




Butte County

General Plan 2030

TO: Honorable Chair and Planning Commission

FROM: Dan Breedon, AICP, Principal Planner 

SUBJECT: Policy Recommendations from the Mechoopda Indian Tribe and the Butte County Cultural Resources Coalition

DATE: November 7, 2008 (corrected at the Nov. 7 Planning Comm. Mtg.)

Policy comment and recommendations are provided from the following two groups concerning several policy topics from the Policy Alternatives Document:

- ♦ The Mechoopda Indian Tribe of Chico Rancheria
- ♦ Butte County Cultural Resources Coalition (BCCRC)

Both the Mechoopda Indian Tribe and the BCCRC requests that a Cultural Resource Element be provided under Butte County General Plan 2030, to include Tribal policies.

These two groups also provide specific policy in several Policy Topic areas that will be heard at each of the two Study Sessions identified below

November 7 Study Session #1

Mechoopda: Policy Topic #8 and #9, Regional and Local Coordination

Mechoopda: Policy Topic #14, Agriculture,

BCCRC: Policy Topic #22, Economic Development and supporting the local tourism sector.

November 14 Study Session #2

~~Mechoopda: Policy Topic #14, Agriculture,~~

Mechoopda: Policy Topic #34, Natural Resources and Habitat.

Mechoopda: Policy Topic #37, Tribal Coordination,

Mechoopda: General policy recommendations on Tribal Coordination

BCCRC: General policy recommendations on Cultural and Historic Resources

Delete Policy #37D, because this policy is redundant with Policy #37E: "~~Include General Plan requirements and develop procedures to document and evaluate Traditional Cultural Properties within the County.~~"

Modify Policy #37E: "Develop and adopt a Cultural Resources Management Plan for the County, including policies and procedures for the curation and disposition of objects, and protection, preservation and long-term monitoring of Traditional Cultural Properties. Include a Native American Cultural Resources Inventory in a Countywide reassessment of cultural resources. Use ethnographies as one source of information for non-archaeological Native American sites."

This policy is consistent with policies recommended by the Butte County Cultural Resources Coalition.

Modify Policy #37F: "Work with local tribes to adopt standards for County and private development retention of professional archaeologists and cultural resource specialists to monitor construction on sensitive sites. Standards for professional archaeologists should meet or exceed U.S. Department of the Interior standards."

Add to Policy #37G: "Engage with local Indian tribes to create a confidential cultural resources inventory of the County. Develop a reliable and trustworthy system and relationship between local Tribes and the County to protect confidential tribal information, based on a Memorandum of Understanding or other agreement."

Add a policy: "Recognize Native American culture as a traditional living contemporary community."

Modify Policy #37H: "Reevaluate sites of past archaeological investigations that may be impacted by proposed development, using state-of-the-art methods."

Add a policy: "Establish protection measures to acknowledge and protect traditional tribal cultural knowledge and intellectual property rights."

Modify Policy #37I: "Recognize the importance to local Native American tribes of natural resources including oak woodlands, deer herds, water bodies and riparian corridors, as well as aquatic, riparian, and upland plant and animal species. Recognize the importance to local Native American tribes of gathering and use sites, as well as other traditional tribal cultural places. Consider use of these resources and sites by contemporary Native Americans in planning for land use, development, and management. Conduct consultation and other coordination with local Native American tribes to preserve these habitats, resources, sites, and species."

This policy may be cross-referenced under Natural Resources and Habitat (Question 34).

Add a policy to be cross-referenced under Natural Resources and Habitat: "Recognize the importance of aquatic and riparian habitat management to local Native American tribes."

Regional and Local Coordination (Questions 8-9)

Modify Question 8 under Regional and Local Coordination: "How should the County more effectively coordinate its planning efforts with those of the five incorporated municipalities, other Counties, other planning and regulatory agencies, and local Native American tribes?"

Add a policy under Question 9 – How should the County work with local unincorporated communities in planning for their future? that states: "Create dialogue with local Native American tribes for collaboration on tribal land use plans."

