CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM

10-CITY OF STOCKTON  CML-5008(145)

dist.-Co.-Rt. (or Local Agency)  P.M./P.M.  Federal-Aid Project No. (Local Project) Project No.

PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. Use Continuation Sheet, if necessary.)

The City of Stockton (City) proposes a complete streets rehabilitation project on Miner Avenue, from Center Street to the Union Pacific Railroad (UPRR) underpass in downtown Stockton. Improvements include lane reduction from 4 lanes to 2 lanes; the addition of Class 2 Bicycle lanes; the addition of median islands and a roundabout at the Sutter Street intersection; traffic signal modifications; and sidewalk adjustments. The project would take place within the City right-of-way, and no acquisition of additional right-of-way is required. The purpose of the project is to perform rehabilitation on Miner Avenue for vehicles and pedestrians, and the need of the project is to maintain an efficient transportation system in the downtown City area.

CEQA COMPLIANCE (for State Projects only)

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply (See 14 CCR 15300 et seq.):

- If this project fails within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION (Check one)

☒ Not Exempt by Statute. (PRC 21080(b); 14 CCR 15260 et seq.)
☐ Exempt by Statute. (PRC 21080(b); 14 CCR 15260 et seq.)
☐ Categorically Exempt. Class . (PRC 21084; 14 CCR 15300 et seq.)
☐ Categorically Exempt. General Rule exemption. (This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061[b][3].)

Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature  Date  Signature  Date

NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

- does not individually or cumulatively have a significant impact on the environment as defined by NEPA, and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

CALTRANS NEPA DETERMINATION (Check one)

☒ 23 USC 326: The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an EA or EIS under the National Environmental Policy Act. The State has assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated May 31, 2016, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

☐ 23 CFR 771.117(c): activity (c)(__)
☒ 23 CFR 771.117(d): activity (d)(13)
☐ Activity ____ listed in Appendix A of the MOU between FHWA and the State

☒ 23 USC 327: Based on an examination of this proposal and supporting information, the State has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

JULIE MYRAH
Print Name: Senior Environmental Planner or Environmental Branch Chief

Signature  Date

Date of Categorical Exclusion Checklist completion: 12/21/2017

PARMINDER SINGH
Print Name: Project Manager/DFL Engineer

Signature  Date

Date of ECR or equivalent: N/A

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

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September 8, 2017
General –

- Environmental reevaluation will be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural or other sensitive resources are discovered. Contact the Environmental Office if project changes occur or sensitive resources discovered.

Biology –

- If work is to take place between February 15 and September 1, a qualified biologist will need to perform a pre-construction survey at locations 1 and 2 to determine if any active bird nests exist adjacent to the project impact area, if found a buffer will be established in coordination with CDFW.

Cultural –

- All commitments in the Programmatic Agreement, executed 12-22-2017 by the SHPO and Caltrans Division of Environmental Analysis Chief, shall be adhered to.
- If cultural materials are discovered during construction, including human remains, do not disturb the resources and immediately stop all work within a 60-foot radius of the discovery and within any nearby area suspected to overlie the discovery. Immediately notify all appropriate parties including the Caltrans District 10 Local Assistance archaeologist, the Local Assistance Engineer (DLAE), and the County Coroner if human remains are found. Do not move cultural materials or take them from the job site. Do not resume work within the discovery area until authorized. Additional protocols for human remains are given in the State Health and Safety Code Section §7050.5 and §5087.98.
PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE MINER AVENUE COMPLETE STREETS PROJECT
IN SAN JOAQUIN COUNTY, CALIFORNIA

WHEREAS, the Federal Highway Administration (FHWA), has assigned and California Department of Transportation (Caltrans) has assumed FHWA responsibility for environmental review, consultation, and coordination under the provisions of the Memorandum of Understanding (MOU) between the Federal Highway Administration and the California Department of Transportation Concerning the State of California’s Participation in the Project Delivery Program Pursuant to 23 U.S.C. 327, which became effective on October 1, 2012 and applies to this undertaking; and

WHEREAS, pursuant to the January 2014 First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California (Section 106 PA), Caltrans is deemed to be a federal agency for all highway-aid projects it has assumed, and in that capacity Caltrans has assigned the role of “agency official” to the Caltrans Division of Environmental Analysis (DEA) Chief for the purpose of compliance with 36 CFR 800 and is responsible for oversight of District environmental responsibilities. To provide for effective compliance, day-to-day responsibilities and coordination of the Section 106 process are further delegated to the DEA Cultural Studies Office (CSO) Chief; and

WHEREAS, Caltrans District 10 and the City of Stockton (City) propose to implement the federally funded Miner Avenue Complete Streets Project (Undertaking), which will make street improvements along East Miner Avenue from North Center Street to the Union Pacific Railroad underpass east of North Aurora Street, in the City of Stockton, San Joaquin County as depicted in Attachment A; and

WHEREAS, Caltrans has consulted with the State Historic Preservation Officer (SHPO) regarding the Undertaking's potential to affect historic properties, has decided to prepare a programmatic agreement (PA) pursuant to 36 CFR Section 800.4(b)(2) and 800.14(b), and will file a copy of this PA with the Advisory Council on Historic Preservation (ACHP) pursuant to Stipulation X.C.4 of the Section 106 PA; and

WHEREAS, Due to the nature of the Undertaking’s Area of Potential Effect (APE) as depicted in Attachment B, which currently consists of paved surfaces that cannot be assessed with traditional archaeological survey methods, Caltrans, in consultation with the SHPO and the City, has determined preparation of this PA is the appropriate means to ensure completion of the identification and evaluation of potential historic properties within the APE, and provide for the resolution of any adverse effects on identified historic properties subsequent to its approval of the Undertaking; and

WHEREAS, Caltrans, in consultation with the SHPO and the City, has determined the Undertaking may have effects on archaeological properties that have not yet been identified; and

WHEREAS, Caltrans District 10 and the City have a responsibility to fulfill terms of this PA and are participating as invited signatories; and
WHEREAS, Caltrans District 10 and the City have consulted with the Wilton Rancheria regarding the Undertaking and has invited them to concur in this PA; and

WHEREAS, Caltrans District 10 and the City have initiated consultation with the Chinese Cultural Society of Stockton regarding the Undertaking and its possible effects on historic properties; will continue to consult with them and will afford them, should they so desire, the further opportunity to more directly and actively participate in the implementation of the Undertaking itself and this PA; and

NOW, THEREFORE, the PA signatories agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties, and further agrees that these stipulations shall govern the Undertaking and all of its parts until this PA expires or is terminated.

STIPULATIONS

The City and Caltrans District 10 shall ensure that the following stipulations are carried out:

I. AREA OF POTENTIAL EFFECTS

A. The APE for the Undertaking was designed in accordance with Stipulation VIII.A of the Section 106 PA and is depicted in Attachment B to this PA. The APE includes the maximum existing or proposed right-of-way for the Undertaking, easements (temporary and permanent), all improved properties subject to temporary or permanent changes in access (ingress and egress), and areas where visual changes could occur outside the required right-of-way. The APE also includes a defined Area of Direct Impact (ADI) which indicates which portion of the APE will experience direct effects from ground disturbing activities.

B. If Caltrans determines modifications to the Undertaking subsequent to the execution of this PA necessitate the revision of the APE, District 10 shall inform the parties to this PA of the revisions, along with any supporting documentation prepared in accordance with Stipulations II through VI, and consult for no more than 15 days to reach agreement on the proposed revisions. If Caltrans, District 10, and the SHPO cannot reach such agreement, then the parties to this PA shall resolve the dispute in accordance with Stipulation XII.C below. If all parties reach mutual agreement on the proposed revisions, then District 10 will submit a final map of the revisions, consistent with the requirements of Stipulation VIII.A and Attachment 3 of the Section 106 PA, to the parties to this PA no later than 30 days following such agreement. Any additional required identification and evaluation efforts necessitated due to changes to the APE will be undertaken consistent with the requirements of Stipulation VIII.B and VIII.C of the Section 106 PA. Amendment of the APE through consultation among the PA parties will not require an amendment to this PA. The revised APE and supporting documentation shall be incorporated into Attachment B to this PA.

II. PHASED IDENTIFICATION OF HISTORIC PROPERTIES

A. District 10 shall ensure that identification of archaeological sites is conducted pursuant to the Archaeological Resources Management Plan for the Miner Avenue Complete Streets Project in San Joaquin County, California (Koenig, 2017) (Management Plan). The Management Plan, dated September 2017, is appended to this PA as Attachment C. The Management Plan will be used to provide context and guide the identification, evaluation, and assessment of effects and treatment to resolve adverse effects to historic properties as a result of construction activities.
1. Due to the lack of surface visibility and the potential for subsurface archaeological resources within the APE, the ground disturbance associated with implementation of the proposed project will serve as the Extended Phase I (XPI) identification.

2. If archaeological resources are identified during the XPI investigations that were not considered in the Management Plan, the Management Plan will be amended, as needed, to take those resources into consideration and recirculated among the PA signatories and other interested parties.

3. If archaeological resources are identified that do not meet the thresholds of eligibility for listing in the National Register of Historic Places (NRHP) as discussed in Stipulation III, below, no further consideration will be given under the terms of this PA.

4. If archaeological resources are identified that meet the thresholds of eligibility discussed in Stipulation III, they will be considered eligible for listing in the NRHP, and if those resources cannot be protected from any potential effects from the project, Caltrans shall follow Stipulation IV and the Management Plan.

III. EVALUATION

Background research has indicated that there is the potential that historic properties will be uncovered during construction of the Undertaking. This research indicates that there is a potential for prehistoric archaeological resources associated with the occupation of the Miner Slough area. In addition there is potential for historic-era archaeological resources associated with the filling of Miner Slough in the early 1900s as well as features associated with the former streetcar line, such as rails and ties, to be located within the APE. The area where historic properties could be present is currently an existing roadway, hindering additional identification efforts. When ground disturbance associated with construction has begun, it will be possible to characterize the archaeological potential of any remains that are identified. The following thresholds will be utilized in order to make eligibility determinations in the field by Caltrans Professionally Qualified Staff (PQS) and in doing so, Caltrans may assume SHPO concurrence with their findings. Caltrans may consult SHPO staff at any time should a question on eligibility arise.

A. THRESHOLDS OF ELIGIBILITY

1. PREHISTORIC PROPERTIES

   a. Criterion D - It is often not possible to determine whether prehistoric sites and features are eligible for the NRHP until studies have been completed and analyzed. Therefore, any prehistoric site or feature, with the exception of isolated artifacts (defined as less than three artifacts within a 100 square meter area per Attachment 4 of the Section 106 PA), will be assumed eligible for the NRHP under Criterion D.

   b. Criteria A, B, and C - To the extent possible, Caltrans shall consult with Native American tribes that may attach religious or cultural significance to the historic property to determine if the site has values that may qualify it as NRHP eligible under Criterion A, B, or C in addition to, or instead of, Criterion D.
2. HISTORIC-ERA PERIOD OF SIGNIFICANCE

All historic period resources at least 50 years of age at the time of construction will be considered for eligibility for the NRHP.

3. INFRASTRUCTURE

Ubiquitous infrastructure elements such as water supply systems, gas, electric, and sewer lines, as well as buried road surfaces have little research value and are exempt resources under Attachment 4 of the Section 106 PA. Therefore, they will not be considered eligible for the NRHP under Criterion D and such resources will not be given any further consideration under the terms of the PA.

The remains of the historic-era streetcars, such as ties and rails, also have little research value. If such remains are identified in the APE, and removal is necessary for construction, they will be thoroughly photographed and documented on a Department of Parks and Recreation form prior to their removal.

4. PRIMARY DEPOSITS – INDUSTRY, COMMERCIAL, AND DOMESTIC BEHAVIOR

Primary deposits consist of artifacts or features that were deposited or still exist at the location of their use, such as certain types of sheet refuse, gardens, or foundations. Primary deposits have the potential to address questions concerning the spatial organization of activities and will be considered eligible if materials contain discrete deposits in sufficient numbers, and are at least 50 years of age at the time of construction. At a minimum, primary deposits must have a minimum number of individuals (MNI) of at least 35 and faunal assemblages must contain at least 100 bones or bone fragments. If these criteria are met, the primary deposit will be considered for eligibility for the NRHP under Criterion D. Isolated refuse deposits or scatters over 50 years of age that lack specific associations will be considered exempt resources under Attachment 4 of the Section 106 PA. If it is unclear if a resource meets the thresholds for eligibility, it will be assumed eligible for the NRHP under Criterion D.

5. SECONDARY DEPOSITS – INDUSTRY, COMMERCIAL, AND DOMESTIC BEHAVIOR

Secondary deposits consist of artifacts or features that were deposited at a location separate from where it was originally used and can include sheet refuse (such as that associated with the filling of Miner Channel in the early 1900s), in addition to artifact filled features such as backfilled wells, refuse pits, and privies. Secondary deposits associated with industry, commercial, and domestic behavior are often arranged horizontally and may contain discrete caches that can be accurately dated. Therefore, secondary deposits may be able to address questions important in history if materials are present in sufficient numbers, and are at least 50 years of age at the time of construction. At a minimum, artifact caches and features must have a minimum number of individuals (MNI) of at least 35 and faunal assemblages must contain at least 100 bones or bone fragments. If these criteria are met, the primary deposit will be considered for eligibility for the NRHP under Criterion D. Isolated refuse dumps or scatters over 50 years of age that lack specific associations will be considered exempt resources under Attachment 4 of the Section 106 PA. If it is unclear if a resource meets the thresholds for eligibility, it will be assumed eligible for the NRHP under Criterion D.
6. ISOLATED ARTIFACTS

Isolated finds consisting of less than three artifacts within a 100 square meter area are exempt resources under Attachment 4 of the Section 106 PA.

