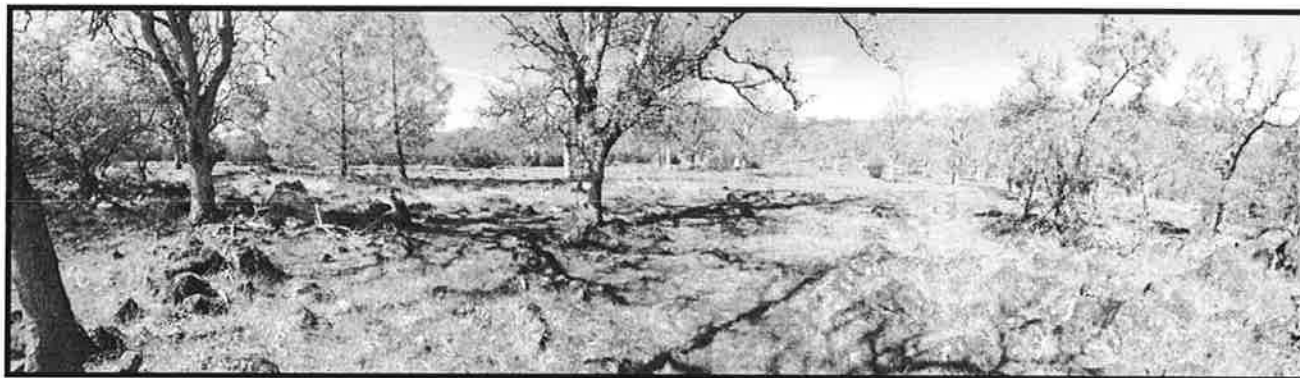




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**CULTURAL RESOURCE EVALUATION OF
A PORTION OF 16750 HERRINGTON ROAD, MIDDLETOWN, CA
APN 013-060-40**



Prepared at the request of:
Valentino Dimitrov
28592 N. 68th Ave.
Peoria, AR 85383

Prepared by:
John W. Parker, Ph.D., RPA

USGS Quad:
Middletown 7.5'

February 28, 2020

FIELD AND RESEARCH ARCHAEOLOGICAL STUDIES

Registered Professional Archaeologist

www.wolfcreekarcheology.com

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SUMMARY

On February 6th, Mr. Dimitrov requested that the author conduct a cultural resource investigation of ~20 acres on a parcel northeast of Hidden Valley Lake. The purpose of the investigation was to locate, describe, and evaluate any archaeological or historical resources that may be present in the project area. In addition, the author was to assess the impact that might occur as a result of cannabis cultivation activities.

The background research indicated that no cultural sites had been recorded within the project area. However, 3 historic sites and 1 prehistoric site had been recorded within 1 mile of the parcel.

The field inspection found two isolated historic artifacts within the project area and a historic rock wall outside the project area.

No evidence of prehistoric cultural activity was discovered.

Though isolated artifacts can sometimes provide information about past cultural uses, they are not considered "significant" cultural resources as defined in the

Public Resources Code¹. Recording their location in this report mitigates any impact that might occur as a result of project development.

The rock wall may be considered a significant historic site, however, it was located outside the project area.

