

# LAKE COUNTY GENERAL PLAN

September 2008

9. Open Space, Conservation and Recreation

The County should strongly discourage conversion of privately owned, public-access lakefront lots to uses that would preclude future public use.

***Policy OSC-7b.4 Financing of Improvements for Lake Access***

The County budgeting process should prioritize programs for improvement and maintenance of public lakefront lands and seek new sources of financing to help maximize the recreation, aesthetic, and economic benefits derived from public view, access, and use of the lakefront.

## 9.8 Cultural Resources

<b>Goal OSC-8</b>	To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations.
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***Policy OSC-8.1 Evaluation of Cultural and Archaeological Resources***

The County should participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

***Policy OSC-8.2 Protection of Resources with Potential State or Federal Designations***

The County should encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values.

***Policy OSC-8.3 Alteration of Sites with Identified Cultural Resources***

When planning any development or alteration of a site with identified cultural or archaeological resources, ways of protecting the resources shall be developed and implemented. Development will be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

***Policy OSC-8.4 Cultural Resources Education Programs***

The County should support local, state, and national education programs on cultural and archaeological resources.

***Policy OSC-8.5 Historic Structures and Sites***

The County shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

***Policy OSC-8.6 Cooperation of Property Owners***

The County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.

***Policy OSC-8.7 Solicit Views from Local Native Americans***

The County shall continue to solicit views from the local Native American communities regarding cultural resources to identify locations of importance to Native Americans, including archaeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project. Any changes, modifications, or additions to the Lake County General Plan will require consultation with local Native American representatives prior to adoption, as specified in California Senate Bill (SB) 18.

***Policy OSC-8.8 Confidentiality of Archaeological Sites***

The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

***Policy OSC-8.9 Grading Cultural Resources Sites***

The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, Section 2501 et seq.

***Policy OSC-8.10 Historical Resources Inventory***

The County shall prepare a historical resources inventory and use State and Federal Standards in evaluating historical resources for their significance.

***Policy OSC-8.11 Mitigation Monitoring for Historical Resources.***

The County shall develop standards for monitoring of mitigation measures established for the protection of historical resources prior to development.

***Policy OSC-8.12 State Historic Building Code.***

The County shall establish construction standards for the protection of historic resources during development and use the State Historic Building Code for designated properties.

***Policy OSC-8.13 Discovery of Archaeological/Paleontological Resources***

In the event that archaeological/paleontological resources are discovered during ground disturbing activities, the County shall require that grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified professional archaeologist/paleontologist as appropriate. The County will require that a qualified professional archaeologist/paleontologist make recommendations for measures necessary to protect the find; or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials as appropriate.

***Policy OSC-8.14 Discovery of Human Remains***

Pursuant to CEQA Guidelines (Section 15064.5), if human remains are discovered during project construction, it is necessary to comply with state laws relating to prohibitions on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (California Health and Safety Code Section 7050.5). If human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until:

- A. The Lake County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
  1. If the coroner determines that the remains are of Native American origin,
    - a. The coroner shall contact the Native American Heritage Commission within 24 hours.
    - b. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American.
    - c. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
- B. Pursuant to Section 5097 of the Public resources Code, if the Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendents and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:
  1. Record the site with the commission or the appropriate Information Center.