7. REDUNDANCY

In the event that a large number of similar apparently NRHP-eligible, archaeological features are uncovered during any stage of construction, the archaeological monitor and Caltrans PQS, in consultation with the SHPO, will determine whether the excavation of all the remains is likely to exceed the threshold of diminishing returns in relation to one or more research issues. Caltrans shall take into account the views of Native American tribes that may attach religious or cultural significance to the features.

Caltrans will notify the SHPO within 48 hours if any properties are identified that meet the thresholds for eligibility for the NRHP. SHPO will be afforded the opportunity to review and comment on any properties identified. Absent objections pursuant to Stipulation XI.C, the Caltrans may combine the assessment of effects and data recovery phases, if necessary, of the treatment as discussed in Stipulations IV and V.

IV. ASSESSMENT OF EFFECTS

A. District 10 PQS shall assess the effects of the Undertaking on any properties listed, eligible, or considered eligible for the NRHP within the APE for that stage in accordance with Caltrans policies and guidelines, and the Management Plan.

1. If the District 10 PQS determines that a stage of the Undertaking meets the conditions of Stipulation X.B.1.a of the Section 106 PA, Caltrans shall notify SHPO of a finding of No Adverse Effect with Standard Conditions (ESA).

2. If the District 10 PQS concludes that a stage of the Undertaking will have an effect on properties considered eligible for the NRHP, but the effect is not considered adverse, Caltrans shall notify the PA parties and any Native American tribe or other interested parties that might attach religious or cultural significance to the affected property of a finding of No Adverse Effect.

3. If the District 10 PQS conclude that a stage of the Undertaking will have an adverse effect on properties considered eligible for the NRHP, Caltrans shall notify the PA parties and any Native American tribe or other interested parties that might attach religious or cultural significance to the affected property of a finding Adverse Effect.

4. Should any of the parties notified under Stipulation IV.2 or IV.3 above respond with comments within 48 hours, District 10 shall take into account their comments or continue consultation with any commenting parties. Caltrans shall conduct additional consultation within 30 days, taking into account the qualities of the property, consequences of construction delays, and interests of consulting parties. Following the conclusion of any further consultation, Caltrans shall take all comments received into account and may carry out actions to resolve any effects. Failure of any notified party to respond within 48 hours of the notification shall not preclude Caltrans from proceeding with their proposed actions.
V. CONSTRUCTION MONITORING

1. All ground disturbance associated with the potential sewer line replacement will be monitored in the APE, as outlined in the Management Plan.

2. Archaeological resources identified during construction monitoring will be evaluated by Caltrans PQS and the monitoring archaeologist according to the significance criteria set forth in Stipulation III and the Management Plan.

VI. ENVIRONMENTALLY SENSITIVE AREAS

A. If archaeological resources are identified that meet the thresholds of eligibility discussed in Stipulation III and are considered eligible for listing in the NRHP, Caltrans PQS shall first determine if the resources can be protected from any potential effects of the project.

B. If the resources can be protected, Caltrans shall establish protection and avoidance measures, such as the establishment of Environmentally Sensitive Areas (ESAs), in accordance with the Management Plan.

VII. TREATMENT OF HISTORIC PROPERTIES

A. Caltrans shall ensure that any adverse effects of the Undertaking on archaeological sites are resolved pursuant to the Management Plan.

1. The City and Caltrans will conduct data recovery work on historic properties determined to be significant exclusively under Criterion D of the NRHP.

B. Any party to this PA may propose to amend the Management Plan. Such amendment will not require amendment of this PA.

1. Consultation among the PA parties on major amendments to the Management Plan will be 30 days in duration, with the option for extensions and subsequent reviews.

2. Consultation among the PA parties on amendments related to finds during construction will take no more than 10 business days.

C. Disputes regarding amendments proposed hereunder shall be addressed through further consultation among the PA parties, and will be 15 days in duration. If the dispute is resolved within this time frame, the PA parties shall proceed in accordance with the terms of that resolution. If the dispute is not resolved within this time frame, Caltrans shall render a final decision regarding the dispute and the PA parties shall proceed in accordance with the terms of that decision.

VIII. TREATMENT AND DISPOSITION OF ARCHAEOLOGICAL MATERIALS

1. Archaeological materials will be treated in accordance with the laboratory procedures described in the Management Plan.
2. Upon completion of the final Undertaking report, specific in the Management Plan, archaeological materials deemed suitable by the PA parties for curation will be transferred by District 10 to a facility that meets the standards set forth in Curation of Federally Owned and Administered Archeological Collections (36 CFR Section 79).

IX. REPORTING REQUIREMENTS

A. Within 30 days after District 10 has determined that all fieldwork required under Stipulation II has been completed, District 10 will ensure preparation, and concurrent distribution to the other PA parties for a 30-day review and comment period, a brief letter report that summarizes the field efforts and the preliminary finds that resulted from them. Comments will be shared with SHPO prior to finalization of the letter report. The finalized letter report will then subsequently be distributed to the PA parties.

B. Within 12 months after District 10 has determined that all fieldwork required by Stipulation II-VII has been completed, District 10 will ensure preparation, and subsequent concurrent distribution to the other PA parties for review and comment, a draft technical report that documents the results of implementing and completing the Management Plan. The other PA parties will be afforded 30 days following receipt of the draft technical report to submit any written comments to District 10. Failure of these parties to respond within this time frame shall not preclude District 10 from authorizing revisions to the draft technical report, as deemed appropriate.

C. District 10 will take all comments into account in revising the technical report and submit a final version to CSO for approval. Upon approval, CSO will transmit the technical report to the SHPO along with any comments from the PA parties that were not addressed in the report. The SHPO will have thirty (30) days to comment on the report. If the SHPO does not respond within thirty (30) days District 2 may consider the submitted report as final. The SHPO may request a fifteen (15) day extension if needed.

D. District 10 will provide the other PA parties with written documentation indicated whether and how the draft technical report will be modified in accordance with any comments received from the other PA parities. Unless any PA party objects to this documentation in writing to District 10 within 30 days following receipt, District 10 and the City may modify the draft technical report. Thereafter, District 10 may issue the technical report in final form and distribute this document in accordance with Paragraph E of this Stipulation.

E. Copies of the final technical report documenting the results of the Management Plan implementation will be distributed by District 10 to the other PA parities, to the Central California Information Center of the California Historical Resources Information System (CHRIS), as well as to interested Native American tribes and other interested parties.

X. NATIVE AMERICAN CONSULTATION

District 10 and the City has consulted with the Wilton Rancheria (Tribe) regarding the proposed Undertaking and its potential effect on historic properties. On behalf of Caltrans, the City will continue to consult with the Tribe, and will afford them, should they so desire, the opportunity to participate in the implementation of this PA and the Undertaking. If other tribes or Native American groups who attach religious or cultural significance to historic properties that may be affected by the Undertaking are
identified, Caltrans will invite them to participate as consulting parties as the Section 106 process moves forward.

XI. TREATMENT OF HUMAN REMAINS OF NATIVE AMERICAN ORIGIN

As legally mandated, human remains and related items discovered during the implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to of Health and Safety Code Section 7050.5(c) the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code Sections 5097.98 (a)(d). The County Coroner shall be contacted if human remains are discovered. The County Coroner shall have two working days to inspect the remains after receiving notification. During this time, all remains, associated soils, and artifacts shall remain in situ and/or on site, and shall be protected from public viewing. This may include restricting access to the discovery site and the need to hire 24 hour security.

The County Coroner has 24 hours to notify the NAHC. The NAHC shall then notify a Most Likely Descendant (MLD), who has 48 hours to make recommendations to the landowner. District 3 shall contact the California SHPO and the Most Likely Descendent(s) within 24 hours of the County Coroner’s determination that the remains are Native American in origin. The County shall ensure that the views of the Most Likely Descendent(s), as determined by the California Native American Commission, is taken into consideration when discussions are made about the disposition of Native American human remains and associated objects. The County shall take appropriate measures to protect the discovery site from disturbance during any negotiations. Information concerning the discovery shall not be disclosed to the public pursuant to the specific exemption set forth in California Government Code Section 6254.5(e).

XII. ADMINISTRATION PROVISIONS

A. STANDARDS

1. Definitions. The definitions provided at 36 CFR Section 800.16 are applicable throughout this PA.

2. Parties to this agreement are defined as follows:
   a. Signatory parties have the sole authority to execute, amend, or terminate the PA.
   b. Invited signatories have the authority to amend or terminate the PA.
   c. Concurring parties signing the PA do so to acknowledge their agreement or concurrence with the PA, but have no legal authority under the PA to terminate or amend the PA. Concurring with the terms of the PA does not constitute their agreement with the Undertaking.

3. Professional Qualifications. Caltrans will ensure that only individuals meeting the Secretary of the Interior’s Professional Qualification Standards for Archeology and Historic Preservation (48 FR 44738-39) in the relevant field of study carry out or review appropriateness and quality of the actions and products required by Stipulations II, III, IV, V, VI, and VII in this PA. However, nothing in this stipulation may be interpreted to preclude
Caltrans or any agent or contractor thereof from using the properly supervised services of persons who do not meet the Secretary of the Interior’s Professional Qualification Standards.

4. **Documentation Standards.** Written documentation of activities prescribed by Stipulations I, II, III, IV, and V of this PA shall conform to the *Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716-44740) as well as to applicable standards and guidelines established by the SHPO.

5. **Curation and Curation Standards.** Caltrans shall ensure that, to the extent permitted under Section 5097.98 and Section 5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this PA are curated in accordance with 36 CFR Section 79.

### B. CONFIDENTIALITY

The PA parties acknowledge that the potential historic properties covered by this PA are subject to the provisions of Section 304 of the NHPA and Section 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archaeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this PA are consistent with said sections.

### C. RESOLVING OBJECTIONS

1. Should any party to this PA object at any time in writing to the manner in which the terms of this PA are implemented, to any action carried out or proposed with respect to implementation of the PA (other than the Undertaking itself), or to any documentation prepared in accordance with and subject to the terms of this PA, Caltrans shall immediately notify the other PA parties of the objection, request their comments on the objection within 15 days following receipt of notification, and proceed to consult with the objecting party for no more than 30 days to resolve the objection. Caltrans will honor the request of the other parties to participate in the consultation and will take any comments provided by those parties into account.

2. If the objection is resolved during the 30-day consultation period, Caltrans may proceed with the disputed action in accordance with the terms of such resolution.

3. If at the end of the 30-day consultation period, Caltrans determines that the objection cannot be resolved through such consultation, then Caltrans shall forward all documentation relevant to the objection to the ACHP, including the proposed response to the objection, with the expectation that the ACHP will, within 30 days after receipt of such documentation:

   a. Advise Caltrans that the ACHP concurs in the proposed response to the objection, whereupon Caltrans shall respond to the objection accordingly; or

   b. Provide Caltrans with recommendations, which Caltrans shall take into account in reaching a final decision regarding its response to the objections. The objection shall thereby be resolved; or
c. Notify Caltrans that the objection will be referred for comment pursuant to 36 CFR § 800.7(c) and proceed to refer the objection and comment. Caltrans shall take the resulting comments into account in accordance with 36 CFR § 800.7(c)(4) and Section 110(1) of the NHPA. The objection shall thereby be resolved.

4. Should the ACHP not exercise one of the above options within 30 calendar days after receipt of all pertinent documentation, Caltrans may proceed to implement its proposed response. The objection shall thereby be resolved.

5. Caltrans shall take into account any of the ACHP’s recommendations or comments provided in accordance with this stipulation with reference only to the subject of the objection. Caltrans’ responsibility to carry out all actions under this MOA that are not the subjects of the objection shall remain unchanged.

6. At any time during implementation of the measures stipulated in this MOA, should a member of the public raise an objection in writing pertaining to such implementation to any signatory party to this MOA, that signatory party shall immediately notify Caltrans. Caltrans shall immediately notify the other signatory parties in writing of the objection. Any signatory party may choose to comment in writing on the objection to Caltrans. Caltrans shall establish a reasonable time frame for this comment period. Caltrans shall consider the objection, and in reaching its decision, Caltrans will take all comments from the other signatory parties into account. Within 15 days following closure of the comment period, Caltrans will render a decision regarding the objection and respond to the objecting party. Caltrans will promptly notify the other signatory parties of its decision in writing, including a copy of the response to the objecting party. Caltrans’ decision regarding resolution of the objection will be final. Following issuance of its final decision, Caltrans may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.

7. Caltrans shall provide all parties to this MOA, and the ACHP, if the ACHP has commented, and any parties that have objected pursuant to Section 1 of this stipulation, with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.

8. Caltrans may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

D. AMENDMENTS TO THE PA

1. Any signatory party to this PA may propose that this PA be amended, whereby the signatory parties shall consult for no more than 30 days to consider whether such amendment is necessary. The amendment will be effective on the date a copy signed by all the original signatories is filed with the ACHP. If the signatories cannot agree to appropriate terms to amend the PA, any signatory may terminate the agreement in accordance with Stipulation XIE below.

2. Attachments to this PA may be amended through consultation among the PA parties without amending the PA itself.
E. TERMINATION

1. If this PA is not amended as provided for in Section D.1 of this stipulation, or if either signatory proposed termination of this PA for other reasons, the signatory party proposing termination shall, in writing, notify the other PA parties, explain the reasons for proposing termination and consult with the other parties for at least 30 days to seek alternatives to termination. Such consultation shall not be required if Caltrans proposed termination because the Undertaking no longer meets the definition set forth in 36 CFR Section 800.16(y).

2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with the terms of that agreement.

3. Should such consultation fail, the signatory party proposing termination may terminate this PA by promptly notifying the other PA parties in writing. Termination hereunder shall render this PA without further force or effect.

