

AUG 10 2021

Planning & Building Services

TO
Archeological Commission Board
Mendocino County

**CC: CDP 2019-044 Archeological
Recommendations**

FROM
Genevieve Marsh,
Representative of Elisabeth Brinton and Bob Utley
Parcel #1182300800
45640 Cypress Drive
Mendocino, CA 95460

Dear Archeological Commission Board,

Thank you for the opportunity to describe our property and discuss its potential for cultural resources. We have taken care prior to this hearing to preliminarily assess the likelihood of archeological significance on site. We take this topic seriously and as the property's current stewards, seek to respect the land and first people's history. We have been guided by our correspondence with The Native American Heritage Commission (NHAC), California Historical Resources Information System (CHRIS), and the Mendocino Planning Department and the following letter summarizes our current assessment of the likelihood of archeological resources.

Property Description:

This lot in the Coastal Highlands Subdivision is approximately 110'x130' of oceanfront blufftop grassland (0.64 acres) with approximately 170' linear feet of coastline. Ending at the bluff edge, a 35 foot-tall cliff separates it from the ocean. It is one of the last vacant lots in the neighborhood, with neighbor houses on all sides. It is located approximately one-half mile from Russian Gulch, but Russian Gulch is not visible from the property, neither does the oceanfront face an inlet or cove of any kind. The various attachments include site pictures and a location map.

Archaeology:

CHRIS found no record of any previous cultural resource studies for the proposed project area, but lists high potential for cultural resources because it is in proximity to Russian Gulch (Attachment 1). Their letter lists several indicators that should be examined to refine the probability of cultural resources. These include the presence of oak woodland, plant and animal resources, being on the coast, and intermittent and perennial watercourses particularly those in proximity to salmon. The methods CHRIS suggests include pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analysis. Our analysis of the site for the other CDP components touches on a variety of these methods albeit for other purposes. Our analysis has found little evidence that looks promising for finding cultural resources. This is what we have found:

1. The parcel has no special natural formations that would entice habitation nor is it within 100 feet of any. There are no rock croppings, no intermittent or perennial streams, no soaks or wetlands, and a steep thirty-five-foot cliff face that discourages ocean access.
2. The topography provides no natural windbreaks or protection from the weather. The topography is relatively flat, gently sloping from the east to the west. The near-constant

wind comes mostly from the north in the summer and the west in the winter, straight across the property. This makes it less attractive for habitation or food preparation.

3. All the trees are less than 80 years old and none of them are oaks. They are exclusively pines and imported Monterey Cypress. This is also true of the neighboring properties. There is also no evidence today of any previous tree communities in the form of stumps or soil mounds, although the soil type drains well and could likely support oak species.
4. Our certified biologists at Wynn Coastal Planning have identified very few animal or plant resources of significance within the property line and 100' offset. Most of the identified species are non-natives. Their positive findings include a small northern coastal bluff scrub area on the cliff edge and two pinniped nests outside of the property line on the cliff. Both of these communities are of small scale, and thus are unlikely to have been attractive for foraging compared with Russian Gulch's freshwater emergent wetland and protected cove and tidepools. (Attachment 2).
5. We have conducted three soil surveys in the past two years, a perc test, core drill sampling for geotechnical engineering, and bedrock depth checks for locating septic. The perc testing reviewed the eastern third of the property and tested 13 areas and the core sampling reviewed three areas within the footprint of the proposed residence. (Attachment 3 and 4 respectively). Together, they found:
 - a. No archeological evidence.
 - b. Not much soil coverage. The soil depth on-site ranges from 2' to 5' of silty sand on top of bedrock. There is little media for containing possible cultural resources.
 - c. No soil types indicative of previous ecosystems of high vegetative value or rich soil for cultivation. The soil types found include silty sand, sandstone clay, sandstone, shale, and gray wache.
6. As recommended by CHRIS, we contacted NHAC and they searched the property in the Sacred Land File (SLF) and found no indication of cultural resources. We called the Native American tribes they provided us but made little progress. We hope this hearing will provide definitive feedback from the remaining necessary parties. (Attachment 5.)

Conclusion

While the property is in proximity to culturally rich Russian Gulch, we conclude that the property has a low potential for finding cultural resources because it has low value as a place of habitation and food preparation and little soil in which anything could be found. While we understand that the time frame under question is 10,000+ years and that the site today does not necessarily reflect the far past, **we ask to not be required to do an archeological survey if the commission knows no significant sites within the property.** We do, of course, welcome direction of what to do if something is found.

