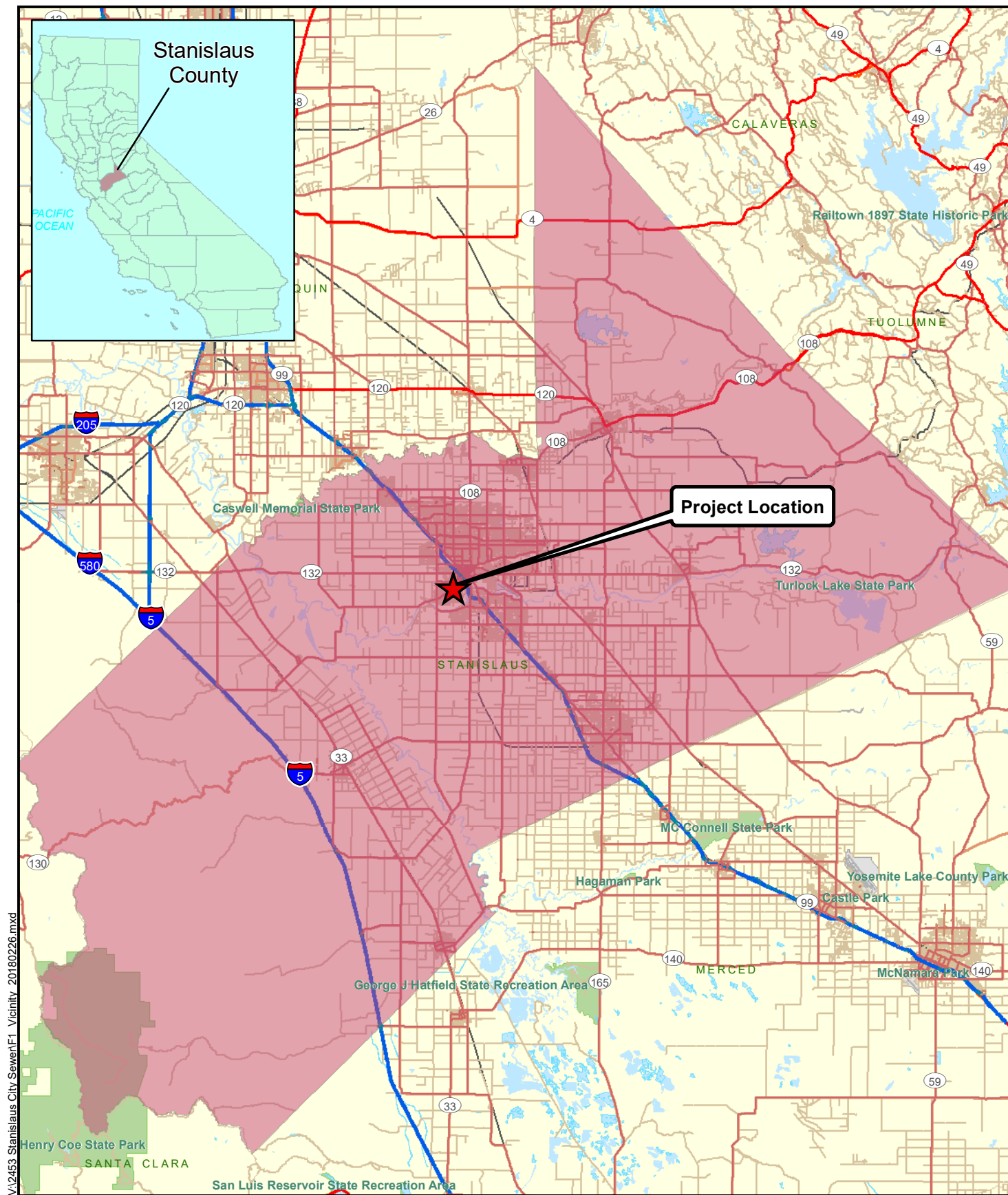