4. If this PA is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of 36 CFR 800.3-800.6.

F. REPORTING REQUIREMENTS AND RELATED REVIEWS

In addition to the final report described within Stipulation VIII, District 10 shall provide the parties to this agreement an annual update. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in the efforts to carry out the terms of this PA. The update will be due no later than December 31 of each year, beginning in December 31, 2018 and will continue annually thereafter throughout the duration of this PA. At the request of any party to this PA, or if deemed necessary at least on an annual basis, Caltrans shall ensure that one or more meetings are held to facilitate review and comment, to resolve questions, or to resolve adverse comments.

G. DURATION

The duration of this PA shall be no more than five (5) years following the date of execution by the SHPO and Caltrans, or upon completion of the Undertaking (whichever comes first). If the terms are not satisfactorily fulfilled at that time, Caltrans shall consult with the signatories and concurring parties to extend it or reconsider its terms. Reconsideration may include continuation of the MOA as originally executed, amendment of this PA, or termination. In the event of termination, Caltrans will comply with Stipulations III through XI of the Section 106 PA if it determines that the Undertaking will proceed notwithstanding termination of this MOA.

EFFECTIVE DATE

This PA will take effect on the date that it has been executed by the signatory parties.

EXECUTION of this PA by the signatory parties, its filing with the ACHP in accordance with 36 CFR Section 800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36 CFR Section 800.6(c), that this PA is an agreement with the ACHP for purposes of Section 110(1) of the
NHPA, and shall further evidence that Caltrans has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, and that Caltrans has taken into account the effects of the Undertaking on historic properties.
PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION,
THE CITY OF STOCKTON,
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE MINER AVENUE COMPLETE STREETS PROJECT
IN SAN JOAQUIN COUNTY, CALIFORNIA

SIGNATORY PARTIES:

California Department of Transportation

By ____________________________
Philip J. Stolarzki, Chief
Division of Environmental Analysis

Date: 12/22/17

California State Historic Preservation Officer

By ____________________________
Julianne Polanco, State Historic Preservation Officer
Office of Historic Preservation

Date: 12/22/17
PROGRAMMATIC AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION,
THE CITY OF STOCKTON,
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE MINER AVENUE COMPLETE STREETS PROJECT
IN SAN JOAQUIN COUNTY, CALIFORNIA

INVITED SIGNATORY PARTIES:

City of Stockton

By Gordon A. MacKay
Public Works Director

12/27/17
Date

California Department of Transportation

By Dennis T. Agar, District Director
District 10, Stockton

12/27/17
Date

CONCURRING PARTIES:

Wilton Rancheria

By

Date
Appendix A
Project Description
Miner Avenue Complete Streets Project
San Joaquin County, California

The City of Stockton (City), in coordination with the California Department of Transportation (Caltrans) District 10, is proposing the Miner Avenue Complete Streets Project (proposed project) along East Miner Avenue from North Center Street to the Union Pacific Railroad (UPRR) underpass east of North Aurora Street. This Archaeological Survey Report (ASR) documents the results of the prehistoric archaeological resources study conducted for the proposed project. The proposed project is in the unsectioned Campo de los Franceses landgrant as shown on the U.S. Geological Survey (USGS) Stockton West 7.5-minute topographic quadrangle.

Project Location and Description

The proposed project is a ten block rehabilitation and beautification project, in accordance with the Miner Avenue Streetscape Plan for the Corridor. The location of the proposed improvements is along Miner Avenue between North Center Street and the UPRR underpass in the City of Stockton, San Joaquin County.

Project Purpose

The purpose of the proposed project is to improve the Miner Avenue corridor, based on the Miner Avenue Streetscape Plan for the Corridor. The proposed project will restore historic significance of Miner Avenue to its full potential as a modern boulevard and a “complete street.” A complete street is a transportation facility that has been planned, designed, operated, and maintained to provide safe mobility for bicyclists, pedestrians, transit, and motorists of all types. Revitalization of Miner Avenue would connect the San Joaquin Regional Transit District station, the waterfront Weber Point Event Center and promenade, the marina, and the San Joaquin Regional Rail Commission Cabral train station.

Description of the Proposed Project

The project would take place within the City’s current right-of-way (ROW) and no acquisition of additional ROW is anticipated. Proposed improvements would be relatively consistent with the Miner Avenue Streetscape Plan throughout the project area.

Landscaped medians and trees would be added throughout the corridor. Each block would receive up to two small parklets with seating and gathering areas. These areas would be enhanced with special paving or colored concrete along with additional understory planting areas. Six-foot wide bicycle lanes would be added in both directions with a three-foot door swing buffer on the sidewalk side and a two-foot wide traffic buffer on the road side for additional separation from vehicles. Bulb-out round corners with bollards and ADA compliant crossings are also proposed. Bulb-out corners reduce the crossing distance for pedestrians by providing an additional refuge area at the corners and also provide for better site lines for pedestrians.

As part of the proposed improvements there may be trees that would be removed and replaced; however, the proposed improvements also include landscape improvements and would result in more trees than currently in the project area. Some existing non-uniform street lighting would be removed and replaced to
match other existing lighting in corridor. Utilities are not anticipated to be impacted with the exception of the storm drain system, which would be modified to address the change in drainage patterns resulting from project implementation. If conflicts arise with the existing sewer line and other utilities within the median, the landscaping will be adjusted to avoid the utilities, or the utilities will be relocated within the existing ROW. If the City decides to upsize the existing sewer line, the upsizing will be addressed at the design stage, including any additional required documentation. Additionally, through Pacific Gas and Electric Company’s (PG&E) Rule 20A Program, the existing overhead utilities at the east end of Miner Avenue may be undergrounded by PG&E at the time of project construction. No detours are anticipated and construction equipment would be staged in available shut-down lanes and moved frequently.
Appendix B
Area of Potential Effects Maps
Figure 3
Area of Direct Impact and Architectural Area of Potential Effects

Appendix C
Archaeological Resources Management Plan
ARCHAEOLOGICAL RESOURCES MANAGEMENT PLAN
MINER AVENUE COMPLETE STREETS PROJECT
SAN JOAQUIN COUNTY, CALIFORNIA

California Department of Transportation, District 10 - Stockton
Federal Aid# CML-5008-145

Prepared by

Heidi Koenig, M.A., RPA
Senior Archaeologist, Cultural Resources Group
Environmental Science Associates

Date 09/27/2017

Approved by

Julia Huddleston
PQS-Principal Investigator Historical Archaeology
Caltrans Cultural Studies Office

Date 9/27/17

Reviewed for Approval by
Ben Elliott
PQS-Principal Investigator Prehistoric Archaeology
Caltrans District 10 Division of Planning, Local Assistance, and Environmental

Date 10/10/17

Approved by
Julie Myrah
Environmental Chief
Caltrans District 10

Date 10/10/17

USGS topographic quadrangle: Stockton West, Calif. (1987)

September 2017

ESA Project: D150688.00
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CHAPTER 1
Introduction

The City of Stockton (City), in coordination with the California Department of Transportation (Caltrans) District 10, is proposing the Miner Avenue Complete Streets Project (proposed project) along East Miner Avenue in the City of Stockton, San Joaquin County (Figure 1). The proposed project is in the unsectioned Campo de los Franceses land grant as shown on the U.S. Geological Survey (USGS) Stockton West 7.5-minute topographic quadrangle (Figure 2). The purpose of the proposed project is to improve the Miner Avenue corridor, based on the Miner Avenue Streetscape Plan for the Corridor. The proposed project will restore historic significance of Miner Avenue from North Center Street to the Union Pacific Railroad (UPRR) underpass east of North Aurora Street to its full potential as a modern boulevard and a “complete street.” A complete street is a transportation facility that has been planned, designed, operated, and maintained to provide safe mobility for bicyclists, pedestrians, transit, and motorists of all types.

Given that the undertaking is subject to federal funding, cultural resource studies are mandated by Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), and its implementing regulations 36 CFR Part 800. Compliance with Section 106 is being carried out in accordance with the January 1, 2014 First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (Section 106 PA).

Due to the nature of the project area, which currently consists of paved surfaces that cannot be adequately assessed with traditional archaeological survey methods, this Archaeological Resources Management Plan (Management Plan) is necessary for compliance with Section 106. The Management Plan specifies how any post-review discoveries will be managed if identified during construction activities. The Management Plan will accompany a Programmatic Agreement (Miner Avenue PA) that will be coordinated between Caltrans, the City, and the California State Historic Preservation Officer.

This Management Plan has been partially adapted from several sources including the Archaeological Resources Management Plan for the Colusa Pavement Rehabilitation Project in Colusa County, California (Caltrans, 2016); the Stockton Waterfront Projects – Archaeological Research Design and Treatment Plan (Costello and Marvin, 1999); the Post-Review Discovery Plan for the City of Sacramento Accelerated Water Meter Project (ESA, 2017); and the Archeological Research Design and Treatment Plan for the Pier 70 Mixed-Use District Project in San Francisco, California (ESA, 2015).
CHAPTER 2
Project Location and Description

Project Location and Description

The proposed project is a ten block rehabilitation and beautification project, in accordance with the Miner Avenue Streetscape Plan for the Corridor. The location of the proposed improvements is along Miner Avenue between North Center Street and the Union Pacific Railroad (UPRR) underpass in the City of Stockton, San Joaquin County (see Figure 1 and Figure 2).

The project would take place within the City’s current right-of-way (ROW) and no acquisition of additional ROW is anticipated. Landscaped medians and trees would be added throughout the corridor. Each block would receive up to two small “parklets” with seating and gathering areas. These areas would be enhanced with special paving or colored concrete along with additional understory planting areas. Six-foot wide bicycle lanes would be added in both directions with a three-foot door swing buffer on the sidewalk side and a two-foot wide traffic buffer on the road side for additional separation from vehicles. Bulb-out round corners with bollards and Americans with Disabilities Act (ADA)-compliant crossings are also proposed.

As part of the proposed improvements there may be trees that would be removed and replaced; however, the proposed improvements also include landscape improvements and would result in more trees than currently in the project area. Some existing non-uniform street lighting would be removed and replaced to match other existing lighting in the corridor. Utilities are not anticipated to be impacted with the exception of the storm drain system, which would be modified to address the change in drainage patterns resulting from project implementation. If conflicts arise with the existing sewer line and other utilities within the median, the landscaping will be adjusted to avoid the utilities, or the utilities will be relocated within the existing ROW. If the City decides to upsize the existing sewer line, the upsizing will be addressed at the design stage, including any additional required documentation. Additionally, through Pacific Gas and Electric Company’s (PG&E) Rule 20A Program, the existing overhead utilities at the east end of Miner Avenue may be undergrounded by PG&E at the time of project construction. No detours are anticipated and construction equipment would be staged in available shut-down lanes and moved frequently.
Area of Potential Effects

The Area of Potential Effects (APE) for the project was established in consultation with Rosa Alvarez, City of Stockton Engineer; Benjamin Elliott, Caltrans PQS-Principal Investigator Prehistoric Archaeology; Emilie Zelazo, Caltrans PQS-Architectural Historian; and Parminder Singh, District 10 Local Assistance Engineer; on August 18, 2016. Figure 3 illustrates the APE map. According to Section 106 of the National Historic Preservation Act, as amended, the APE is defined as:

…the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (36 CFR 800.16[d]).

The project is confined to the City ROW; therefore, the APE includes the project area as well as a one parcel buffer. The APE includes the recorded boundaries of CA-SJO-295H, which corresponds to parcel boundaries for APN 13910022, which is the block bounded by Miner Avenue and Hunter, El Dorado, and Channel Streets.

An ADI (Area of Direct Impact) has been defined within the APE to identify where project actions would be occurring, including ground disturbing activities associated with project grading or trenching as well as work and staging areas. Construction equipment will be staged in available shut-down lanes within the ADI. The ADI includes the 0.75 mile ROW corridor of East Miner Avenue, from Center Street to the UPRR tracks, inclusive of sidewalks and additional proposed streetscape improvements. The vertical extent, or depth, of the ADI varies between project component and is relatively shallow (less than 12 inches) for most improvements. The depth extends to approximately 24 inches for the installation of the round-about and up to 8 feet deep for sewer pipeline replacement.
CHAPTER 3
Regulatory Context

Cultural resources are considered through the NHPA of 1966, as amended (54 U.S.C. 307103), and it’s implementing regulations. Prior to implementing an “undertaking” (e.g., federal funding or issuance of a federal permit), Section 106 of the NHPA requires federal agencies to consider the effects of the undertaking on historic properties (i.e. properties listed in or eligible for listing in the National Register of Historic Places [National Register]) and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on any undertaking that would adversely affect properties eligible for listing in the National Register. Under the NHPA, a property is considered significant if it meets the National Register listing criteria at 36 Code of Federal Regulations (CFR) 60.4, as stated below:

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 persons significant in our 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 prehistory or history.

Both prehistoric and historical archaeological sites are most often found eligible under Criterion d of the National Register, however they can also be considered under additional criteria. Potential resources may be eligible under Criteria a, b, or c; if resources are identified as eligible under these criteria, mitigation of these resources would occur in consultation with the culturally-affiliated tribe(s). This Management Plan mainly addresses resources that may be eligible underCriterion d.

While nearly all sites have the potential to yield information useful in addressing a limited number of research questions, this limited potential is not considered sufficient to qualify a site for inclusion in the National Register under Criterion d. By establishing guidelines, agencies have clearly set the precedent that not all information is important, and thus, not all sites are important. Federal guidelines encourage the use of a set of research questions that are generally recognized as
important research goals as a means of evaluating significance. If a site contains information that is demonstrably useful in answering such questions, it can be considered an important site. In addition, National Register evaluation guidelines state that a site must retain integrity to be considered eligible under one or more of the criteria (NPS, 2002).