Thank you for taking our letter into consideration and for your thoughtful deliberation.
Sincerely, Genevieve Marsh

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA HUMBOLDT SAN FRANCISCO
COLUSA LAKE SAN MATEO
CONTRA COSTA MARIN SANTA CLARA
DEL NORTE MENDOCINO SANTA CRUZ
MERCED SOLANO
NAPA SONOMA
SAN BERNITO YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

January 14, 2020

File No.: 19-1077

Tia Sar, Planner
County of Mendocino
Department of Planning & Building Services
860 North Bush Street
Ukiah, CA 95482

re: CDP_2019-0044 / APN 118-230-08 at 45640 Cypress Drive, Mendocino / Bob Utley & Elisabeth Brinton

Dear Tia Sar,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

Project Description: Standard Coastal Development Permit to authorize the construction of a 2,533 sq. ft. multi-story single family residence, with a maximum average height of 25 ft. above natural grade. A detached 622 sq. ft. covered (roof mount solar) carport with a maximum height of 15 ft. from natural grade, a 130 sq. ft. detached storage building, installation of a view-obscuring fence 6 ft. in height, an attached covered walkway, patio with integrated hot-tub, landscaped-courtyard, driveway, connections to utilities, water supply and septic system.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Mendocino County have been found near oak woodland, as well as near a variety of plant and animal resources. Sites are also found near the coast, and inland near intermittent and perennial watercourses, particularly where there is access to salmon fishing spots. The proposed project area is located on a generally flat parcel along the coast approximately one half mile north of Russian Gulch. The project area also contains low grasses and a couple of large trees. There are other recorded sites in close proximity to the project area. Given the similarity of one or more of these environmental factors and the archaeological sensitivity of the area, there is a high potential for unrecorded Native American resources in the proposed project area.

We therefore recommend that a qualified archaeologist conduct further archival and field study of the project area to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods

ATTACHMENT 1 CONTINUED

used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

XX We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916)373-3710.

Built Environment Recommendations:

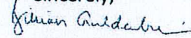
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Mendocino County conduct a formal CEQA evaluation.

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

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,



Jillian Guldenbrein
Researcher

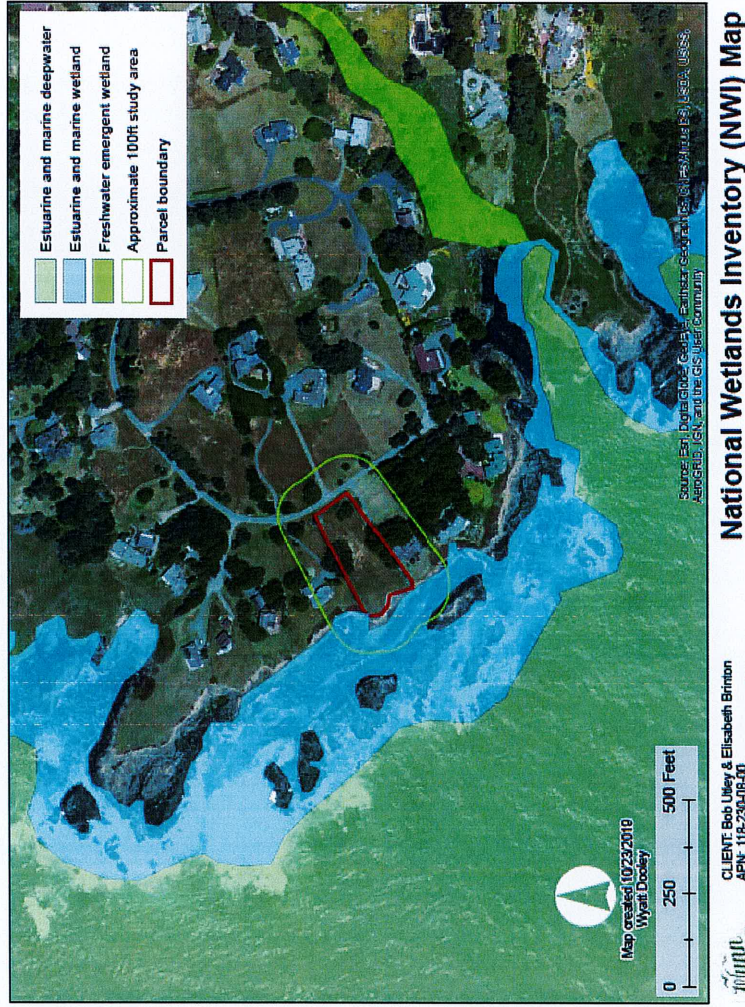


Figure 2. Vegetation and plant communities surrounding proposed family care unit.