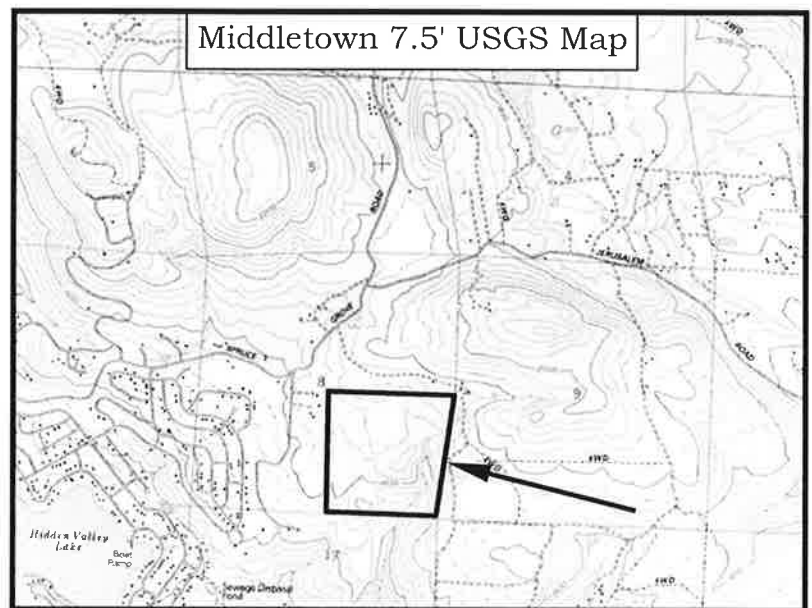
Due to the fact that no "significant" historic resources were found within the project area, it is recommended that the proposed project be approved as planned. Though outside the project area, the rock wall and its immediate surroundings should be avoided by project construction and staging activities.

In the event that undiscovered cultural sites are encountered during the ground clearing process, these should be evaluated for significance by a qualified archaeologist and either preserved or mitigated as outlined in the California Environmental Quality Act (CEQA)².

INTRODUCTION AND BACKGROUND

The fieldwork carried out as part of this study was conducted by John and Cheyanne Parker. Dr. Parker holds a Ph.D. in Archaeology, and is a Registered Professional