Integrity defines the research potential of a resource. To possess research potential, archaeological data must have integrity in the form of what has been called archaeological “focus” (Deetz, 1977). Focus means the accuracy with which the archaeological remains represent a situation or condition. When focus is absent or inadequate because of disturbance, a resource may not retain integrity. Remains that represent several activities or have materials that cannot be separated from one another into discrete contexts may also lack focus and therefore integrity.

Due to the nature of the Miner Avenue Complete Streets Project, in order to follow Federal guidelines, a Historic Property Survey Report (HPSR) has been prepared. This Management Plan serves as an attachment to the HPSR and lays out guidelines for how buried archaeological resources will be managed if they are identified during construction-related activities, i.e. if they are post-review discoveries.

**Phased Approach to Section 106**

Both the National Park Service (NPS) and the ACHP recognize the special challenges of archaeology in an urban environment. The NPS (1985:36) states that “where land is relatively built up, as is the case in most communities undertaking historic resources surveys, both prehistoric and early historic archaeological sites are likely to be more or less invisible, buried under modern, created land surfaces and structures.” The ACHP acknowledges in the regulations for *Identification and Consideration of Archaeological Properties in an Urban Context* (36 CFR 801) that “archaeological sites in urban contexts are often difficult to identify and evaluate in advance of construction because they are sealed beneath modern buildings and structures. Prehistoric and historic sites within cities may be important both to science and to an understanding of each city's history, however, and should be considered in project planning. Special methods can be used to ensure effective and efficient consideration and treatment of archaeological sites…”

Furthermore, 36 CFR 801 states that “If it is not practical to physically determine the existence or nonexistence of archaeological sites in the project area, the probability or improbability of their existence can be determined, in most cases, through study of items such as literature reviews and historic property inventories, and historic maps.”

The standard approach to Section 106 compliance generally consists of several, separate stages. These include identification, evaluation, assessment of effects, and if it is deemed necessary, mitigation or resolution of adverse effects. Due to time restraints of Caltrans’ bridge construction projects following the Loma Prieta earthquake of 1989, a consolidated approach to Section 106 was developed. The approach was formalized in a Memorandum of Agreement signed by the
Federal Highway Administration, the Advisory Council on Historic Preservation, and Caltrans for the SF-480 Terminal Separator Rebuild Project in San Francisco (Praetzelis and Praetzelis, 1992) and the I-880 Cypress Freeway Replacement Project in Oakland (Praetzelis, 1994; Praetzelis and Praetzelis, 2004). This was followed by a consolidated approach to Section 106 for the SF-80 Bayshore Viaduct Seismic Retrofit Project in 1997 (McIlroy and Praetzelis, 1997).

Due to the nature of the Miner Avenue Complete Streets Project, which does not allow access to adequate archaeological survey prior to construction, and in order to follow Federal guidelines, a consolidated approach in the form of a research design and management plan has been deemed necessary. Management plans lay out guidelines for combined identification, evaluation, and data recovery.

This Management Plan will provide guidance for the consolidated Section 106 approach where identification, evaluation, assessment of effects, and mitigation will be collapsed into a single process. This will be accomplished by applying a detailed research design presented below; and by using specific criteria, evaluations will be made during a combined identification/evaluation stage. In short, the National Register-eligibility potential of archaeological sites or features will be evaluated as they are uncovered. Where a feature does not meet the criteria presented in this document, it will be considered not eligible for listing in the National Register. Deposits that exhibit the specified characteristics will be considered eligible, and data recovery will be carried out according to the Secretary of Interior’s Standards and Guidelines for Archeological Documentation.
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CHAPTER 4
Sources Consulted

The effort to identify previously recorded cultural resources in the APE and vicinity consisted of archival research and communication with the Native American Heritage Commission and Native American tribes.

Summary of Background Research

Staff conducted a records search for the project at the Central California Information Center (CCIC) of the California Historical Resources Information System at California State University Stanislaus on May 27, 2016 (File No. 9775 I). The records search consisted of an examination of the following documents:

- **CCIC base maps** (USGS Stockton West 7.5-minute topographic map) to identify recorded archaeological sites and studies within a ¼-mile radius of the APE.
- **Resource Inventories**: *California Inventory of Historical Resources, California Historical Landmarks, Archaeological Determinations of Eligibility Listing by County* (through April 2012)
- **Historic Maps**: An extensive on-line historic map collection with over 300 maps and views of California is available online at http://davidrumsey.com; General Land Office Plat T4S/R13E (1853–1854); 1913, 1916, 1953, and 1968 USGS topographic quadrangles; 1895 and 1917 Sanborn Company fire insurance maps.

Summary of Records Search Results

The CCIC records search indicated that 15 archaeological resources studies have been conducted within a ¼-mile radius of the APE. Two extensive linear studies intersect the APE; however, because these projects had such a broad scope they do not provide any detailed information about the project vicinity or specific cultural resources sensitivity. In addition, an archaeological investigation was conducted in the APE in the block bounded by Miner Avenue and Hunter, El Dorado, and Channel Streets (Waghorn, 2000). This investigation documented CA-SJO-295H, which is discussed further below.

Background research indicates that two historical archaeological resources and two multicomponent archaeological resources have been previously recorded within a ¼-mile radius of the APE, including one resource within the APE (Table 1 and Figure 4).
In 2000, archaeologists excavated a refuse concentration (CA-SJO-295H) at the location of the existing City Centre Cinema on the block bounded by Miner Avenue, Hunter and El Dorado Streets, and the original Channel Street. The resource is within the APE immediately adjacent to, but outside of, the ADI. Research indicates that the block was settled by at least the 1860s with residential and commercial buildings including hotels, working-class houses, Chinese-operated laundries, a brewery, and a livery stable (Waghorn, 2000). Archaeological testing found intact historic-era ground surfaces and sheet refuse/refuse dumps of materials dating from the 1860s to the 1930s. Artifacts represented various activities including food preparation and consumption; food and food storage; furnishings; heating and lighting; commercial laundry activities; health and grooming; and social drugs. Sheet refuse was uncovered that was considered related to episodes of slough reclamation of Miner Channel, dating from ca. 1900–ca. 1910. The extensive collection of excavated materials was determined to be representative of the late-19th century Stockton community that could provide evidence of the processes and timing of developments related to Miner Channel.

Analysis of ethnographic records indicates that a Native American village site was located within the City of Stockton. According to Kroeber (1925:486) the village of Wana was “just below the landing.” Kroeber may have been referring to the area now known as Weber Point, which is just west of the APE.

**Summary of Native American Correspondence**

The City sent introductory letters and project maps to local Native American groups and organizations on October 17, 2016. In addition, on November 7, 2016 ESA contacted the NAHC, requesting a search of Sacred Lands files and a list of local Native Americans who might have knowledge of cultural resources in the project vicinity. The NAHC responded on November 16, 2016 that there were no sacred lands on file within or near the project. On November 28, 2016 ESA sent letters to the groups and organizations provided by the NAHC. Table 2 summarizes the correspondence efforts completed for the project.

<table>
<thead>
<tr>
<th>Primary # / Identification #</th>
<th>Date Recorded</th>
<th>Description</th>
<th>Distance from APE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA-SJO-272/H</td>
<td>2000</td>
<td>Historic privy site and lithic fragments</td>
<td>1,000 feet north</td>
</tr>
<tr>
<td>CA-SJO-295H</td>
<td>2000</td>
<td>Historic surfaces, sheet refuse, dumps, shoring piles, retaining walls</td>
<td>Within</td>
</tr>
<tr>
<td>CA-SJO-298H</td>
<td>2005</td>
<td>Historic foundations and privy site</td>
<td>700 feet north</td>
</tr>
<tr>
<td>Unnumbered - noted in SJ-002990</td>
<td>1997</td>
<td>Historic privy with Native American human remains</td>
<td>250 feet east</td>
</tr>
</tbody>
</table>
### TABLE 2

**NATIVE AMERICAN CORRESPONDENCE**

<table>
<thead>
<tr>
<th>Name/Organization</th>
<th>Date(s) Contacted</th>
<th>Method of Contact</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debbie Pilas-Treadway, Native American Heritage Commission</td>
<td>November 7, 2016</td>
<td>Email</td>
<td>No sacred lands and list of contacts</td>
</tr>
<tr>
<td>United Auburn Indian Community of the Auburn Rancheria Gene White House, Chairman</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>Wilton Rancheria Environmental Resources Department Steven Hutchason, Executive Director</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>Concerns about the project area, meeting held November 30, 2016</td>
</tr>
<tr>
<td>Wilton Rancheria Environmental Resources Department Raymond Hitchcock</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>Concerns about the project area, meeting held November 30, 2016</td>
</tr>
<tr>
<td>Northern Valley Yokuts Katherine Erolinda Perez</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>Ione Band of Miwok Indians Randy Yonemura</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>Ione Band of Miwok Indians Yvonne Miller</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>California Valley Miwok Tribe</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>American Indian Council of Mariposa County Lois Martin</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>No response received</td>
</tr>
<tr>
<td>Buena Vista Rancheria of Me-wuk Indians Rhonda Morningstar Pope</td>
<td>October 17, 2016 November 28, 2016</td>
<td>Letter</td>
<td>Response received via email on December 5, 2016. The Buena Vista Rancheria reviewed the documents which ESA provided and declined the need for consultation. The Tribe recommended that during the course of this project, should any artifacts or human remains be found the correct procedures will be followed.</td>
</tr>
</tbody>
</table>
On October 28, 2016, the Wilton Rancheria (Tribe), a federally-recognized Native American tribe, sent a letter to the City requesting formal consultation and additional information about the project. On November 30, 2016 representatives from the City and the Tribe, as well as the representatives from the environmental and engineering sub-consultants, met to discuss the project and potential impacts. The Tribe was informed of the project plans, including maps, and the results of the cultural resources background research and the NAHC results. The Tribe requested updates to the draft cultural context description as well as additional study to further determine the potential presence of previously undiscovered prehistoric archaeological resources.

The City has provided this Management Plan to the Tribe for comment and consideration as a concurring party for the associated Miner Avenue PA.

**Summary of Historical Society Contact**

On behalf of the City, ESA contacted the Chinese Cultural Society of Stockton to inform them of the project and the potential to uncover artifacts related to the historic-era Chinese occupation of Stockton. On July 27, 2017, Ms. Elizabeth Yip Blanchard, chairman of the Chinese Museum of Stockton (under the auspices of the Chinese Benevolent Families Associations, the Confucius Church of Stockton, and the Chinese Cultural Society of Stockton) responded that in the event artifacts are uncovered that they could potentially incur for their museum they be contacted.
CHAPTER 5
Archaeological Context

This section presents an overview of the environmental, ethnographic, and historic background of the APE and vicinity.

Environment

The City of Stockton is within the Great Valley geomorphic province of California, which is an alluvial plain about 50 miles wide and 400 miles long in the central part of California. The Great Valley is a trough in which sediments have been deposited almost continuously since the Jurassic Era (about 160 million years ago). The City is located in an upland portion of the San Joaquin Valley on alluvial, silt, sand, and gravel deposits of the lower terraces of the San Joaquin River. Topography is relatively flat, with a gentle slope from east to west, and elevation of 10+/-feet above mean sea level. Rosenthal and Meyer’s (2004: Map 1) geoarchaeological analysis of the region describe the geology as dating to the early to middle Holocene (5000 to 2000 B.C.), which has a moderate potential for buried archaeological deposits.

Stockton is located at the confluence of the Calaveras and San Joaquin Rivers. Historically, snowmelt would annually inundate much of the Central Valley and the City was prone to flooding. Flood control was a major undertaking during much of the history of Stockton’s development. Prior to 1917 Miner Channel ran along the south side of East Miner Avenue for several blocks until turning north at North American Street (Figures 5-8).

The project vicinity would have been seasonal marshland with raised earthen mounds rising in numerous locations. The Central Valley in general was vast oak woodland that would have supported large populations of deer and elk. Waterfowl were also plentiful in prehistory, as were numerous fish species. Franciscan chert was an easily obtainable local raw material for stone tools (Moratto, 1984).

Currently the ADI is fully urbanized and does not support or provide any native vegetation or wildlife habitat.
Prehistory

The earliest period of human occupation in the Central Valley dates to approximately 11,000–12,000 years before present. Sites from this period are generally referred to as Paleo-Indian sites. Several key sites denote this early occupation in the Central Valley. In 1952, Adan Treganza identified a site about 35 km east of Stockton at which he noted artifacts that he surmised to be of some antiquity. After many years of deliberation, the assemblage, known as the Farmington Complex, has generally been agreed to date to as early as 8,000–12,000 years ago. The assemblage is largely made up of flake and core tools, and lacking finished projectile points, is generally looked upon as an incomplete assemblage (Moratto, 1984). Sites around Tulare Lake in the Southern San Joaquin Valley have provided more complete assemblages from early occupation areas. Various assemblages from these sites include distinctive stone tools such as unifacial scrapers, crescents, stemmed Lake Mojave projectile points, and fluted Clovis projectile points. The latter have long been considered a hallmark of early sites in the new world. These artifacts have been found in association with the remains of horse, bison, ground sloth, and other extinct fauna. The sites are congregated along the historic shoreline of Tulare Lake (Chartkoff and Chartkoff, 1984; Moratto, 1984).

The earliest occupants of the Central Valley are generally viewed as big game hunters, pursuing the last of the Pleistocene megafauna. Assemblages are almost exclusively made up of stone tools and faunal remains. Due to their age, the latter are often highly mineralized. Sites in the western U.S. are usually clustered along the shorelines of Pleistocene lakes. This general pattern continued until about 7,500 years ago. During this time the climate changed, precipitation dropped, and many of the lakes on which this lifestyle was based dried up. In conjunction with this, the megafauna went extinct. Those of the Paleo-Indian period adapted to their new environment and their culture and tool kit changed (Chartkoff and Chartkoff, 1984).