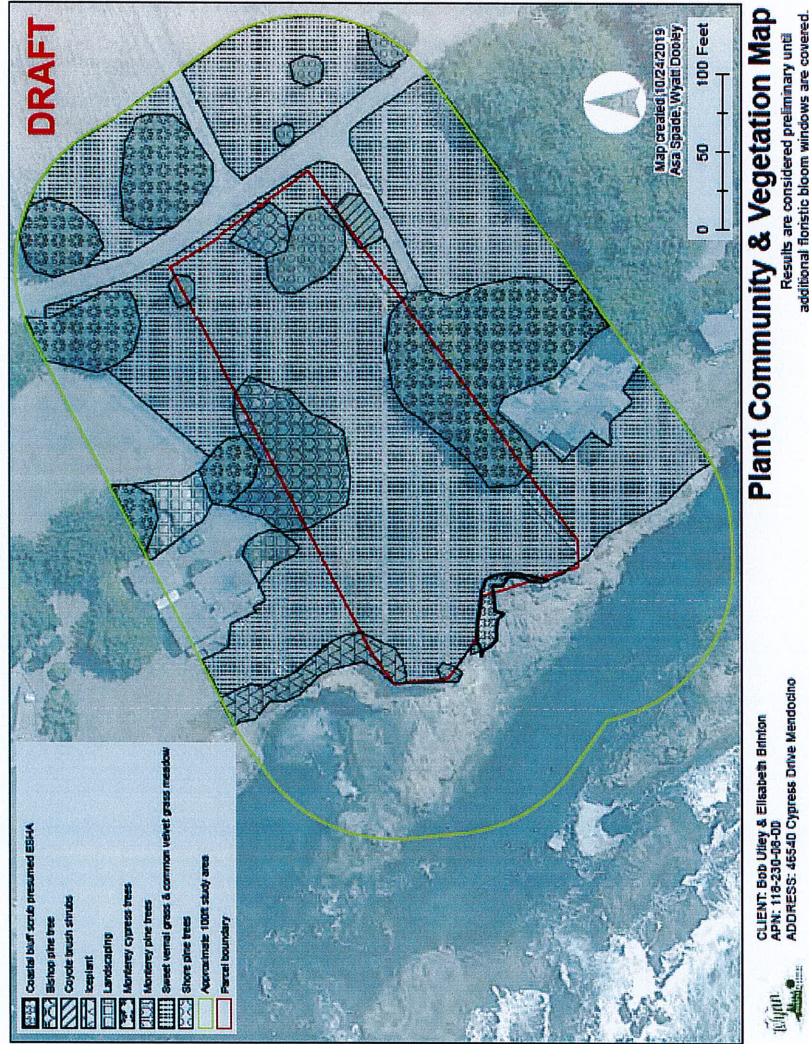


Figure 3. Vegetation and plant communities observed during the site visit.



Figure 5. Photo taken from western side of property looking east through the middle of the non-native grassland.



Figure 6. Mowed vegetation at the western edge of the parcel looking south.



Figure 7. Group of native pines that were observed at the southeastern property boundary.



Figure 8. Non-native Monterey pines observed on the parcel with non-native grassland in the foreground. Invasive ice plant has begun to invade the grass in some areas.



Figure 9. North coast bluff scrub observed on the western property boundary.

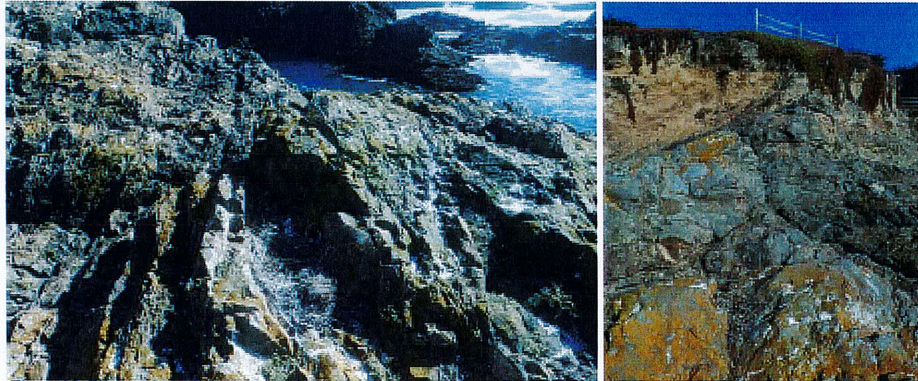


Figure 10. Photos of two different nests that were observed on the rocks over the bluff edge.