This could be accomplished by conducting meetings or quarterly updates in which the County would share information about proposed development or anticipated County projects.

Agriculture (Questions 10-16)

Modify Question 14: "How should the County encourage and enhance niche and specialty agriculture, such as organic products, heritage livestock, heirloom crops, and native plant nurseries?"

Add a policy: "Consider impacts to the traditional Native American landscape when developing additional land, including when developing land for agriculture."

Natural Resources and Habitat (Question 34)

Add a policy "When planning open space, give primary consideration to its restoration and maintenance as a native, pre-contact landscape."

Modify Policy #34K: Penalize developers who remove special status species or species valued by local Native American tribes."

Add a policy: "Where landscaping is required, give primary consideration to native tree and plant species, including those valued for traditional Native American cultural uses. Consult with local tribes to develop and update this species list."

A banner for the Butte County General Plan 2030. The top half features the text "Butte County" in a large, stylized font, with the Butte County seal to its left. Below this, "General Plan 2030" is written in a similar font. The bottom half of the banner shows a black and white photograph of a historic building with a porch and a large arched doorway.

Butte County General Plan 2030

Butte County General Plan 2030: Butte County Cultural Resources Coalition – Proposed Policies October 28, 2008

Meeting Notes

On October 28, 2008 Principal Planners Claudia Stuart and Dan Breedon met with historic and cultural resource experts representing the Butte County Cultural Resources Coalition. The meeting took place from 9 – 11 am at the University Research Foundation, 35 Main Street, Chico. The following individuals participated.

- Amy Huberland, Assistant Coordinator, Northeast Information Center
- Antoinette Martinez, Northeast Information Center (NEIC), and CSUC Anthropology Department
- Jamie Moore, District Archaeologist, Plumas National Forest
- Michael Magliari, CSUC Department of History
- Lucy Sperlin, President – Chico Heritage Association, and Director of Archives – Butte County Historical Society
- Dale Wangberg, Butte County Historical Society
- John Gallardo, Chico Heritage Association
- Pam Figge, Consultant – Planning Focus, and CSUC Department of Geography and Planning
- Arlene Ward, Cultural Coordinator and Tribal Council Member-at-Large, Mechoopda Indian Tribe
- Leslie Steidl, CA Department of Parks and Recreation

Ms. Huberland led participant introductions and reviewed the meeting background. She provided a handout on types of cultural and historic resources that local experts believe should be addressed by Butte County General Plan 2030; information about state resources including the Office of Historic Preservation; and the historic property data file for Butte County. Ms. Stuart reviewed the meeting goal: to document cultural and historic resources policies proposed by the Coalition for consideration by the Planning Commission and Board of Supervisors as part of Butte County General Plan 2030.

Mr. Breedon provided an overview of work to date on Butte County General Plan 2030, including the Cultural Resources chapter of the *Setting and Trends Report*, the Guiding Principles, the Preferred Land Use Alternative, and the draft format of the General Plan.

Ms. Stuart reviewed the current step in the Butte County General Plan 2030 process: Goals and Policies Development. She also described how the County is consulting with local tribes on the General Plan update, including the Mechoopda Tribe, which was represented at the meeting.

Ms. Stuart then facilitated discussion and recorded the policies proposed by the group to address historic and cultural resources. Participants noted that the *Setting and Trends Report* did not address contemporary Native American issues. They commented that it would be helpful to identify County areas of high sensitivity for cultural resources; however, different maps would be needed for prehistoric vs. historic resources, as these areas tend to differ. The Northeast Information Center representative noted that in the past, sensitivity maps have provided erroneous information and have been misused by local governments. The NEIC maintains current information on the known historic and prehistoric resources and study locations within Butte County. Consultation with the NEIC (e.g., through the Project Review or Record Search program) is recommended by the State Office of Historic Preservation for CEQA projects that may affect cultural, historical, or archaeological resources. The Mechoopda Tribe representative added that consultation with local Native American tribes is required for certain discretionary projects, and is recommended for other projects as well.