There is a paucity of sites in the region that date from about 7,500 years ago until about 4,000 years ago. This is generally attributed to the sites being deeply buried by several thousand years of alluvium (Moratto, 1984). Rosenthal et al. (2007) have also attributed the lack of surface evidence of prehistoric occupation to agricultural activity, levee and other irrigation construction, and river erosion.

Archaeologists have categorized the later prehistory of the Central Valley into three major periods: The Windmiller Pattern (4000 to 2500 years ago), the Berkeley Pattern (3000 to 1500 years ago), and the Augustine Pattern (1500 to 250 years ago) (Moratto, 1984).

The Windmiller Pattern represents the earliest intensive habitation period of the San Joaquin Valley. Sites are characterized by large projectile points that were used for hunting deer, elk, pronghorn and other large game. Faunal assemblages indicate that rabbits, waterfowl, and fish were also a substantial component of their diet. Mortars and pestles used for pounding acorns into flour for use in making bread and a form of soup or gruel are also important constituents of many sites. Twined basketry was used for cooking, storage, and transportation of goods. The presence of Haliotis (abalone) and Olivella (olive) shell beads at sites from this period indicate trade with
peoples who lived on the coast. Similarly, obsidian was transported in from disparate areas of central and northern California (Huberland, 2003; Moratto, 1984).

The Berkeley Pattern developed in the Bay Area about 3000 years ago. This period is typified by a greater reliance on the acorn as the primary source of nutrition. Site assemblages typically include mortars and pestles, highly developed bone tools, large concave-base projectile points, and distinctive *Olivella* and *Haliotis* beads and ornaments (Huberland, 2003; Moratto, 1984).

The Augustine Pattern developed about 1,500 years ago. Evidence of intensive fishing, hunting, and gathering characterizes this period. Large, dense populations, a highly developed exchange system, and social stratification enabled this activity. Site constituents include shaped mortars and pestles, well developed bone awls for making coiled baskets, and smaller projectile points for use with bow and arrow. This period was influenced by the southward expanding Wintun people, who brought with them harpoons, flanged tubular pipes, and Gunther-barbed projectile points. After A.D. 1400, settlements proliferated, trade increased, clamshell disk beads came into use, and social and political systems became more complex (Moratto, 1984; Huberland, 2003).

An alternate chronology (summarized in Rosenthal et al. 2007) somewhat simplifies the periods above based primarily on research by David Frederickson and his students. This chronology suggests divisions referred to as the Paleo-Indian (11,550 to 8550 B.C.), Lower Archaic (5550 to 550 B.C.), Upper Archaic (550 B.C. to A.D. 1100), and Emergent (A.D. 1100 to the historic period). Much of the description of material culture and settlement patterns remains similar, but the more recent scholarship emphasizes the importance of small-scale as well as larger archaeological investigations.

Archaeologically, the northern end of the San Joaquin Valley remains one of the least known areas of California. Most of what is known about the area is related to large infrastructures projects such as the San Luis Reservoir (Pritchard, 1970; Olsen and Payen, 1969, 1983), and the information is rather dated. It was noted nearly 30 years ago that other than some notable late period sites, much of the prehistory of the region remains largely unknown (Moratto, 1984). Despite ongoing research in the intervening years little has changed; much of the prehistory of the area remains largely unknown (Gardner, 2003).

**Ethnography**

The proposed project is situated at a transitional zone of the area ethnographically occupied by the Northern Valley Yokuts and the Plains Miwok. Both groups spoke languages from the Penutian family (Heizer and Elsasser, 1980:15). The traditional territory of the Northern Valley Yokuts encompassed much of the north end of the Southern San Joaquin Valley; an area extending from the northward bend of the San Joaquin River, northward almost to the Mokelumne River, and from the crest of the Coast Range eastward to the foothills of the Sierra Nevada. The Plains Miwok traditional territory extended along the delta of the Sacramento-San Joaquin river system as well as the Cosumnes and Mokelumne rivers, extending as far east as Dutch Slough (Wilton Rancheria, 2016).
In this region, Native populations prior to, during, and after the period of contact with Euro-Americans experienced a great deal of social upheaval. Disease, indoctrination into the Missions, and punitive attacks by soldiers and settlers rapidly diminished the Native population and disrupted traditional political affiliations. As a result, by the time of serious exploration of the area (early-1800s) the precise distinction between various tribelets, their names, their territorial boundaries, and their village locations had been lost or altered.

Due to these factors it is unclear exactly which tribelet occupied the ADI and surrounding area in the period prior to and immediately following Euro-American contact. Various sources provide differing accounts.

Kroeber (1925:486) and Latta (1977:96) indicate the area was occupied by the Chulamni (also known as the Tcholovone or Cholovomne). Both authors note the Chulamni occupied the villages of Yachik and Wana. Kroeber (Kroeber, 1925:486) states that:

The Chulamni inhabited Yachik and Wana near Stockton, the latter just below the landing. Their territory extended at least some miles down the San Joaquin and up the Calaveras; probably also across the former stream, possibly as far west as Mount Diablo.

Conversely, Schenck (1926:140) and Cook (1955:66) indicate a group known as the Passasimas occupied the area east of the San Joaquin River south of the Calaveras. Schenck (1926:140) describes what little is known about the Passasimas:

Whether this group was more than a village is not certain. The village visited in 1817 was east of the San Joaquin, some distance from that river and apparently south of the Calaveras, probably within the limits of the present city of Stockton [circa 1926]. The people had been at the mission many times, and “here again they told us stories about there being civilized people on the other side of the Sierra Nevada.” This familiarity with eastern reports suggests a Miwok group.

In 1817 Lieutenant Luis Argüello and Padre Narciso Duran made a foray into the Valley and visited the only documented Passasimas village. They had been traveling by boat, and noted the village had to be reached by foot, indicating it was some distance from the rivers (San Joaquin and Calaveras). While Schenck (1926:140) makes note of only one known village, others likely existed, and through extrapolation from surrounding groups Cook (1955:66) estimates their pre-contact population at approximately 3600 people. Records indicate 145 Passasimas people were baptized at Mission San Jose.

Villages were clustered along the rivers, primarily the San Joaquin. Villages were situated on low mounds that kept occupants above the water during floods. It also gave them a good view of the surrounding area, alerting them to possible threats or groups of potential game. Structures were largely limited to single-family dwellings made of tule. Singular large communal structures and
“sweat lodges” were also present at many villages. These semi-subterranean structures used for gatherings and ceremonial activities (Wallace, 1978:464–466).

The subsistence patterns included a heavy reliance on acorns and salmon. Salmon runs in the spring and fall were intensively exploited. Fishing methods included the use of small dragnets weighted with stone weights and antler-tipped harpoons. Tule rafts were probably also used. Part of their catch was dried to preserve it for the long periods when the salmon were not running. Other fish targeted included white sturgeon, river perch, western suckers, and Sacramento pike. Massive flocks of waterfowl that congregated along the San Joaquin River and adjacent sloughs were another important food source. Little is known about the methods used to hunt fowl. The Spanish made extensive notes of the massive herds of antelope and elk that resided in the area, but made no note of the Native Americans bird-hunting activities. Wild plant foods also made up a large part of their diet, and primary among these was the acorn. Valley Oaks were relatively widely dispersed, but rich in yield, providing 300–500 pounds of acorns per tree annually. Acorns were harvested, pounded into flour, and used to make a thick soup or gruel. Tule roots were used in a similar fashion. Grass seeds were also extensively harvested, and used to make a type of bread. The only domestic animals kept were dogs, which they traded with neighboring tribes, and may have been used as a food source as well (Davis, 1961; Wallace, 1978:464).

Technology was typical of other Central California groups. Hunting implements included bow and arrow as well as nets and harpoons. Stone tools were widely manufactured. Obsidian was a highly prized resource, and had to be traded in from other areas. Basketry was also extensively employed, with some hints of a unique coiling technique. Limited evidence of ceramic vessels has been found at sites, suggesting that ceramic vessels were probably traded in from other groups. The use of mortars and pestles for pounding acorns into flour was a key technology. Most of the mortars were made of stone, but wooden varieties were probably used as well (Wallace, 1978:465).

Little is known about the clothing and adornment. Given the climate, clothing was probably minimal. Marine shells were traded in from the coast for use as necklaces and other adornment, with a preference for Olivella shells (Wallace, 1978:464).

As noted previously, the population of the Central Valley tribes collapsed during the contact period. First contact probably occurred during the first decades of the 19th century, with sporadic forays by the Spanish into the Central Valley. By 1805, missionaries with the support of Spanish soldiers began making forays into the Central Valley to gather Native Americans to bring back to the coastal missions. This continued for nearly two decades, and neophytes taken to Missions San Jose, Santa Clara, Soledad, San Juan Batista, and San Antonio. More active missionary “recruitment” occurred after 1810. Milliken (2002:59) documents the draining of Native population into the Mission system noting that “all of the San Joaquin River people were at the Mission by the end of 1820, with the exception of a few individuals.” There are several accounts of Plains Miwok fleeing the missions and returning to their villages. Military expeditions were
sent to bring them back and several tribelets participated in a series of Indian wars that included raids on missions and ranchos (Levy, 1978:400).

Further intrusions into Native Americans lands came in the form of ranchos, expanses of land granted to individuals by the Spanish and Mexican governments. What developed was a complex interchange between the Native Americans and their new Spanish neighbors. Missionaries and soldiers made more, and further reaching, excursions to gather up Native Americans. Many Native Americans tired of life at the missions, and escaped, returning to their homeland. Simultaneously, many Native Americans attained a taste for the Spanish horse and cattle, and began raiding the stocks of the missions and ranchos. The result was punitive raids by the Spanish to punish the Native Americans, and bring captors back to the missions and ranchos. In 1822, control passed from Spain to Mexico, and the missions were eventually secularized, leaving many Native Americans free to return to their homes (Wallace, 1978:466–468).

By this time, Native American populations were greatly reduced, they had been mixed and intermarried at the mission, ties had been broken with their former tribes, and many did not return. Disease was another major disruptive factor; influenza, smallpox, venereal disease, and malaria were all major contributors to the decline of Native American populations in California. Even prior to contact, old world diseases were wreaking havoc on Native populations (Preston, 2002). In 1833, a major epidemic swept the Central Valley of California. What has since been surmised to be malaria was responsible for the deaths of up to 75 percent of the remaining Native American population in the Central Valley.

Today there are several federally and non-federally recognized Native American groups and organizations in the greater vicinity of the proposed project including the California Valley Miwok Tribe, the Ione Band of Miwok Indians, the Northern Valley Yokuts, the United Auburn Indian Community, the Buena Vista Rancheria of Me-wuk, and the Wilton Rancheria. The Northern Valley Yokuts and Plains Miwok people have a strong presence in the Central Valley, and have representatives engaged in project planning including consultation regarding impacts to Native American cultural resources.

History

Spanish explorers and missionaires made up the earliest Euro-American presence in the area. Lieutenant Gabriel Moraga was the first European to explore what is now the interior valley of California. In 1808 Moraga explored the Central Valley in order to scout for potential future mission sites and pursue neophytes that had escaped from the coastal missions. During his exploration, Moraga named a small creek after Saint Joachim, father of Mary. Saint Joachim translates, in Spanish, to “San Joaquin,” and when it was later discovered that the creek fed into a larger river, the major waterway and surrounding valley became known as the San Joaquin River and Valley.

Euro-American trappers, including Jedidiah Strong Smith, entered the region in the 1820s, attracted by the fur bearing animals that inhabited the Central Valley. Prior to the Gold Rush, the
project area was devoted to grazing and hunting, as immense herds of cattle and some horses roam the valley. In 1844, Charles Weber and William Gulnac obtained the Rancho del Campo de los Franceses and organized the first party of non-native settlers intending to occupy the Central Valley. In 1847, Weber laid out a new town on the south side of what would be the Stockton Channel. This community was officially named Stockton in 1849 and with the discovery of gold in 1848 Weber developed the town as a supply station for the southern mines.

Many of San Joaquin County’s communities developed along former transportation and trade routes. With the resulting influx of population during the Gold Rush, the production of food was needed to support the mines, and the San Joaquin Valley developed to become an agricultural supplier. Some of the miners, disappointed in the search for gold, turned to farming in the fertile swamp lands in the San Joaquin Valley. In 1850, California achieved statehood and San Joaquin County was formed as one of the 27 original counties.

San Joaquin County became known as a significant agricultural and transportation hub, especially following the arrival of the railroad to the valley in 1870. The train connected the San Joaquin Valley to the north and south, and the river connected the County to San Francisco to the west. A number of Chinese entered the area in the late 1800s, working on the railroad and building levees in the Delta. Railroads that historically traversed San Joaquin County included the Atchison, Topeka, and the Santa Fe; the Southern Pacific, the Central Pacific, as well as smaller railroads like the Oakdale, San Joaquin and Sierra Nevada, and the Valley Railroad. The ease of transportation of people and supplies allowed San Joaquin County to prosper.

Historically, Miner Channel ran along the south side of East Miner Avenue for several blocks until turning north at North American Street, crossing the ADI (see Figures 5–8). The 1895 Sanborn Fire Insurance map shows East Miner Avenue lined primarily with residences with several bridges crossing the channel. By 1917 maps show the open water ending west of Center Street indicating that the channel had been re-routed underground providing more available building lots.