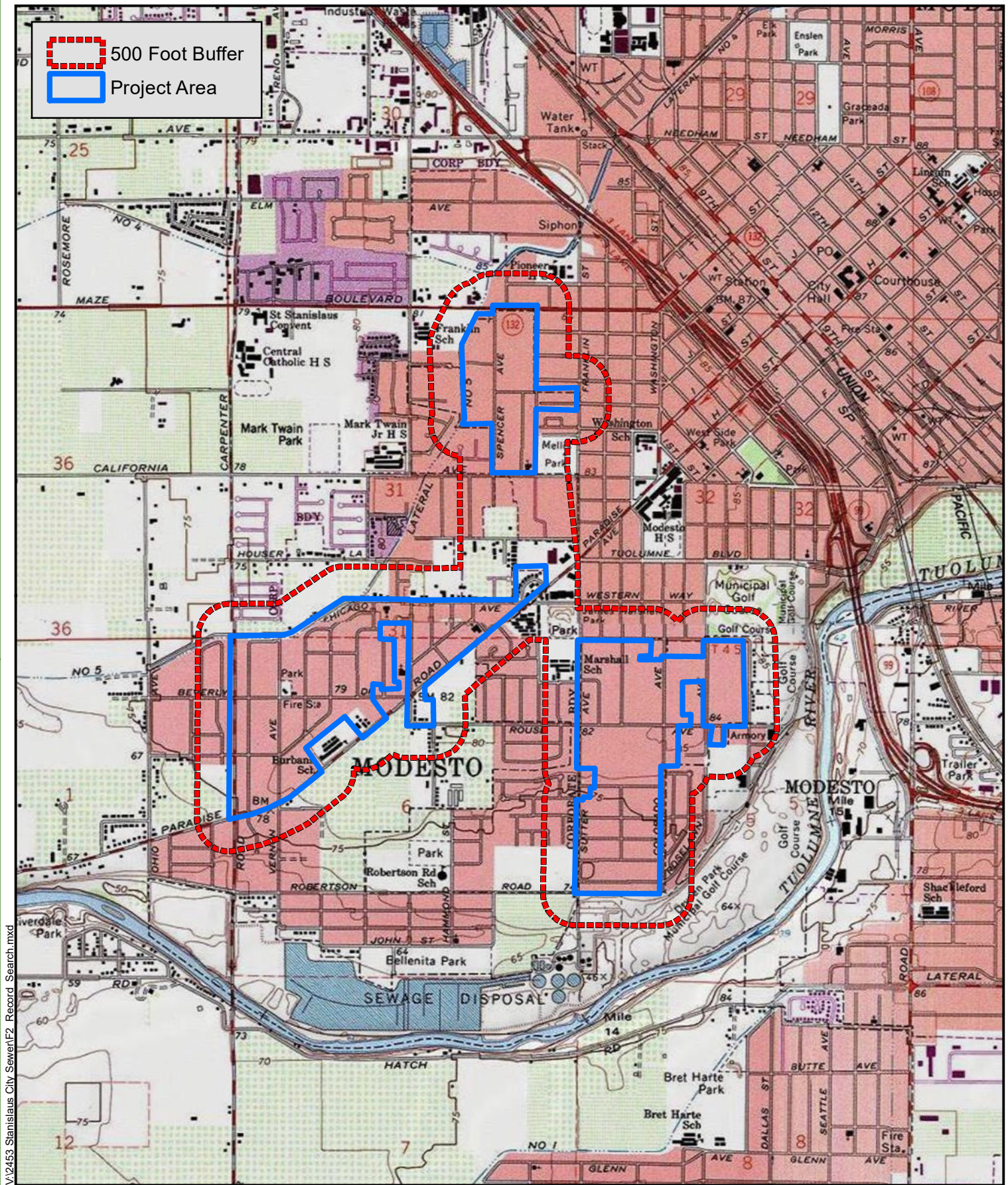