Archaeologist. Cheyanne has 23 years of archaeological field and lab experience. The fieldwork took place February 26th, 2020.

The proposed project will require a local discretionary permit indicating that the California Environmental Quality Act (CEQA) applies to the project. Therefore, this cultural resource evaluation was written to comply with the requirements set forth in CEQA (sec. 21083.2). This report follows the outline for identification of cultural resources as presented in the "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" (State of California



¹ Sec. 5024.1

² CEQA sec. 15126.4c

1990).

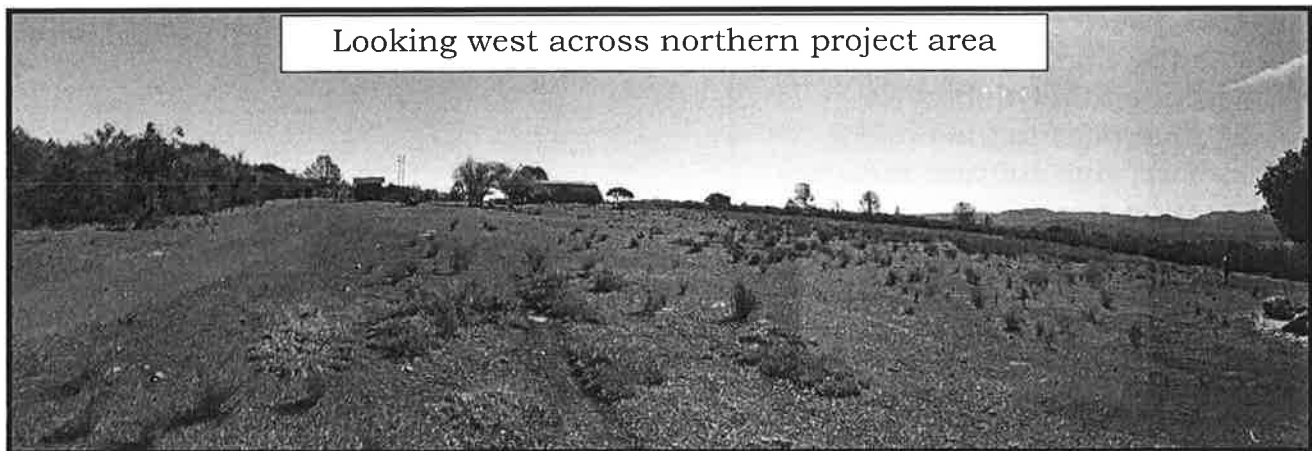
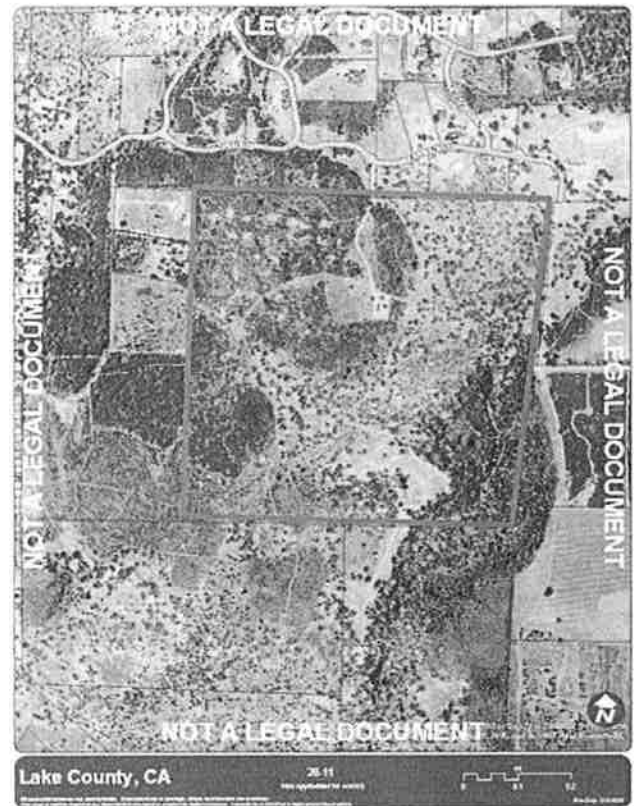
The parcel consisted of level to gently rolling terrain located in the southeast 1/4 of Section 8, T11N, R6W.