By 1917, East Miner Avenue began to be converted from a more residential street to a commercial corridor. Initially owned solely by the wealthy, automobiles became the standard mode of transportation for many Americans of all classes by the 1920s. East Miner Avenue, just 3 blocks north of Main Street, was part of the expanding downtown as witnessed by the replacement of homes with commercial businesses many of which were related to the sale and maintenance of automobiles. Directories list several automobile related businesses beginning to appear in 1930.
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CHAPTER 6
Prehistoric Archaeology - Research Design

Based on the environmental setting, the historic extension of Miner Channel into the ADI, the
results of the background research, and the results of initial consultation efforts with Native
American tribes, there is the potential to uncover prehistoric archaeological resources in the ADI
during construction activities. While ground disturbing activities are generally limited to the
upper two feet below the existing ground surface there will be some deeper excavation for
installation of the round-about, drainages, and for the replacement of the sewer pipeline that could
extend as deep as eight feet below the ground surface.

The following section provides a summary of the expected prehistoric archaeological materials
and property types that could be encountered during project implementation; the thresholds for
determining National Register-eligibility and initiating data recovery investigations; and the
research themes, questions, and data requirements that would address the integrity and
significance of prehistoric archaeological deposits.

Expected Archaeological Materials and Property Types

Prehistoric archaeological materials common to the region and similar setting as the project
include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or
toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts,
or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling
slabs); and, battered stone tools, such as hammer stones and pitted stones.

Midden Sites

Midden is a “refuse deposit resulting from human activities, generally consisting of soil, food
remains such as animal bone and shell, and discarded artifacts” (Thomas, 1998). Because midden
sites are generally the result of long term habitation, features such as burials, house floors,
hearth, as well as other habitation and communal features are often encountered. The vast
majority of the prehistoric sites that have been excavated in the Central Valley are midden sites.

Lithic Scatters

Lithic scatters range from sparse assemblages of flaked stone to sites with formalized tools and
groundstone debris. Artifacts can be at various stages in the manufacturing process, from core
reduction to the finishing of tools represented by pressure flakes. Lithic scatters are generally
temporary work stations and not long term habitation sites, but can be chronologically dated if
obsidian and/or diagnostic projectile points are present.
Human Remains

Burials can consist of isolated inhumations up to a large number of internments, with or without associated artifacts. Various artifacts have been associated with burial features in northern California including tools, beads, and charm stones. Human remains have been uncovered at various sites in San Joaquin County.

Isolated Artifacts

Isolated finds will be considered less than three artifacts within a 100 square meter area per Attachment 4 of the Section 106 PA. In general, isolated artifacts have very little scientific value and can only provide information on material type and source, location, function, and style of the artifact itself. Isolated finds will only be collected if they possess interpretive value.

Threshold for Determination of Resource Eligibility

The evaluation of cultural materials for National Register-eligibility will initially be based on a resource’s research potential or ability to answer research questions and to add to the body of existing archaeological or historical knowledge. For the purposes of this Management Plan, the threshold for determining National Register-eligibility and initiating data recovery investigations will be the presence of any prehistoric features, including intact shell midden material, features (such as hearths), or human remains. Recommendations concerning the significance of deposits will be made in consultation with the Caltrans and the Tribe.

Research Themes and Questions

While every archaeological resource has the potential to address some research theme; however, they do not all do so to the same degree and not all research themes are equally important. It is the goal of the research design to determine what research themes are important and what archaeological data are necessary to address those themes. This section summarizes important research themes and outlines the archaeological data necessary to address them. It considers such things as integrity, historical associations, and potential to address research themes, which combine to determine what archaeological remains are considered significant.

The research domains pertinent to San Joaquin County are typical of a region where archaeologists have been working for many years to establish a cultural temporal sequence, characterize the lifeways of the inhabitants, and determine the processes of cultural change. As a result, research in the region generally focuses on refining the chronology, environment, and residential patterns of the prehistoric and protohistoric peoples and on technical issues within archaeology as a discipline.

The archaeological research issues guiding the proposed archaeological investigations of prehistoric materials include: 1) chronology; 2) settlement pattern and site structure; 3) subsistence and diet; 4) socio-political complexity; and 5) population movement and regional interaction. Research questions elaborated on under these issues include requisite data
requirements, methods, and analysis. Consultation with Native American communities to document alternative narratives can also be used to supplement scientific narratives with traditional forms of knowledge.

**Cultural Chronology**

One of the primary steps in studying the prehistory of a region is the establishment of a chronology of occupation, which involves the ordering of archaeological assemblages in time. To do so requires reliable dates from archaeological sites or materials, or different occupation components within sites. Without a reliable chronology of change in archaeological assemblages through time, higher level questions pertaining to changes in adaptation, technology, and society cannot be addressed. Secure chronologies are also prerequisite for integrating archaeological data into the broader economic, social, and political theories that drive archaeological research.

The period of use for a site can generally be understood using two dating methodologies: relative dating, and absolute dating. Relative dates can be obtained by comparing materials recovered from a site (e.g., projectile points or beads) to established artifact typologies for the region. Relative dates can also be established for a site through seriation and stratigraphy. Absolute dating includes radiometric techniques such as carbon-14 dating. Radiometric dates are obtained from organic materials such as charcoal, bone, and shell. Samples for radiocarbon dating should be obtained from vertically stratified deposits, features, or similar contexts that maintain a clear linkage between the material dated and the cultural occupation. Another dating technique popular in California, obsidian hydration, can be used as both a relative and absolute technique depending on conditions at a site, though the use of the method as an absolute dating technique has been questioned (see discussion in Hughes and Milliken, 2007).

Presented here are general research questions related to cultural chronology.

**Research Questions:**

- Do archaeological deposits and datable cultural materials have the necessary context to establish an estimated date for the remains?
- What is the relationship between culture chronology (as identified through artifact assemblages), periods of site use, and landform evolution as seen through stratigraphy?
- What is the temporal relationship between newly discovered deposits and deposits previously recorded in the Stockton region?

**Data Requirements:**

- Temporally discrete archaeological components that can be securely dated.
- Stratigraphic integrity of soil layers surrounding the archaeological remains.
- Datable materials with a clear cultural association, including suitable organic materials for radiocarbon dating, artifacts made from obsidian, or time-sensitive diagnostic artifacts.
Trade and Exchange

Prehistoric populations, including those that lived in vicinity of Stockton, did not live in isolation. An assessment of trade, exchange, and other forms of contact between prehistoric populations is a key research question that has implications for subsistence and technology, ideology, development of socio-political complexity, and other themes. At the most basic level, studies of trade and exchange rely on the presence of non-native materials, often referred to as exotics, which were obtained through direct contact with neighboring populations, rather than through direct procurement and transport. Discriminating between these two methods of acquisition can be difficult (Hughes and Milliken, 2007).

In general, exotic items indicate the range of a group’s interaction sphere, as well as the importance or role of specific materials in a larger conveyance system. For example, the presence of shell beads at inland sites and obsidian at sites that are great distances from obsidian quarries are two examples of trade and exchange in prehistory that are particularly important.

Research Questions:

- Are non-native materials present in an assemblage, and if so, where are the sources?
- Is there evidence of manufacturing as part of the assemblage? If so, what materials were being used to manufacture what goods, and to what groups and time periods can the manufacture be traced?
- If evidence of manufacturing is available, were manufactured objects at the site made from exotic or locally available material? If exotic, from where did the materials originate? If local, were those goods exchanged for exotic material?
- What evidence does the assemblage contain for issues of trade and transport?

Data Requirements:

- Artifacts or archaeological materials from buried prehistoric contexts containing exotic or non-local materials, such as shell, obsidian, steatite, or other lithic materials.
- Evidence of specialized manufacture or procurement of items for trade.
- Burial with potentially non-local grave goods.

Socio-Political Organization

A large body of archaeological research pertains to social and political themes related to group organization, the development of complexity, mortuary and burial practices, and symbolic use of space. In terms of sociopolitical organization, the primary unit among Central California groups was the village community (sometimes referred to as “tribelet”), which was overseen by one or more chiefs. The village community consisted of a well-defined territory with a core village and ancillary settlements. The chief, religious leader(s), and various craft specialists primarily resided within the core village where surplus goods were stored (Kroeber, 1925). Miliken et al. (2007) noted that “evidence of ritual treatment of the dead is one of the few archaeological windows for viewing the emergence of social complexity in the past.” This can be extended to the designation of specialized places for interment, termed mortuary sites, which not only can inform on inter-
personal relationships between members of a single group, but also broader patterns in political organization and beliefs.

**Research Questions**

- *Is there evidence of a social hierarchy at a site? For example, are burials that contain grave goods present within the deposit?*
- *What evidence is there of craft specialization? For example, are there discrete work areas?*
- *What evidence is there of production for exchange or surplus storage? For example, what types of caches of food resources are present?*
- *If human remains are present, why were people buried there? Was it an expression of prolonged occupation (albeit not permanent)? Was it a reflection of belief systems?*

**Data Requirements**

- *Human remains with burial goods, to address degree of social complexity.*
- *Archaeological assemblage with depositional integrity.*
- *Artifactual evidence generating geologic and chronometric dates for the beginnings and growth of the site(s).*

**Settlement Systems**

Studies of settlement systems attempt to link individual sites or site components into a broader framework that describes how past inhabitants used a larger landscape, and how use of that landscape changed through time. Keys in understanding past settlement systems include both a clear picture of site function, as well as a secure chronology for integrating sites across a region, as discussed above.

At a broader level, settlement patterns in the Central California region generally indicate a small initial occupation during the Early Holocene followed by population growth, immigration of new populations, and attendant changes in subsistence and socio-political organization. This simple scenario, however, masks much regional variation. Further research is necessary to understand settlement patterns in this region.

**Research Questions:**

- *What evidence is there that may contribute to the understanding of settlement shifts through the Middle and Late Holocene?*
- *Is there evidence for seasonal occupation or permanent/semi-permanent villages?*
- *What was the population size and how did it change over time?*
- *What attributes of the sites made them favorable for habitation?*
- *What types of activities took place there?*

**Data Requirements:**

- *Securely dated archaeological deposits or components.*
- Stratigraphic integrity of soil layers and features.
- Discrete archaeological features or sufficient quantities of ecofacts and artifacts to allow for analysis and interpretation of site size, seasonality, and function.
- House pits, to determine degree of occupation and settlement systems.
- Storage pits, to determine seasonality and duration of occupation.

**Subsistence Patterns and Subsistence Technology**

Subsistence refers to the procurement and consumption of food. Subsistence trends are generally reconstructed from food remains and the types of food processing tools present in an archaeological deposit. For this reason, a study of subsistence goes hand in hand with the analysis of technologies for obtaining and processing food items. Food remains most often include bone, shell, and botanical remains, such as seeds. These remains can be identified by species and quantified to determine whether a broad spectrum of food types were being exploited at a given site or whether site activities focused on the exploitation of a limited number of resources. Degree of resource intensification can also be understood from study of food remains as well as tool form. Evidence of resource intensification can indicate a growing reliance on increasingly labor-intensive food items due to environmental change, over-exploitation, or constraints.

**Research Questions:**

- What were the predominant subsistence patterns and how did they change over time?
- What foods were being consumed and did processing methods change through time? What was the diet breadth? Did the proportions of food types change through time? If so, to what was this change due? (Possibilities include environmental change or overexploitation of resources or new technologies).
- Are artifacts present that can address questions of subsistence technologies?

**Data Requirements:**

- Securely dated archaeological deposits or components.
- Stratigraphic integrity of soil layers and features.
- Discrete archaeological features or sufficient quantities of ecofacts and artifacts to allow for analysis and interpretation of site function.
- Archaeological deposits with significant assemblages of faunal or macrobotanical remains. Sites spanning long periods of time and environmental change would be particularly illuminating as to shifts in subsistence patterns and social structures both regionally and locally.
- Presence of food procurement and processing technologies, including hunting and fishing weapons, ground stone, and food processing features like hearths or earthen ovens.
- Debitage (waste produced during the production of flaked or chipped stone tools), to determine the types of lithic tool production and use that took place at the site.
- Botanical remains, preferably from flotation samples from hearths, including seeds, bulbs, and acorns, to determine the types of plant resources utilized at the site.
• Groundstone tools, such as mortars and pestles, which indicate food processing methods.

• Vertebrate faunal remains, including large terrestrial mammals such as artiodactyls (deer, elk, pronghorn), small mammals such as jackrabbits, fish, and birds, to determine the types of animals processed and/or consumed at the site.

• Invertebrate remains to determine the types of riverine or marine resources utilized at the site.

Site Formation Processes

A basic research question pertains to the context and integrity of site deposits, and involves the identification and assessment of the various natural and cultural processes that contribute to the formation of archaeological deposits. Whereas questions of cultural chronology pertain to the ordering of archaeological materials in time, questions of site formation address the spatial structure of archaeological deposits within a site. Understanding site formation processes can help establish a structure for analysis, as well as identify the integrity of site deposits and features.

Research Questions:

• What site formation processes have contributed to the creation of the archaeological deposits at the site?

• What mechanisms of burial or erosion have affected the site?

• Are artifacts or features in a primary context, or have they been disturbed and re-deposited into a secondary context?

• What mechanisms of post-depositional biological and natural disturbance have archaeological deposits been subjected to?

• Is an artifact or feature’s location due to geological or environmental factors (e.g., wind, rain, erosion, or flood) (natural formation processes) or due to human factors (e.g., abandonment, disturbance, or filling) (cultural formation processes)?

• How are overlapping features or strata related chronologically?

Data Requirements:

• Stratigraphic and contextual data derived from controlled archaeological excavation.

• Geological and topographical data.

• Column samples suitable for geoarchaeological and sedimentary analysis to identify depositional environments, natural and cultural strata, and paleosols.