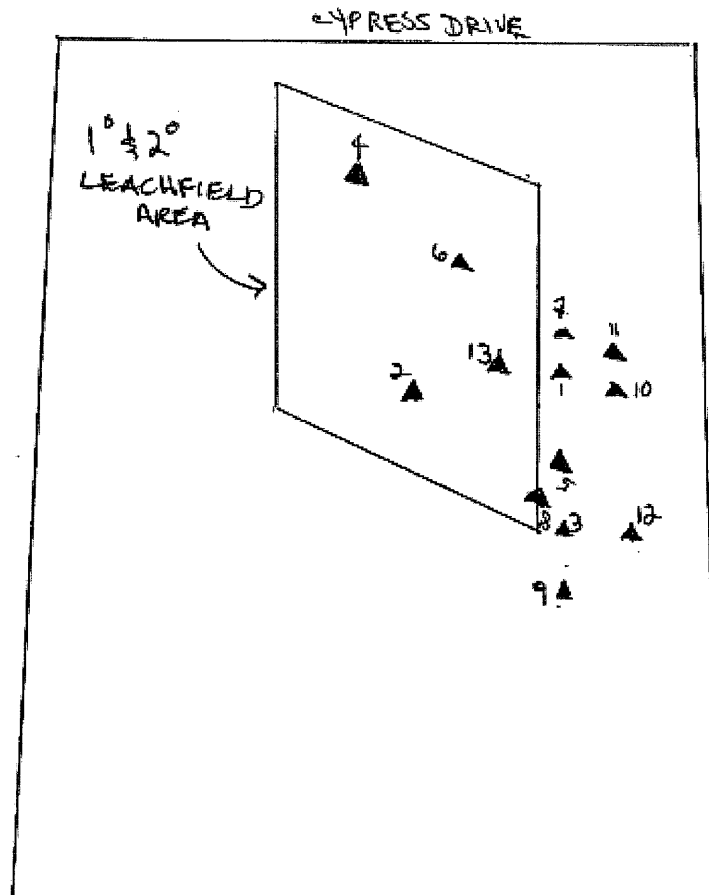
ATTACHMENT 3

PERC TEST - SAMPLE AREAS

SOIL PROFILE MAP
45640 CYPRESS DR., MENDOCINO

1" = 25'

▲ = SOIL PROFILE



ATTACHMENT 3- CONTINUED

SOIL PROFILES REPORT
45640 CYPRESS DRIVE, MENDOCINO

TEST DATE: 2/7/20
BACKHOE: JASON HAWK
EVALUATOR: SUSAN MILLER

PROFILE 1

0 - 20" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
20" FRACTURED SHALE/SANDSTONE

PROFILE 2

0 - 48" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
48-52" DARK REDDISH BROWN 5YR 3/4 SANDY CLAY LOAM, WEAK SUBANGULAR
BLOCKY STRUCTURE, VERY FRIABLE, MANY MEDIUM PORES, GRADUAL BOUNDARY
52" FRACTURED SHALE/SANDSTONE

PROFILE 3

0 - 32" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
32" FRACTURED SANDSTONE/SHALE

PROFILE 4

0 - 48" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
48-60" DARK REDDISH BROWN 5YR 3/4 SANDY CLAY LOAM, WEAK SUBANGULAR
BLOCKY STRUCTURE, VERY FRIABLE, MANY MEDIUM PORES, GRADUAL BOUNDARY.
END OF PROFILE

PROFILE 5

0 - 48" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
48" FRACTURED SANDSTONE/SHALE

ATTACHMENT 3- CONTINUED

PROFILE 6

0 - 48" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
48-54" DARK REDDISH BROWN 5YR 3/4 SANDY CLAY LOAM, WEAK SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, MANY MEDIUM PORES, GRADUAL BOUNDARY
54" FRACTURED SHALE/SANDSTONE

PROFILE 7

0 - 39" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
39" FRACTURED SHALE/SANDSTONE

PROFILE 8

0 - 42" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
42" FRACTURED SHALE/SANDSTONE

PROFILE 9

0 - 22" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
22" FRACTURED SHALE/SANDSTONE

PROFILE 10

0 - 10" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM
10 FRACTURED SHALE/SANDSTONE

PROFILE 11

0 - 12" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM
12" FRACTURED SHALE/SANDSTONE