The parcel is listed as 16750 Herrington Road, Middletown.

Natural Setting

The project area was located on a rolling plateau north of the Putah Creek Floodplain. The plateau consisted of vesicular basalt flows and red volcanic ash soils. These soils supported a blue oak/chaparral woodland and grassland environment.

Portions of the parcel had been brushed. A barn-like structure, dirt roads, and fence lines existed on the parcel. The majority of the area was undeveloped.



Prehistoric Background

Prior to European arrival, the project area was located within the Lake Miwok territory (Barrett 1908, Kniffen 1939). Barrett's map suggests that the project area may have been controlled by the village of Oléyomi, located along Putah Creek to the south.

Barrett's 1908 map of tribal boundaries

Project location

The oldest archaeological sites in the region have been dated between 14,000 and 20,000 years. These sites indicate that a wave of people (most likely Hoka speakers) entered the area by way of the Cache Creek drainage from California's Central Valley (Parker 1994, 2008).

It is likely that the Miwok either displaced or intermarried into the existing Hokaan or Yukian speaking groups that once controlled this area.

Historic Background

The 1890 Government Plat Map lists Kitto's House and Stable as well as Henley's (Hanly) house on the parcel.

1890 U.S. Plat Map

Sec 8
640
TABLE LAND

Old Road from
New Road

Chemical

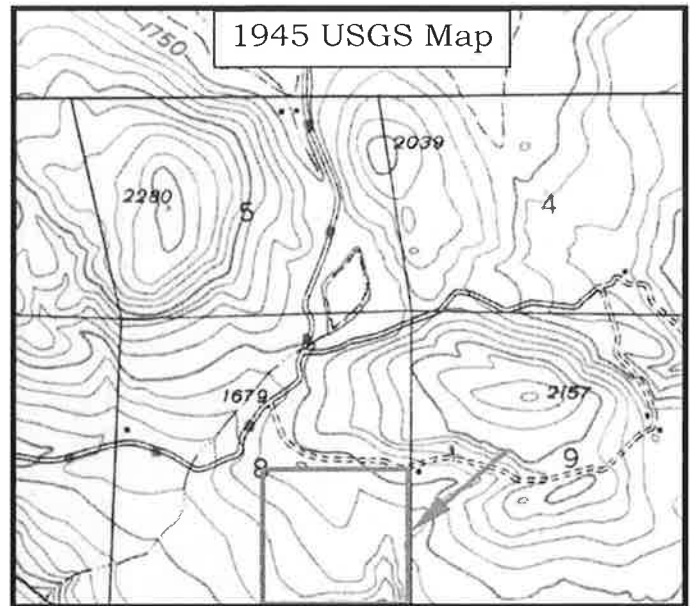
Sec 6

TABLE LAND

patents at end of report). Neither Kitto nor Hanly are mentioned in the Lake County Histories (Slocum, Bowen & Co. 1881, Carpenter et.al. 1914). Thomas Hanly is listed as a trustee of the Sunset School between 1896 and 1902 (Mauldin nd:9517).

The wagon road from Napa, Calistoga, and Middletown to Clear Lake is depicted on the 1890 map (now known as Spruce Grove Road).

The 1945 USGS map shows no historical development on the parcel.



FIELD INSPECTION

Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System. This record search indicated that the project area had not been previously inspected for cultural resources. However, 3 historic sites and 1 prehistoric site had been recorded within 1 mile of the parcel.

The nearest archaeological inspections were conducted immediately north of the project area (Napton 1994, Greenway 1992).

A review was also made of the National Register of Historic Places and State Register of Historic Resources.

On February 18th, a sacred lands file search was requested from the State Native American Heritage Commission. Their review failed to turn up any evidence of previously recorded sacred sites (see attached).

A letter was also sent to Ryan Peterson (Middletown Rancheria Tribal Historic Preservation Dept.), requesting information about any traditional cultural resources that may exist within the area.

Mr. Peterson responded in an email on February 28th:

"We've reviewed the project in our internal database and didn't see any known resources within project area.
Thank you for reaching out.

Regards,
Ryan Peterson"

Mr. Peterson was invited to join the author during the field inspection.

The field inspection involved a complete on-foot reconnaissance of the project area. All areas were carefully inspected. The ground surface was examined for historic and prehistoric cultural materials. This inspection was conducted by walking transects across the parcel spaced 5 to 8 meters apart. Whenever grass cover or leaf litter was encountered, a trowel was used intermittently to clear to the mineral soil. All cut banks and tree root balls were examined to observe buried soils. Rock outcrops were inspected for seed preparation and rock art activities.

The sparse grass over most of the project area enabled a complete inspection of the mineral soil. It is possible that isolated historic or prehistoric artifacts may have been missed, however, we are sure that any significant cultural sites would have been observed and recorded.

STUDY RESULTS

Legal Framework

CEQA relies on the California Register of Historic Resources to determine what is a "Unique" or "Significant" historical or tribal cultural resource (CEQA Sec. 15064.5 a and 21074 a).

According to the California Register, a resource is determined "significant" if it meets one of the following:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - B. Is associated with the lives of persons important in our past;
 - C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value; or
 - D. Has yielded, or may be likely to yield, information important in history or prehistory. (Pub. Res. Code Sec. 5024.1, Title 14 CCR, Sec. 4852)
- A Tribal Cultural Resource may also be determined significant if:
 - 1. It is a feature, place, cultural landscape, or objects with cultural value to descendant communities, or
 - 2. It is a sacred place such as a sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine that is listed on the California Native American Heritage Commission's Sacred Lands File.

Prehistoric

No prehistoric cultural materials were encountered.

Historic

Isolated Harrows

Two isolated historic harrow pieces were discovered within the project area. These appeared represent a 2-section Kenwood "U" Bar Steel Lever Harrow, most likely made between 1870 and 1930.