FIGURE 1
Project Vicinity

HUD Project #: B-17-UC-06-0010
West Modesto Sewer Infrastructure Project
Stanislaus County, California



0 5 10 15 Miles



V:\2453 Stanislaus City Sewer\F2 Record Search.mxd

Source: USA Topo Maps Online; Dokken Engineering 2/26/2018; Created By: briann



1 inch = 2,000 feet

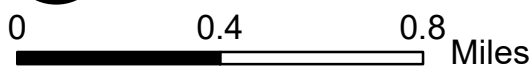


FIGURE 2
Record Search

USGS 7.5-minute Quads: Salida, Riverbank, Brush Lake, and Ceres
 HUD Project #: B-17-UC-06-0010
 West Modesto Sewer Infrastructure Project
 Stanislaus County, California



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System
Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: 2/27/2018

Records Search File No.: 10628N
Access Agreement: #65
Project: West Modesto Sewer Infrastructure
Project #2453

Brian S. Marks
Dokken Engineering
110 Blue Ravine Road, Suite 200
Folsom, CA 95630

bmarks@dokkenengineering.com

Dear Mr. Marks:

The Central California Information Center received your record search request for the project area referenced above, located on the Brush Lake and Salida 7.5' quadrangles in Stanislaus County. The following reflects the results of the records search for the project study area and radius:

As per data currently available at the CCalC, the locations of resources/reports are provided in the following format: ☒ custom GIS maps ☐ shapefiles ☐ hand-drawn maps

Summary Data:

Resources within project area:	None formally reported to the Information Center.
Resources within 500-foot radius:	5: P-50-001863*, 1864*, 1906**, 1907**, 1908** Note: None of these properties (buildings) are currently listed in the OHP Historic Property Data File; however, there are numerous historic properties listed for the City of Modesto—some of these properties might fall within the radius—since these properties are not mapped we have provided the pertinent pages from the HPDF for your use. *Evaluated in ST-04785 as not eligible for the NRHP **Evaluated in ST-05518 as not eligible for the NRHP
Reports within project area:	6: ST-02930, 4783, 4784, 4785, 5518, 5636
Reports within 500-foot radius:	11: ST-02848, 4296, 5358, 6601, 6602, 6604, 6605, 6606, 6607, 6608, 7946

<u>Resource Database Printout (list):</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Resource Database Printout (details):</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Resource Digital Database Records:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Report Database Printout (list):</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Report Database Printout (details):</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Report Digital Database Records:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Resource Record Copies:</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Report Copies:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>OHP Historic Properties Directory:</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
City of Modesto	
<u>Archaeological Determinations of Eligibility:</u>	<input type="checkbox"/> enclosed <input type="checkbox"/> not requested <input checked="" type="checkbox"/> nothing listed
<u>CA Inventory of Historic Resources (1976):</u>	<input type="checkbox"/> enclosed <input type="checkbox"/> not requested <input checked="" type="checkbox"/> nothing listed
<u>Caltrans Bridge Survey:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Ethnographic Information:</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
See excerpt from ST-02848	
<u>Historical Literature:</u>	<input checked="" type="checkbox"/> enclosed <input type="checkbox"/> not requested <input type="checkbox"/> nothing listed
See excerpts from ST-02848 and ST-05518	
<u>Historical Maps:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Local Inventories:</u>	<input type="checkbox"/> enclosed <input type="checkbox"/> not requested <input checked="" type="checkbox"/> nothing listed
<u>GLO and/or Rancho Plat Maps:</u>	<input type="checkbox"/> enclosed <input checked="" type="checkbox"/> not requested <input type="checkbox"/> nothing listed
<u>Shipwreck Inventory:</u>	<input checked="" type="checkbox"/> not available at CCIC; please go to
http://shipwrecks.slc.ca.gov/ShipwrecksDatabase/Shipwrecks_Database.asp	
<u>Soil Survey Maps:</u>	<input checked="" type="checkbox"/> not available at CCIC; please go to
http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx	

Resources known to have value to local cultural groups: None have been formally reported to the CCIC.

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS).

Note: Billing will be transmitted separately via email by our Financial Services office *(\$385.65), payable within 60 days of receipt of the invoice.