ATTACHMENT 3- CONTINUED

PROFILE 12

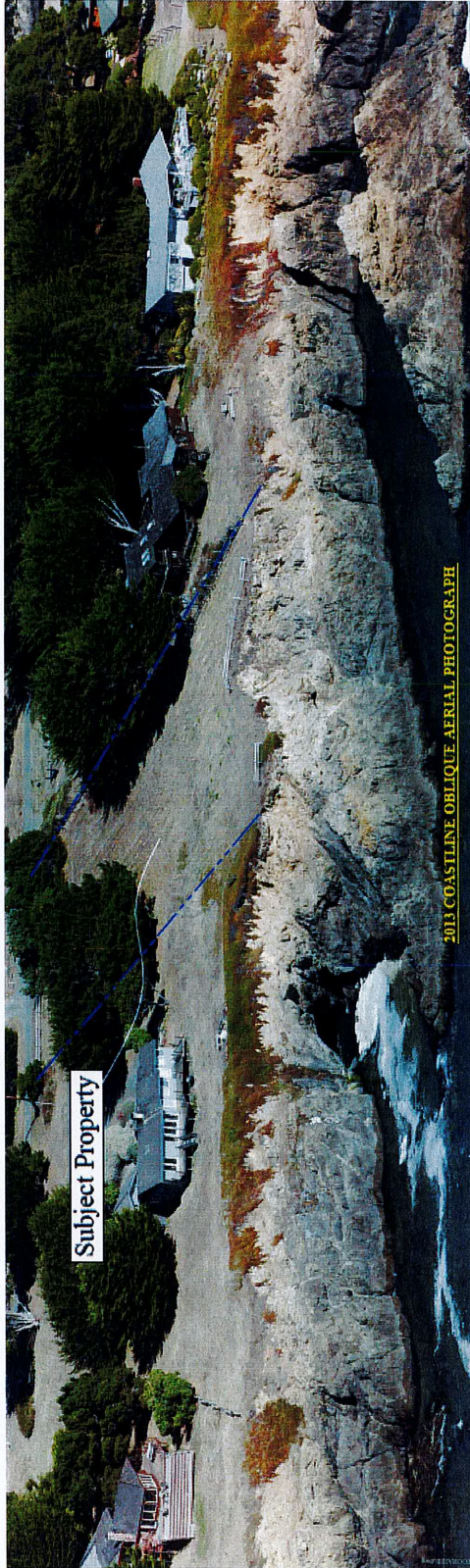
0 - 22" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE ROOTS, MANY MEDIUM
PORES, GRADUAL BOUNDARY
22" FRACTURED SHALE/SANDSTONE

PROFILE 13

0 - 48" DARK REDDISH BROWN 5YR 2.5/2 SANDY CLAY LOAM/SANDY LOAM, WEAK
SUBANGULAR BLOCKY STRUCTURE, VERY FRIABLE, FEW FINE AND COMMON MEDIUM
AND COARSE ROOTS, MANY MEDIUM PORES, GRADUAL BOUNDARY
48" FRACTURED SHALE/SANDSTONE

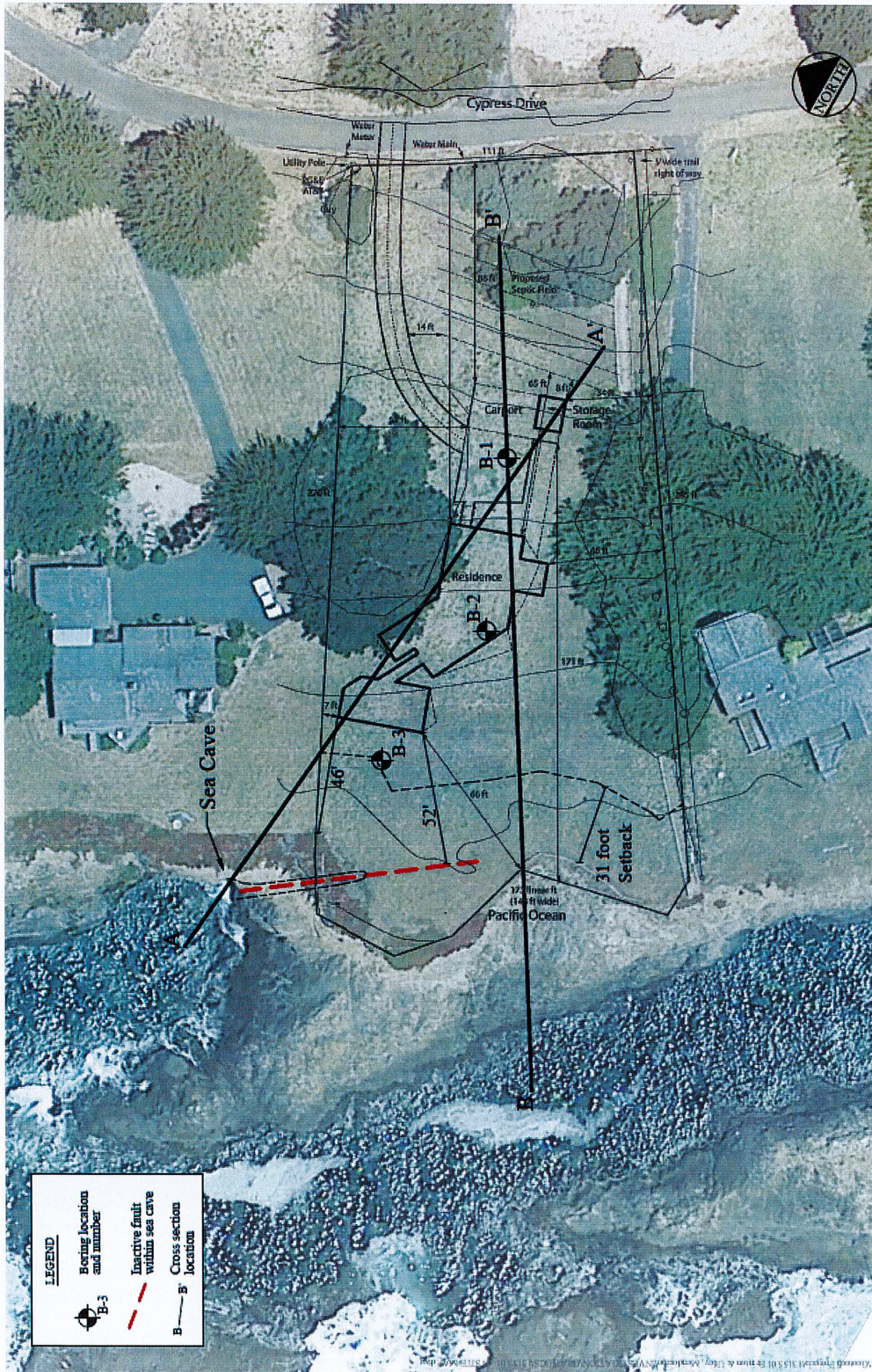
NOTE: ALL PROFILES HAD 2" - 3" GRASS-ROOT MAT ABOVE FIRST SOIL HORIZON