Rock Wall

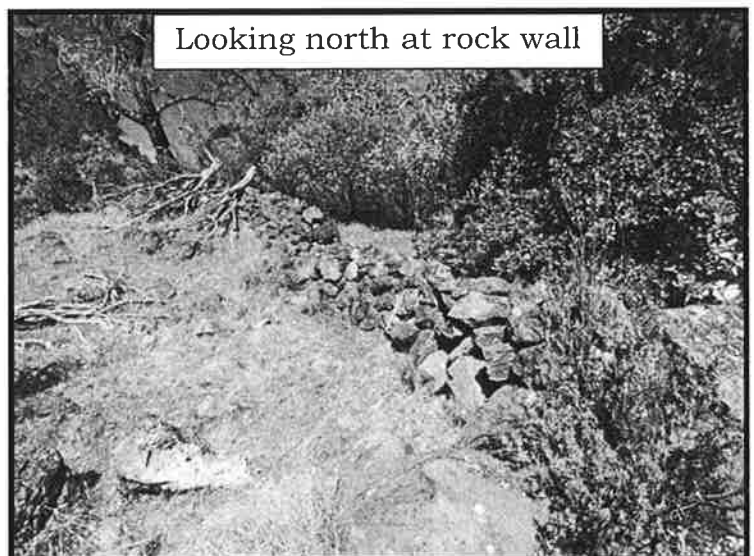
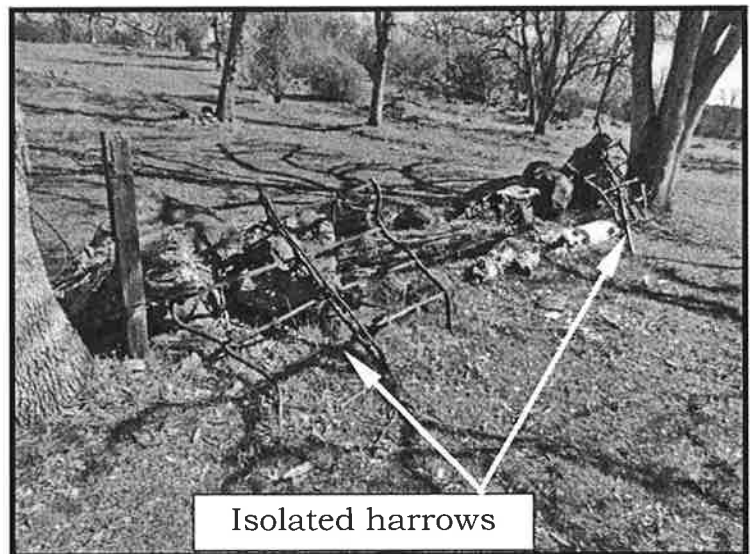
A portion of a rock wall was encountered outside and southeast of the project area on a steep hillside. The rock wall was at least 42 meters long, 1 meter high and 1.5 meters wide. It had a UTM location of 539934mE/4296378mN.

It is possible that the rock wall was either a boundary line between the Thomas Hanly and Marguerite Kitto properties or part of an animal enclosure on the Hanly property.

Significance

Though the location of the isolated harrows do provide some information about the historical use of the area, there were no other associated cultural artifacts or features.

These isolated artifacts are not considered "significant" historic resources as defined by the Public Resources Code³. Recording their location in this report mitigates any impact that might occur as a result of project activities.

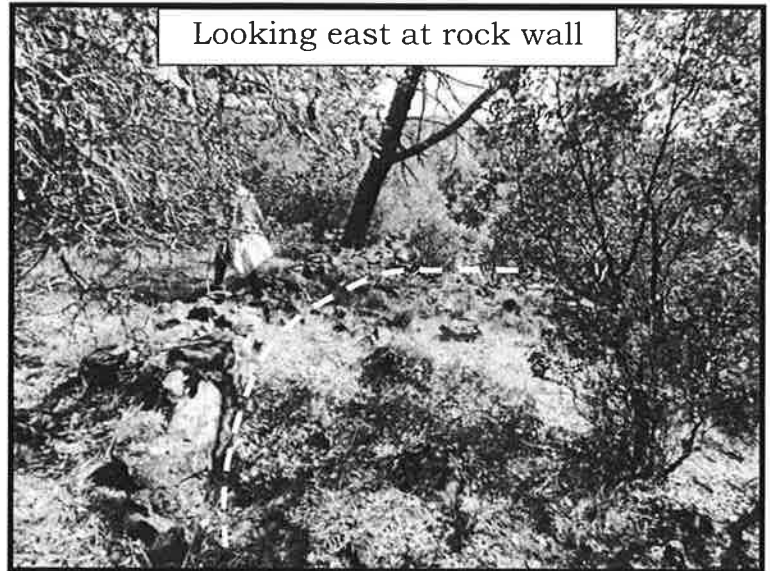


³ Sec. 5024.1, Title 14 CCR, Sec. 4852

The rock wall does appear to be a significant historic resource. As it may define historic land use patterns in the area, it likely meets criteria "D" listed above.