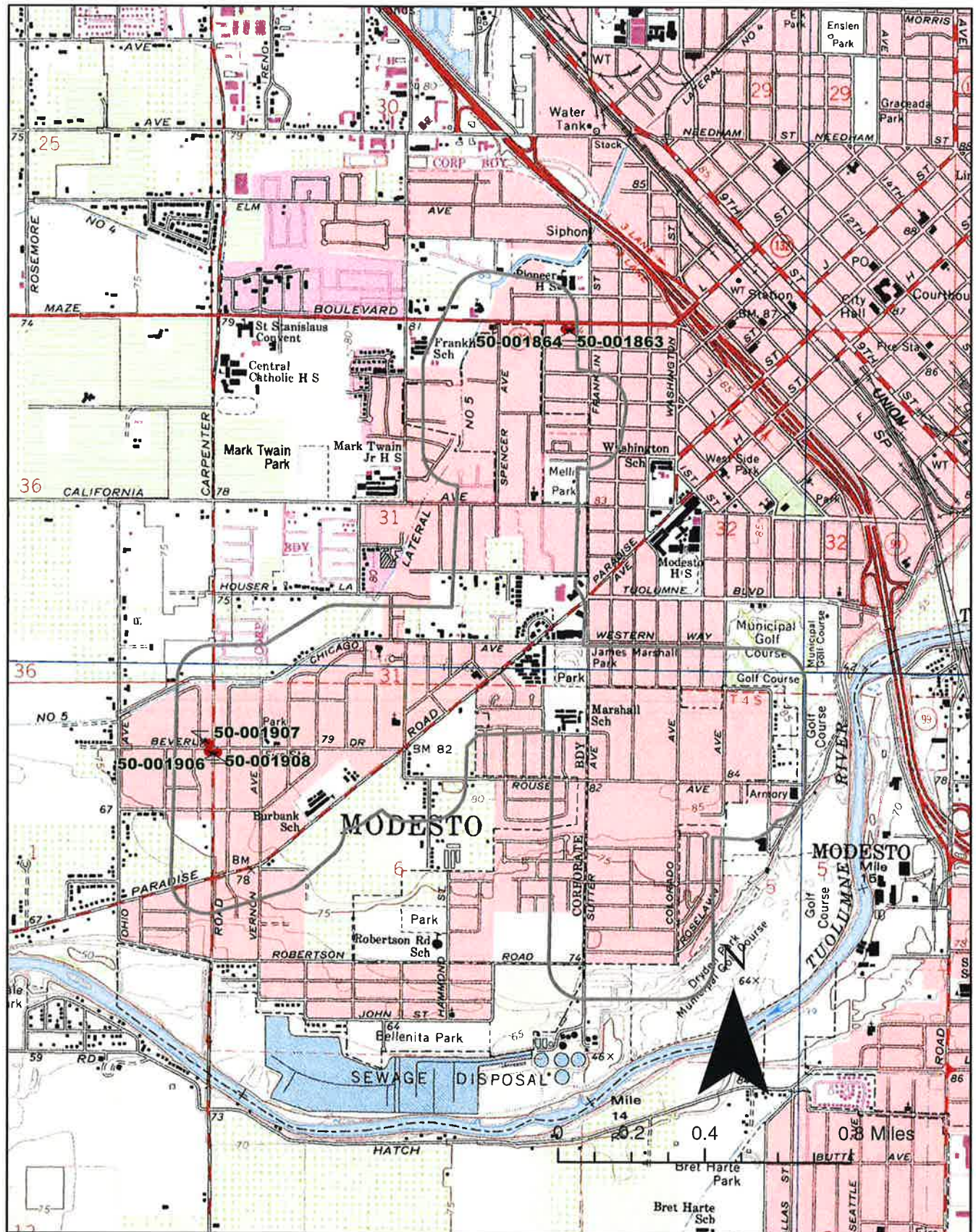
Sincerely,



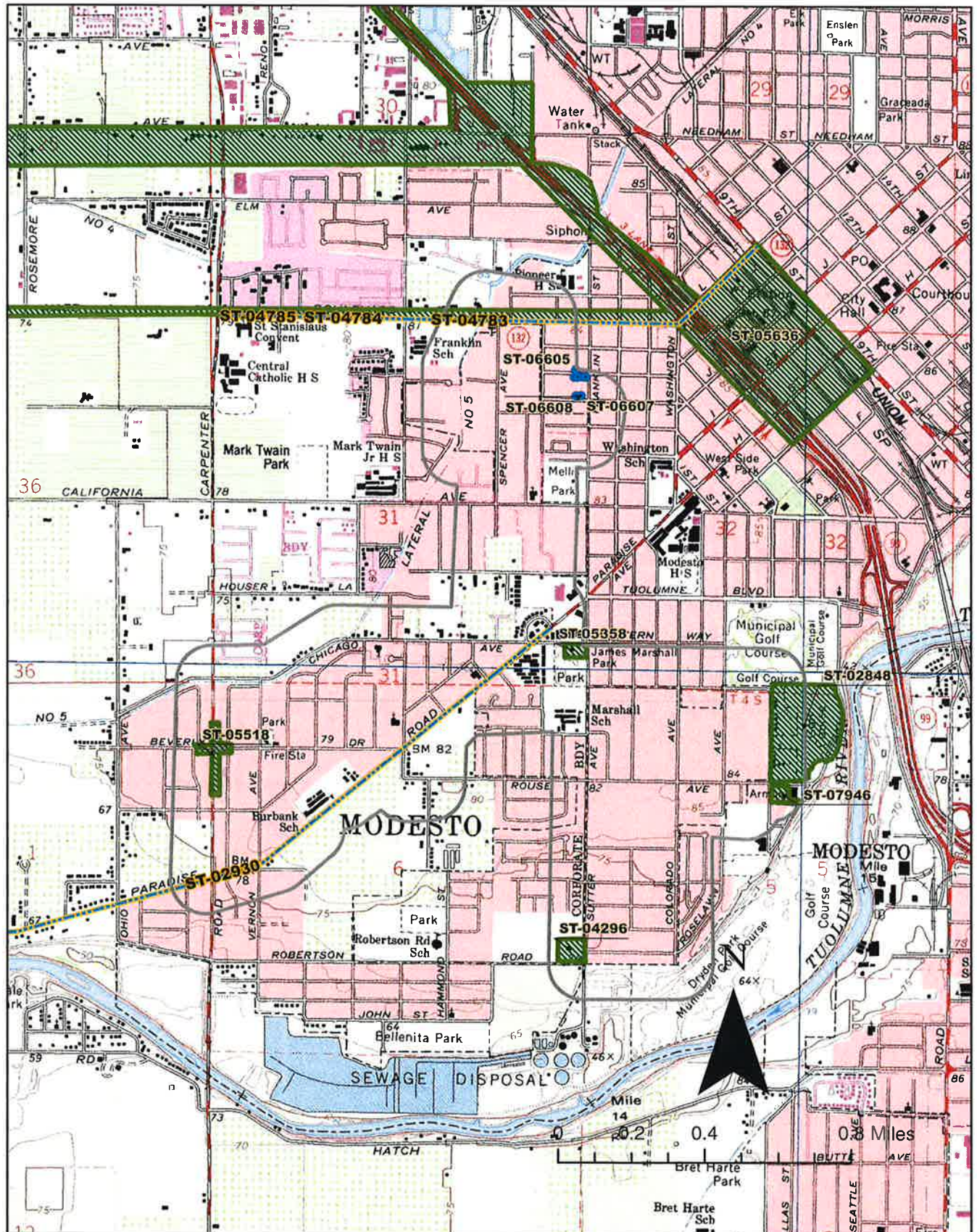
E. A. Greathouse, Coordinator
Central California Information Center
California Historical Resources Information System

* Invoice Request sent to: Laurie Marroquin CSU Stanislaus Financial Services
lamarroquin@csustan.edu