NO GROUNDWATER ENCOUNTERED



	Brusing Associates, Inc. 548 Cypress Blvd., Suite 301 San Bruno, CA 94065 Tel: (415) 328-8108	Job No.: 13122 01 Appr.:  Date: 03/06/20	1973 and 2013 COASTLINE OBLIQUE AERIAL PHOTOGRAPHS BRENTON AND UTILEY RESIDENCE 45640 Cypress Drive Menlo Park, California	PLATE 2
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Reference:
California Coastal Records project, www.californiacoastline.org, by permission.



LEGEND

- Boring location and number
- Inactive fault within sea cave
- Cross section location



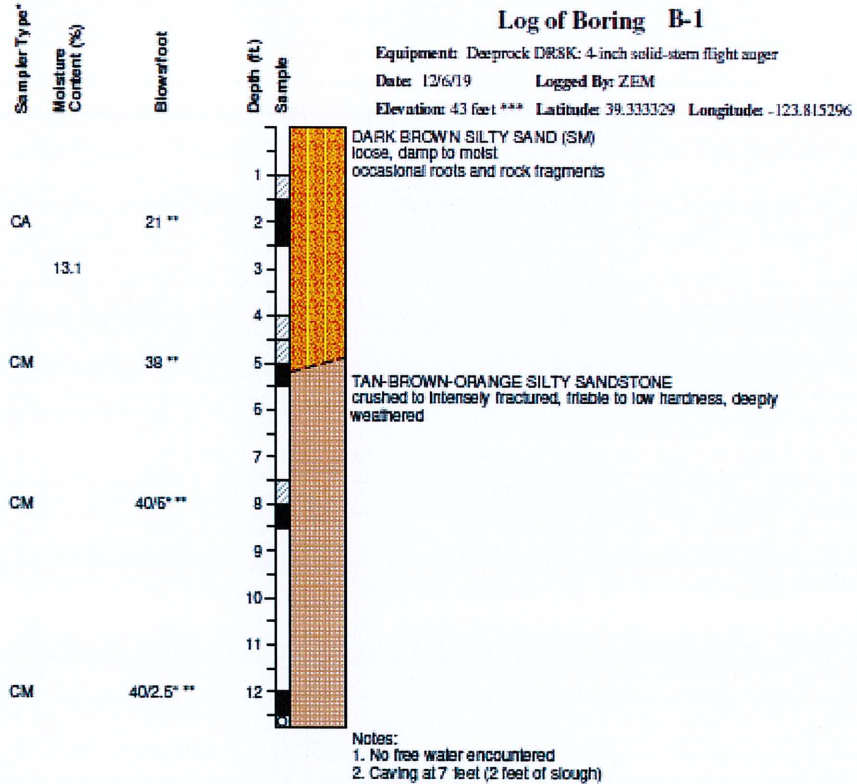
REFERENCE:
 Google Earth Pro, accessed 12/10/19
 and Site Plan, by Agile Architecture
 dated Oct. 5, 2019