Human Remains

If human remains are recovered within the ADI during construction, they will be treated in accordance with the requirements of California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If, pursuant to Section 7050.5(c) of the California Health and Safety Code, the County coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of Section 5097.98 (a)-(d) of the California Public Resources
Code. Caltrans shall ensure that, to the extent permitted by applicable law and regulation, the views of the Tribe and the Most Likely Descendent(s) are taken into consideration when decisions are made about the sensitive and dignified treatment and disposition of the Native American human remains and associated items. It is the intent of Caltrans that human remains will not be unnecessarily disturbed and will not be disinterred unless absolutely necessary to protect them from damage or destruction.
CHAPTER 7
Historical Archaeology - Research Design

Based on the results of the records search, the known archaeological resource in the APE, and the historic extension of Miner Channel into the ADI, there is the potential that archaeological materials similar to what was identified in site CA-SJO-295H could be identified in the ADI during ground disturbing activities. While ground disturbing activities are generally limited to the upper two feet below the existing ground surface there will be some deeper excavation for installation of the round-about, drainages, and for the replacement of the sewer pipeline that could extend as deep as eight feet below the ground surface.

The following section provides a summary of the expected historical archaeological materials and property types that could be encountered during project implementation; the thresholds for determining National Register-eligibility and initiating data recovery investigations; and the research themes, questions, and data requirements that would address the integrity and significance of prehistoric archaeological deposits.

Historical Archaeological Property Types

The ADI is within an established roadway and in general there is a low potential for encountering historical archaeological materials in most of the ADI, with the exception of the location where Miner Channel crossed Miner Avenue in the vicinity of North American Street. Historic-period materials that could be encountered include deposits of metal, glass, and/or ceramic refuse as well as other historic-era artifacts. There is also the potential for encountering the remains of the former streetcar line (i.e. rails and/or ties) that extended along Miner Avenue.

Refuse Features

Refuse features that result from domestic and economic use of an area have proven to be one of the most useful sources of historical archaeological investigation in urban settings. Two primary types of refuse features are recognized in archaeological practice: hollow-filled refuse features and sheet refuse features. Hollow-filled refuse features include refuse pits, privies, and wells. These property types were created for a specifically functional use and during their use-life or upon abandonment they became receptacles for refuse. Discrete refuse features provide archaeologists with a glimpse of the day-to-day practices of the occupants who used them. As such, these features frequently have the ability to address important research themes. Because the ADI is within an established
roadway, there is a low potential for encountered hollow-filled refuse features, which would most often be in the side or rear of residences and not within the established roadway.

Sheet refuse features includes broad artifact scatters as well as more ephemeral surface scatters that are often indicative of more extensive archaeological deposits located beneath the surface. Sheet refuse also accumulates on living surfaces over a period of time. Sheet refuse may also be introduced as fill to raise low ground. The long accumulation time involved in creating such property types can be problematic for archaeologists, depending on the occupational history of the location under review. It may be difficult to make substantive interpretive statements from a sparse sheet refuse layer deposited over many years by several occupants.

For the proposed project, there is the potential that Miner Channel within the ADI could be filled with refuse similar to what was uncovered at site CA-SJO-295H. This fill may include material from adjacent residences and/or businesses on the north and south sides of Miner Avenue (mercantile or domestic) and/or fill intentionally placed to create a useable surface (municipal improvement).

Infrastructure Features
Infrastructure includes those features related to development and maintenance, such as railroad and streetcar lines, roads, cisterns, sewer lines, drain pipes, power lines, water lines, and hydrants. Infrastructure features often correlate to utility maps and the locations of architectural features such as streetcars. Identification of these features may answer how the urban center developed and may have impacted earlier archaeological resources, however the documentary record likely preserves this data for much of the City’s twentieth-century infrastructural development.

Isolated Artifacts
Isolated finds will be considered less than three artifacts within a 100 square meter area per Attachment 4 of the Section 106 PA. In general, isolated artifacts have very little scientific value and can only provide information on material type and source, location, function, and style of the artifact itself. Isolated artifacts are considered categorically ineligible per Attachment 4 of the Section 106 PA and will only be collected if they possess interpretive value.

Threshold for Determination of Resource Eligibility
The evaluation of cultural materials for National Register-eligibility will initially be based on a resource’s research potential or ability to answer research questions and to add to the body of existing archaeological or historical knowledge. For the purposes of this Management Plan, should historical archaeological features be encountered, they will be assessed based upon their potential to address research themes. Sufficient exposure will occur to allow archeologists the ability to make recommendations on their significance, and potential for immediate data recovery.
Recommendations concerning the significance of deposits will be made in consultation with the Caltrans.

**Research Themes and Questions**

As noted above archaeological resources have the potential to address research themes and the goal of the research design is to determine what research themes are important and what data is necessary to address those themes. Historical archaeological materials contain information that may be able to establish links between the archaeological deposits and historically documented events and processes. To establish these links, archaeological research questions and data requirements are developed to help evaluate the importance of archaeological deposits. When coupled with data from archives, maps, photographs and oral history, archaeological data can provide a richer history of Stockton and a better understanding of the working-class people who once lived there; people whose lives might not be otherwise documented.

As discussed above, Miner Channel formerly crossed the ADI at Miner Avenue near the intersection of North American Street (see Figures 5–8). Based on the previous archaeological investigation completed at CA-SJO-295H, there is the potential that similar types of fill-related resources could be uncovered during project-related ground disturbing activities. Deposits could address themes related to domestic or commercial behavior and could include materials from adjacent residences and businesses on the north and south sides of Miner Avenue. In addition, refuse deposits could address themes related to intentional municipal improvements to create useable surface during townsit creation.

**Domestic Behavior**

Domestic fill could include refuse from a single family (nuclear or extended family) or multifamily (related and/or unrelated families and individuals) unit. Multifamily domestic units include multi-household spaces (duplex, apartments), hotels and boardinghouses, and live/work arrangements (shared work-domestic space). Domestic fill can contribute to the historic context of a region such as gender, class, race, ethnicity, consumerism and consumer choice, and health, as well as the intersections between them (Caltrans, 2010:185).

Objects discarded or lost in refuse deposits may illustrate the changes in both choice and utility of various 19th and 20th century consumer goods. Discarded objects are an indicator of the availability of particular goods to residents of a household or neighborhood. Consumer choice goes beyond simple availability of goods, and consumer behavior can be linked to the expression of identity by both socioeconomic and ethnic groups. Stockton’s immigrant neighborhoods and the households comprising them had access to a wide array of consumer goods, and the choices individual residents or business owners or employees made in selecting goods can give insight into a variety of cultural processes that influence consumer choice.
**Research Questions:**

- Are the consumer practices of specific social, ethnic, occupational, or economic groups represented in identified refuse features?
- Are the commercial practices of specific enterprises/businesses represented in identified refuse features?
- Do refuse features, if present, reflect the City’s and region’s general trends in commercial and consumer patterns from the late 19th century or specific trends?

**Data Requirements**

- Archaeological: Multiple intact refuse features in primary contexts that can be correlated with specific households identified in the historical record; artifact types that can be associated with particular socioeconomic status or specific ethnic groups; temporally diagnostic artifacts that show diachronic trends in consumer behaviors.
- Historical: archival sources

**Commercial Behavior**

Mercantile fill could include refuse representing institutions (such as stores and mail-order companies); practices (such as marketing, advertising, barter, and trade); and ideologies (namely, consumption and consumerism) that relate to the buying and selling of material goods. Mercantile fill can contribute to themes related to the reconstruction of trade networks and commodity flows, artifact availability and reuse, promotion of a culture of disposability and product obsolescence, conspicuous consumption, and architectural features of stores and warehouses (Caltrans, 2010:172).

Fill related to the commercial behavior in the development of a townsite addresses context-specific historic foodways and dietary patterns, as well as the local expression of national and international trade. The question of availability must be addressed along with that of consumer choice. In some contexts, the cost and availability of goods may have had the greatest influence on consumer choices.

**Research Questions**

- Are there discernable patterns in the types of businesses established such as an industry dominated by a specific ethnic, racial, or gender group? Where variations occur, what do they indicate about the community and opportunities for trade?
- What types of mercantile establishments was in this neighborhood—specialty stores or general supply? Were there regional variations in the types of establishments and what might those variations be attributed to?
- What range of artifacts was available at this time and place? Was the stock oriented toward the preferences of a particular (class or ethnic) population?
Data Requirements

- **Archaeological**: Multiple intact refuse features in primary contexts that can be correlated with specific commercial enterprises identified in the historical record; temporally diagnostic artifacts that show diachronic trends in commercial materials.

- **Historical**: archival sources

**Townsite Establishment and Evolution**

Municipal improvement includes fill placed to create a useable surface. This type of fill can help reconstruct the processes by which townsites were established and changed over time as well as document the technology and the ad hoc or unsanctioned efforts to fill, drain, and otherwise create usable land (Caltrans, 2010: 145).

Research completed for the Stockton City Center Cinemas Block (Waghorn, 2000) provided this summary of the value of landfill, including that associated with Miner Channel:

The research potential of artifacts within landfill deposits is generally thought to be dependent on being able to link the original deposition of the artifacts to a particular community or ethnic group during a specific period of time. It is unknown where the fill from the [project area] came from.... Some researchers have suggested that artifacts from landfill that cannot be associated with specific communities might be valuable for larger-scale analysis, which would compare the artifact contents of landfill sites between communities. Thus, collections derived from the sampling of city dumps could be compared to comparable sites of similar time periods in other cities. Yentsch (1992:4–105), however, has pointed out the difficulty of conducting such research using landfills from cities or towns that – having experienced a high degree of mobility, complex ethnic composition, and a steady influx of migrant cultures – did not have a largely homogenous population. It could be argued that Stockton, with its complex ethnic and social makeup was not a homogenous community.

Landfill such as that represented by [the project area], where the neighborhood association is unknown, primarily has the potential to contribute to the research areas such as urban geography and the development of Stockton’s landscape through municipal programs of waterway modification. The analytical unit helps us to understand the implementation of the extensive slough reclamation projects undertaken by the City along Miner Channel, and also focuses attention on this important process in the development of Stockton’s urban landscape [Waghorn, 2000:266].

It is possible that artifacts and associations may be present in the fill material within Miner Channel that may be temporally discrete and answer questions regarding Stockton and the creation of the urban landscape.
Research Questions

- Does this resource help us to understand the characteristics of the natural environment and the landscape modifications made during the historic period? Does this resource aid in our understanding of the beginnings of urban planning in Stockton?

- Does this resource demonstrate the relationship between the public perceptions of environmental and public policy? How did society’s perceptions of the cultural landscape and modifications to the environment change over time?

Data Requirements

- Archaeological: period interface composed of feature and layer interfaces
- Historical: land-use study, patterning identified from archival sources
- Environmental: reconstruction of local vegetation based on pollen record
- Faunal/Botanical remains: frequency of types; domesticates/wild; presence/absence of types

Infrastructure Development

Infrastructure includes the remains of transportation features, water supply, sewers and waste disposal, power (electrical or gas) systems, parks, hospitals, schools, jails, cemeteries, and similar public facilities. Of these types, transportation features, water supply, sewers/waste disposal, power systems (electrical or gas), and communication facilities (telephone or telegraph) are likely to be identified within the ADI.

Ubiquitous infrastructure elements such as water supply systems, gas, electric, and sewer lines, as well as buried road surfaces have little research value and are exempt resources under Attachment 4 of the Section 106 PA. Therefore, they will not be considered eligible for the National Register under Criterion d and such resources will not be given any further consideration.

The remains of the historic-era streetcars, such as ties and rails, also have little research value. If such remains are identified in the ADI, and removal is necessary for construction, they will be thoroughly photographed and documented on a Department of Parks and Recreation form prior to removal.
CHAPTER 8
Evaluation Criteria and Treatment Plan

As discussed in Chapter 3, the standard approach to Section 106 compliance generally consists of several separate stages. These include identification, evaluation, assessment of effects, and if it is deemed necessary, mitigation or resolution of adverse effects. Due to the nature of the Miner Avenue Complete Streets Project, and in order to comply with Section 106, the National Register-eligibility potential of archaeological sites or features that may be identified during construction will be evaluated and treated as they are uncovered. The section below discusses how condensed Section 106 will be applied during the Miner Avenue Complete Streets Project.

Prior to the start of any construction activities, the City shall contract with a qualified archaeologist, defined as one meeting the Professionally Qualified Staff Standard for a Principal Investigator (PI) Historical Archaeologist (HA) (defined in the Caltrans Programmatic Agreement, Attachment 1). The qualified archaeologist would develop a Worker Environmental Awareness Program (WEAP) cultural resources component and be on-call to respond to any unanticipated discovery of archaeological material during project implementation. The WEAP cultural component shall consist of a short (15 minutes or less) presentation, to be delivered by a qualified archaeologist, to all on-site project construction personnel prior to commencing any project-related ground-disturbing construction activity. The WEAP cultural component shall include the following: an overview of cultural resources regulations; an overview of potential archaeological material types in the APE and vicinity; and protocol to follow in the event that any potential archaeological material is encountered during project construction.

Due to the nature of the ADI, which is located under paved surfaces, ground-disturbing activities associated with the project will be used as a form of Extended Phase I (XPI) identification. The work that will be monitored will include any landscaping, street light installation, necessary utility relocation, and construction of the round-about.

If archaeological resources are found, an attempt will be made to avoid the deposit. Protective measures would be decided upon in consultation with Caltrans PQS and consulting parties (as appropriate) and could include establishing an Environmentally Sensitive Area (ESA) Action Plan. Protective measures to consider in an ESA Action Plan could include signage, protective fencing, access restrictions, monitoring by PQS or qualified consultant archaeologists and Native American monitors, and specific contractual language for construction contractors. The ESA Action Plan would clearly state the methods of ESA and include a description of the type, size and placement of signage and/or fencing, as appropriate. If monitoring is recommended, the ESA Action Plan would provide general rationale for the monitoring – as well as specific location,
intervals, and duration. A clear chain of command would be established, with specific tasks and contact information identified for each responsible party (Table 3).