Participants noted that cultural resources are valuable for more than their interpretive value, and provide an important heritage as well as valuable information to the County. Historic resources are not always best managed by heritage tourism, and policies should distinguish between heritage tourism and other cultural resource management approaches. Participants recommended that the following policies or revised policies be included as part of Butte County General Plan 2030. Changes to specific items in the Policy Alternatives document dated September 22, 2008 are underlined where text is added, deletions are shown in ~~strikeout~~.

How should the County address local historic and cultural resources?

- a. Include a separate Cultural Resources Element in the General Plan. Tribal coordination policies could be included in this element, or could be addressed separately.

Addressing historic and cultural resources in a separate element would recognize the high value of these resources to the County's heritage, culture, and economy. Outstanding characteristics of the County's heritage include the large number of historic and cultural sites in the County, the number of local Native American tribes, and the unique history of the County's landscape. Grouping historic and cultural resources policies in a separate element would facilitate long-term rather than piecemeal planning for these important resources.

- b. Identify important historic and prehistoric resources through an initial comprehensive survey of the County.

The term "important" should be used to describe key cultural resources, rather than the term "significant", due to the CEQA implications of the latter.

- c. Preserve important historic and prehistoric resources with implementation of a Cultural Resources Management Plan and/or Historic Properties Management Plan.

- d. Conduct ongoing reevaluation of surface and subsurface cultural resources in the County. Implement this policy in coordination with the Northeast Information Center (CEQA projects), the State Office of Historic Preservation (Federal projects), as well as local historical organizations and Native American tribes, as needed.
- e. Identify and protect all sites or regions of high sensitivity for cultural and historic interest.

This policy (Policy #22B) is supported, but should be removed from the Economic Development topic in order to separate it from tourism policies. It should be grouped with other policies for cultural resources, and should apply to project review.

- f. Identify and preserve important, local agricultural and historic landscapes. Examples of such landscapes include rock walls, barns, silos, agricultural land use patterns, grange halls, and historic farmhouses, as well as linear features such as historic roads, emigrant and Native American trails, flumes, ditches, and historic highways. Other examples include citrus colony land use patterns such as those in Palermo and Durham.

San Luis Obispo provides a model for the management of historic agricultural landscapes.

- g. Develop and adopt incentives to support the preservation of historic and cultural resources, including Mills Act incentives, incentives contingent on adherence to the Secretary of the Interior's Standards for Rehabilitation, and incentives or an expanded list of applicable properties for the historic building code.
- h. Create guidelines for evaluating project impacts to cultural resources, including specific mitigations for impacts that are identified. Project evaluations should involve consultation with the Northeast Information Center.
- i. Define types and categories of historic and cultural resources in the County, including sources of information necessary for cultural resource evaluation and the development of appropriate mitigation measures.
- j. Create a mechanism for updating the County's cultural and historic resources inventory that recognizes the potential for ongoing improvement in information about these resources.
- k. Create a policy under the Regional and Local Coordination and/or the Cultural Resources topics: "Coordinate with nearby jurisdictions including the five incorporated municipalities, the Lassen and Plumas National Forests, other planning and regulatory agencies, and local tribes to coordinate historic and cultural resources management."
- l. Change the wording in policy #22A to: "Encourage the redevelopment of preservation and use of historic sites as tourist destinations."

- m. Consult with the Northeast Information Center as well as appropriate historic and preservation professionals when re-using historic sites.
- n. Change policy #22D to "Celebrate Native American heritage in marketing Butte County as a tourist destination, in consultation with local tribes."
- o. Preserve local historic records through creation of a Hall of Records for Butte County.

Yolo and Contra Costa counties provide models for this policy.

- p. Recognize the importance of viewsheds to historic resources as well as specific viewsheds as cultural places to Native Americans.
- q. Require discretionary review for demolition applications on potentially important historic sites.
- r. Educate the public and the development community about important cultural and historic resources.