PLATE
3

SITE MAP
BRINTON AND UTLEY RESIDENCE
 45640 Cypress Drive
 Mendocino, California

Job No.: 13155-01
 Appr.:
 Date: 03/06/20


Brunsing Associates, Inc.
 5468 Skyline Blvd., Suite 201
 Santa Rosa, California 95403
 Tel: (707) 528-6108

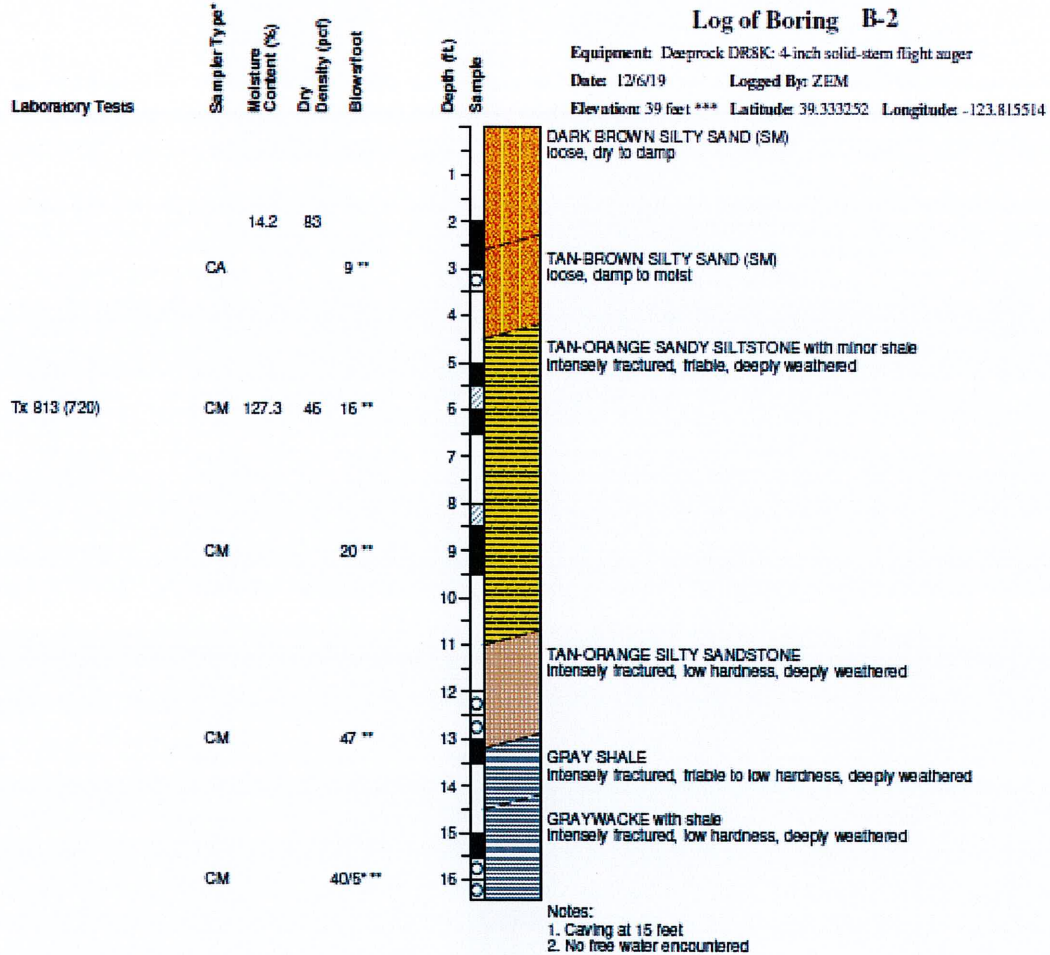


DRAWING NO. 13155.D1 12/16/19 01:31 PM G:\PL 016220

Latitude/Longitude estimated from Google Earth.
 * See Soil Classification Chart & Key to Test Data
 ** Equivalent "Standard Penetration" Blow Counts
 *** Elevations interpolated from Google Earth and contours on Plate 3.