**TABLE 3**
**RESPONSIBLE PARTIES**

<table>
<thead>
<tr>
<th>Stage</th>
<th>Responsible Parties</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>During Construction</td>
<td>Qualified Archaeological Consultant</td>
<td>In the event of a discovery, Contractor will install temporary plastic fencing around the avoidable resources. The fencing will be installed prior to initiating any work. In consultation with the Caltrans Archaeologist, the Qualified Archaeological Consultant will coordinate this activity with the Project Owner’s Representative and Construction Contractor Superintendent, and be present to supervise and monitor fence installation. In the event that the treatment outlined in this document would be implemented, the Project Owner’s Representative will inform the Caltrans Archaeologist.</td>
</tr>
<tr>
<td></td>
<td>Caltrans Archaeologist</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Project Owner’s Representative</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contractor</td>
<td></td>
</tr>
<tr>
<td>Post Construction</td>
<td>Qualified Archaeological Consultant</td>
<td>Qualified Archaeological Consultant will be present to monitor all construction activities within the vicinity of the ESA. The Project Owner’s Representative will conduct a weekly inspection to ensure the integrity of the ESA.</td>
</tr>
<tr>
<td></td>
<td>Caltrans Archaeologist</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Project Owner’s Representative</td>
<td></td>
</tr>
<tr>
<td>Responsible Parties</td>
<td>Caltrans Archaeologist</td>
<td>The Project Owner’s Representative will inform the Caltrans Archaeologist when construction is complete.</td>
</tr>
<tr>
<td></td>
<td>Environmental Branch Chief</td>
<td>Julie Myrah</td>
</tr>
<tr>
<td></td>
<td>Project Owner’s Representative</td>
<td>To be determined</td>
</tr>
<tr>
<td></td>
<td>Contractor</td>
<td>To be determined</td>
</tr>
<tr>
<td></td>
<td>Qualified Archaeological Consultant</td>
<td>Heidi Koenig (415) 290-9566</td>
</tr>
</tbody>
</table>

If the resource cannot be avoided, the qualified archaeologist in consultation with Caltrans PQS, will determine whether the resource meets the thresholds of eligibility as described in this Management Plan. If resources are identified that the qualified archaeologist and Caltrans PQS agree do not to meet the thresholds for eligibility for the National Register outlined in the Management Plan, no further work will be deemed necessary and the California State Historic Preservation Officer (SHPO) and the Caltrans Studies Office (CSO) will not be contacted. If resources are identified that meet the criteria for the National Register, the qualified archaeologist in consultation with Caltrans PQS, will determine and apply the appropriate level
of effort to mitigate the effects to the resource. Caltrans will notify SHPO and parties to the PA within 48 hours for comment. Caltrans PQS will then implement appropriate mitigation efforts.

A Native American monitor representing the Wilton Rancheria will be present at all times during the XPI. The Tribe will be notified at least ten business days prior to construction. If the monitor does not arrive on the construction site according to the predetermined construction monitoring schedule, excavations will commence under guidance of the qualified archaeologist and Caltrans PQS staff following provisions of the Management Plan. Per the Management Plan, prehistoric resources will be assumed eligible for the National Register under Criterion d and data recovery will be conducted. If resources are identified as eligible under Criteria a, b, or c, mitigation of the resource will occur in consultation with the Tribe. If determinations of eligibility under Criterion d are unclear in the field for historic-era deposits, the site will be assumed eligible.

Archaeological Data Recovery

Should potentially significant archaeological material be encountered, and sufficiently tested to determine significance and integrity (i.e., National Register-eligibility), data recovery will be conducted on archaeological features and deposits that have the potential to meet the data requirements and research themes outlined in this Management Plan. Data recovery assumes that preservation in situ is not a viable option. The size and relative rarity of the archaeological deposit will determine the amount of data recovery necessary, as well as consultation and discussion with Caltrans, SHPO, the City, and parties to the PA. Specific methodologies for conducting any data recovery will be developed during the consultation between Caltrans, the City, SHPO, and the Tribe (if appropriate).

The purpose of data recovery is to gather as much information as possible from significant archaeological features and deposits before they are damaged or destroyed. Data recovery excavation methods will include stratigraphic excavation to recover materials associated with specific depositional events. What differs between testing and data recovery is the amount of data collected and ultimately how those data are used to address the research questions that are outlined in the research design. The size and relative rarity of the archaeological deposit will determine the amount of data recovery necessary.

The data recovery efforts and the laboratory processing and data analysis will be conducted by or supervised by PQS staff in the appropriate field of study. Overall, data recovery methods will include recovering the appropriate amount of information from the archaeological deposits to fully address the data potential and address specific research questions. Data recovery methods for historical archaeological resources could consist of mechanical trenching, small (50 by 50 cm) or larger (1 by 1 meter) excavation units, and specific hand excavation of features. Data recovery methods for prehistoric archaeological resources could include these methods as well as mechanical coring to reach deeper stratigraphic units. Materials in all cases (or a selection of materials) would be screened for cultural materials using either 1/4-inch or 1/8-inch screens, dependent on soils and findings. Data recovery efforts will also include photographs and information on the deposit’s
structure, including features and stratification, horizontal and vertical extent, and content (including the nature and quantity of artifacts).

**Laboratory Processing and Data Analysis**

If artifacts are collected during testing or data recovery, analysis of materials from each artifact type will be conducted following generally accepted methods.

**Prehistoric Archaeological Materials**

Given the wide variety of materials found in prehistoric sites, it is not practical to describe all potential avenues of analysis. Additional analytical procedures will be incorporated as appropriate during laboratory processing and as analysis proceeds. While each material type is discussed individually, they are complementary forms of evidence that will be analyzed in comparison to each other to recognize their full information potential. All artifacts will be researched to determine whether they are temporally diagnostic. At the least, date ranges will be determined.

Prehistoric artifacts will be washed in the laboratory, excepting those items that will be subject to further study. Analysis of prehistoric materials usually includes: sorting (involving counting, measuring, and weighing), classification of artifacts according to their provenience and association. The qualified archaeologist will determine what materials should be separated for additional specialized studies. This may include, but is not limited to: obsidian (for sourcing and hydration studies), faunal material, and carbonized plant remains suitable for radiocarbon investigations. Classification is expected to identify time-sensitive artifacts (such as projectile points or beads). This will be particularly noted, and perhaps further studied, to identify chronology and to assess the integrity of each prehistoric archaeological deposit. Disturbed deposits (those showing varying chronology) will not be subject to specialized studies. Macrobotanical or pollen studies may also occur.

Tabulation efforts will focus on study of flaked stone, ground stone, shell and bone artifacts. Typically, data gathered for tabulation includes: artifact type, sorting results (counting, weighing, measuring), raw material identification, provenience, and approximate chronology. Combined data from this analysis are used to address regional research issues.

**Historical Archaeological Materials**

Historical archaeological materials will be cleaned then sorted, primarily by the archaeological feature in which they were found, then by layer (level) and material type, and labeled with appropriate provenience information. Artifacts and materials will be catalogued following currently accepted functional categories consistent with other relevant projects in order to facilitate comparisons with the results from other contemporary historical archaeological sites. The classification of archaeological materials, according to function, is based on a model initially developed by South (1977). The system has been refined for many sites throughout the west. Classification schemes are designed to determine functional types represented by the artifacts, and recognize overall patterning in artifact use. While each material type is discussed
individually, they are complementary forms of evidence that will be analyzed in comparison to each other to recognize their full information potential.

Data resulting from the laboratory analyses, as well as special studies, will be entered into the appropriate database format. The resulting database may have further subdivisions within each functional grouping. Additional analytical procedures will be incorporated as appropriate during laboratory processing and as analysis proceeds.

**Data Recovery Report**

If a data recovery program is conducted for the project, once laboratory processing and data analysis is completed, the qualified archaeologist will prepare a Data Recovery Report to document the program. If archaeological materials are recovered during testing and/or data recovery, analysis of materials from each artifact type will be conducted following generally accepted methods as outlined above. Processing and analysis of any prehistoric materials encountered will be done in consultation with the Tribe, Caltrans, and the City.

Additional analytical procedures will be incorporated as appropriate during laboratory processing and as analysis proceeds. While each material type will be discussed individually, they are complementary forms of evidence that will be analyzed in comparison to each other to recognize their full information potential. All artifacts will be researched to determine whether they are temporally diagnostic, and date ranges will be identified.

A draft Data Recovery Report will be submitted to the City and Caltrans for review. The final Data Recovery Report will address any comments and concerns in response to the draft report. The Data Recovery Report will fully document the results of the archaeological investigation, and will meet the *Secretary of the Interior’s Standards for Archeological Documentation*. It will include the following elements: executive or management summary; statement of scope, including project location and setting; background contexts or summaries; summary of previous research, historical and archaeological; research goals and themes; methodologies; descriptions of recovered materials; findings and interpretations, referencing research goals; conclusions; references cited; and appendices. Tables will be provided that clearly: 1) list all data recovery units organized by type (including trenches and column samples) showing sampling techniques, depth, and size and volume of sediment recovered; and 2) list artifacts and ecofacts divided into major categories and organized by component, and within that by recovery unit. Selected diagnostic artifacts, representative or unique tool types, and intact features will be illustrated.

Most appendices will be digital and include all catalogs (artifacts, special studies, digital imagery, GIS and all geospatial data, and other information relevant to the project and findings). California Department of Parks and Recreation site records may be used to document feature and site components, following *Instructions for Recording Historical Resources* (OHP, 1995). Once approved by the City and Caltrans, a copy of the report and any applicable site forms will also be submitted to the CCIC.
Curation

Archaeological materials collected as part of any data recovery program conducted for the project will be transferred to a long-term archaeological curation facility that meets the standards outlined in the NPS Curation of Federally Owned and Administered Archeological Collections (36 CFR Part 79). The David A. Frederickson Archaeological Collections Facility at the Anthropological Studies Center, Sonoma State University, is one such facility that is currently accepting collections from northern California. Curated materials shall be done so in accordance with the curation facility’s guidelines, and curation costs shall be included in any data recovery program budgets.

Archaeological investigations of historic-period sites have the potential to recover large quantities of artifacts that are difficult to curate. Government agencies and other researchers have recently recognized this dilemma and promulgated guidelines for the curation and selective discard of materials from their archaeological collections (State of California, 1993). Such guidelines acknowledge the current problem of finding acceptable curation facilities, and offer the premise that not all materials have equal curation value. The first criterion of permanent curation is research value; that is, the potential of a class or collection of artifacts to provide information important for understanding the past, as defined in the project research design. The second criterion relates to practicality: the ease of storing materials and a consideration of the quantity represented. The last criterion deals with educational value, or the potential of artifacts to contribute to public interpretation. Artifacts may be discarded, subject to consultation with Environmental Review Officer, if they lack long-term research value, or are from a poor archaeological or historical context and/or if they do not have public interpretive value.

Human Remains

As noted previously, if human remains are recovered within the ADI during construction, they will be treated in accordance with the requirements of California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If, pursuant to Section 7050.5(c) of the California Health and Safety Code, the County coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of Section 5097.98 (a)-(d) of the California Public Resources Code. Caltrans shall ensure that, to the extent permitted by applicable law and regulation, the views of the Tribe and the Most Likely Descendant(s) are taken into consideration when decisions are made about the sensitive and dignified treatment and disposition of the Native American human remains and associated items. It is the intent of Caltrans that human remains will not be unnecessarily disturbed and will not be disinterred unless absolutely necessary to protect them from damage or destruction.
Public Interpretation and Outreach

As urban excavations occur in highly visible locations, there are inherent opportunities for public interpretation of the archaeological record. Recent urban excavations in California have shown the importance of such interpretation and the popularity of interpretive programs.

The Secretary of the Interior’s Standards for Archeological Documentation encourage public interpretation of archaeological data when merited by the findings. Archaeological materials are frequently used to physically demonstrate information and ideas. Features left in situ can graphically and dramatically illustrate layers of history. Leaving features in place is not always feasible in an urban setting; therefore, interpretation frequently focuses on the artifacts themselves, as well as the process of archaeological investigation. Typical ways to disseminate this information are lectures, exhibits, websites, video documentaries, and preservation and display of archaeological materials. Archaeology has a great potential for engaging a community in their local history.

If warranted by project findings, public information programs can interpret the past through artifacts, photographs, and documents. Examples and avenues of public outreach may include, but are not limited to: portable or permanent exhibit displays; public lectures or lecture series; site visits to ongoing archaeological excavations; popular-level articles, books, or pamphlets describing area history; news releases to local venues; and/or website updates, website “exhibits,” and interactive websites combined with activities and timelines. In addition, information could be disseminated to professional peers such as presentations at the annual meetings of the Society for California Archaeology or the Society for Historical Archaeology as well as to other interested organizations such as libraries or historical societies. Public interpretation programs succeed best when combined with existing community activities and events planned with foresight and public support.
CHAPTER 9

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FIGURES
Figure 1
Project Location
Miner Avenue Complete Streets 

Figure 2
Project Area

Figure 3
Area of Direct Impact and Architectural Area of Potential Effects

[source: USDA, 2014; BENEN, 2016; ESA, 2016]
Figure 4
Archaeological Resources in the Vicinity
Figures

**Figure 5**
Koch’s 1870 Bird’s Eye View of Stockton showing Miner Channel crossing Miner Avenue at [North] American Street

**Figure 6**
Mitchell’s 1895 Bird’s Eye View of Stockton showing Miner Channel crossing Miner[s] Avenue at [North] American Street
Figure 7

1895 Sanborn Company fire insurance map index showing Miner Channel

SOURCE: Sanborn, 1895
Figure 8
1895 Sanborn Company fire insurance map
showing Miner Channel