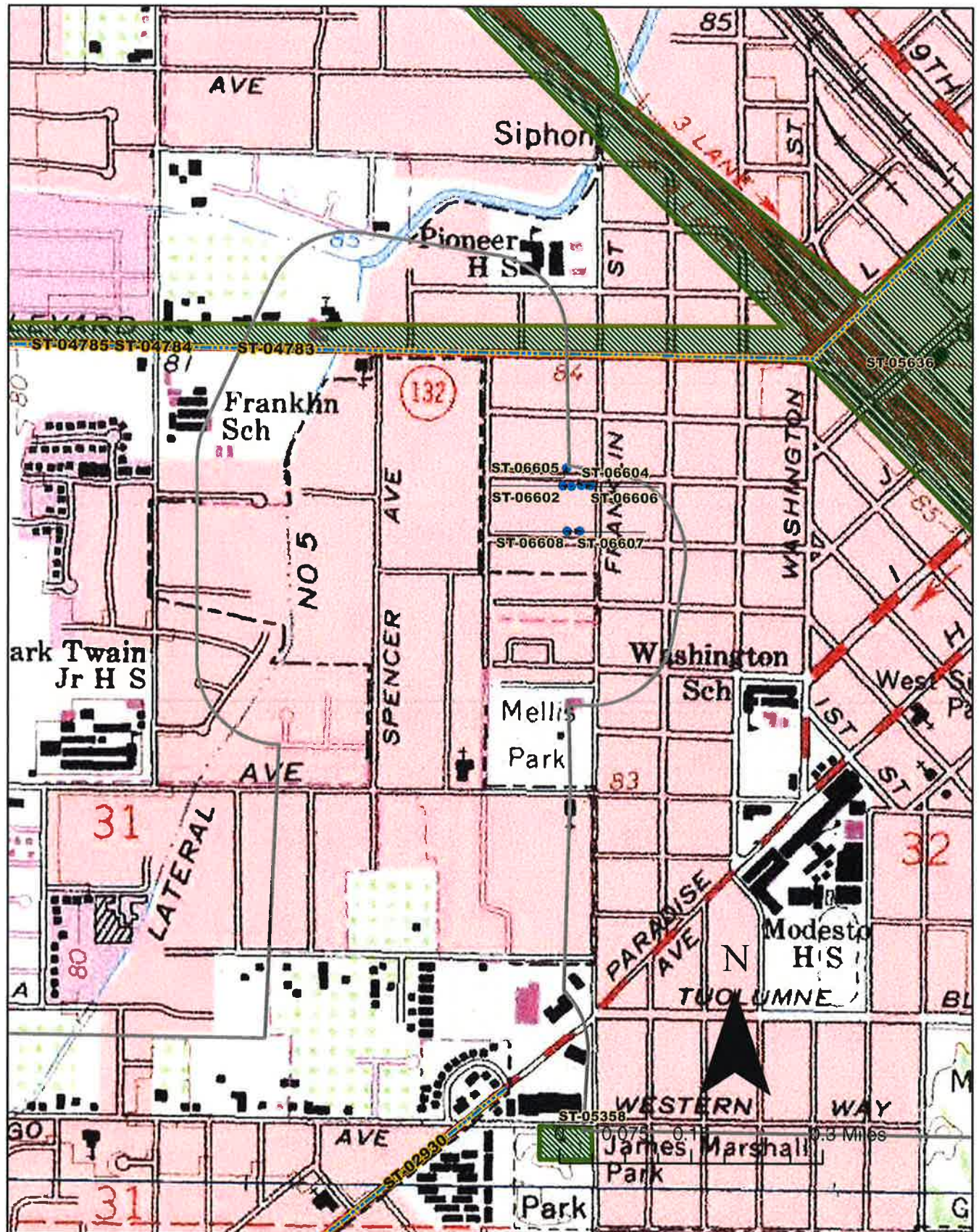
CCaIC 10628N Resources



CCaIC 10628N Reports



CCaIC 10628N Reports - Detail



CCaIC 10628N Reports - Detail