Scale: 1" = 3'

	Brunsing Associates, Inc. 5468 Skyline Blvd., Suite 201 Santa Rosa, California 95403 Tel: (707) 528-6108	Job No.: 13155.D1 Appr: EEO Date: 03/09/20	LOG OF BORING B-1 BRINTON AND UTLEY RESIDENCE 45640 Cypress Drive Mendocino, California	PLATE 4 SHEET 1 of 1
	Scale: 1" = 3'			

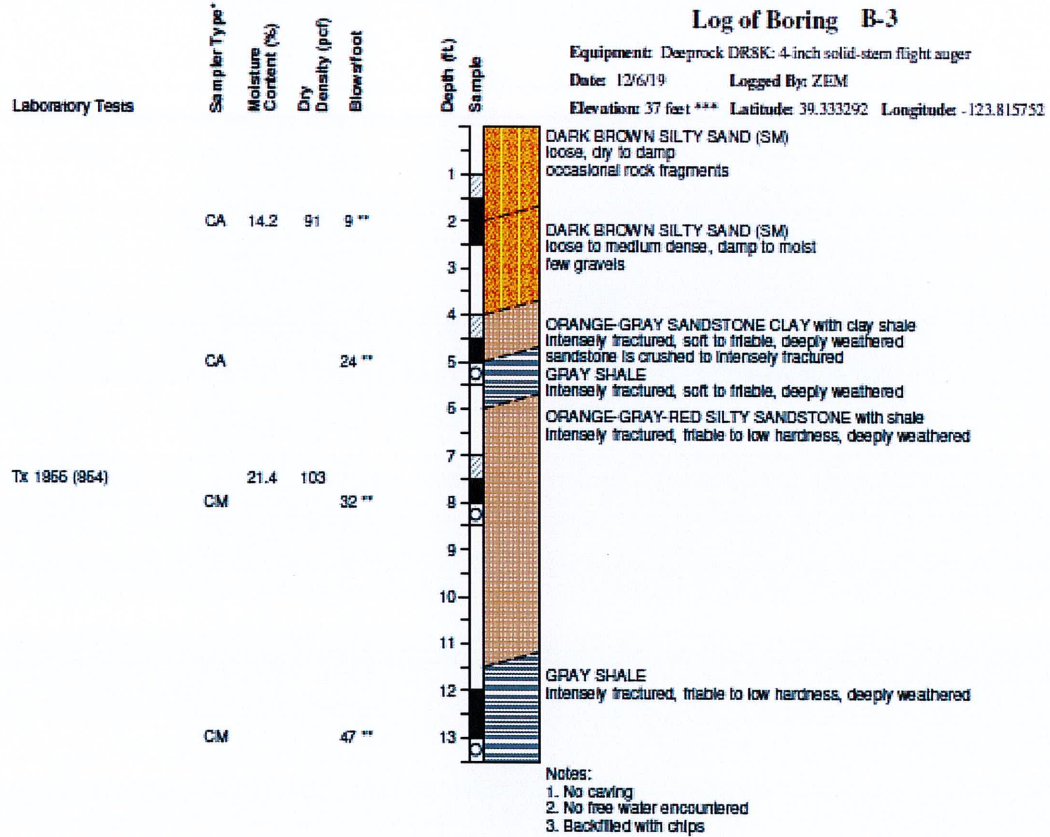


BRUNSON ASSOCIATES, INC. 13155.DI 01/01/20

Latitude/Longitude estimated from Google Earth
 * See Soil Classification Chart & Key to Test Data
 ** Equivale "Standard Penetration" Blow Counts
 *** Elevations interpolated from Google Earth and contours on Plate 3.

Scale: 1" = 3'

<p>Brunsing Associates, Inc. 5468 Skyline Blvd., Suite 201 Santa Rosa, California 95403 Tel: (707) 528-6108</p>	Job No.: 13155.DI Appr: EEO Date: 03/09/20	<p>LOG OF BORING B-2 BRINTON AND UTLEY RESIDENCE 45640 Cypress Drive Mendocino, California</p>	PLATE 5 SHEET 1 of 1
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BRUNSON ASSOCIATES, INC. 13155.01 01/06/20 3/5/20

Latitude/Longitude estimated from Google Earth.
 * See Soil Classification Chart & Key to Test Data
 ** Equivalent "Standard Penetration" Blow Counts
 *** Elevations interpolated from Google Earth and contours on Plate 3.

Scale: 1" = 3'

	Brunson Associates, Inc. 5468 Skyline Blvd., Suite 201 Santa Rosa, California 95403 Tel: (707) 528-6108	Job No: 13155.01 Appr: EEO Date: 03/07/20	LOG OF BORING B-3 BRINTON AND UTLEY RESIDENCE 45640 Cypress Drive Mendocino, California	PLATE 6
				SHEET 1 of 1



STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

February 14, 2020

Jack Tucker, Business Director

Agile Architectural Design

Via Email to: business@genevievemarsh.com

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Luiseño

VICE CHAIRPERSON
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EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: CDO_2019-0044 / APN 118-230-08 at Cypress Drive, Mendocino Project, Mendocino County

Dear Mr. Tucker:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Sarah.Fonseca@nahc.ca.gov.

Sincerely,

Sarah Fonseca
Cultural Resources Analyst

Attachment