CONCLUSIONS AND RECOMMENDATIONS

As no significant historic or prehistoric cultural materials or features were encountered within the project areas during the field inspection, it is recommended that the proposed project be approved as planned.



The rock wall exists ~250 feet southeast and downslope from the southern project area. It is recommended that no project construction or staging activities take place in the vicinity of the rock wall (see attached resource map).

In the event that undiscovered cultural sites are encountered during the ground clearing process, these should be evaluated for significance by a qualified archaeologist and either preserved or mitigated as outlined in CEQA (sec. 21083.2 [b] or 15126.4c).

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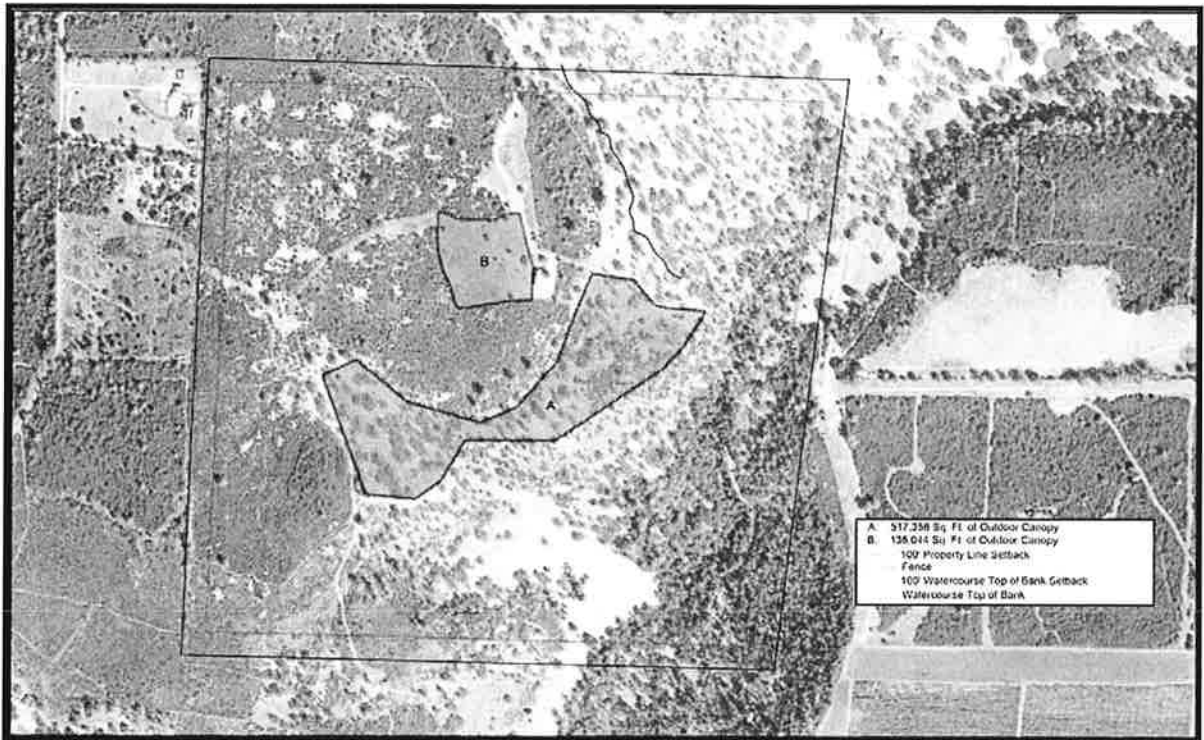
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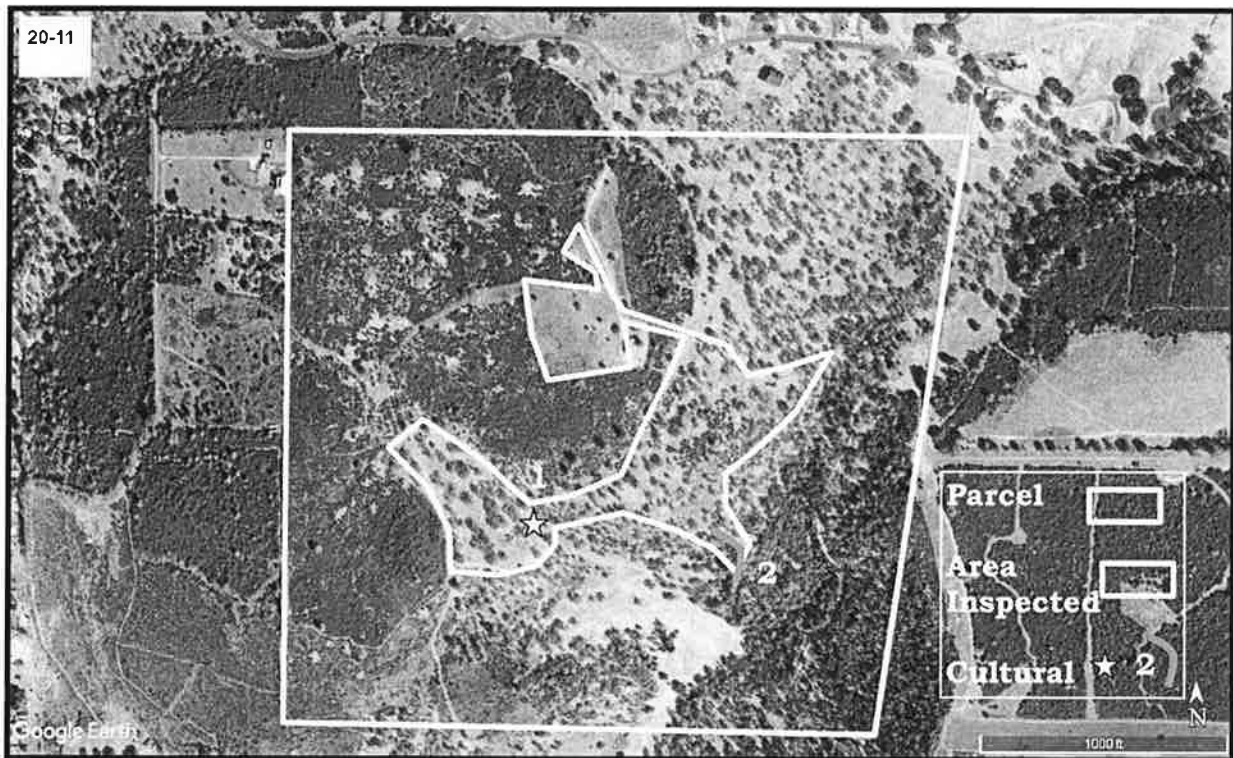
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PROPOSED PROJECT



AREA INSPECTED AND CULTURAL RESOURCES



- 1) Cultivators
- 2) Rock Wall

1891 LAND PATENT

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

CERTIFICATE

No. 17697

Whereas *Marguerite L. Kitto of Lake County California*

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *San Francisco California* whereby it appears that full payment has been made by the said *Marguerite L. Kitto*

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for *the West half of the South East quarter, the North East quarter of the South East quarter and the South East quarter of the North East quarter of Section eight, in Township five eleven North of Range six West of Mount Diablo Meridian in California containing one hundred and sixty acres.*

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said *Marguerite L. Kitto*

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said *Marguerite L. Kitto*

and to *her* heirs, the said Tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, thereto belonging, unto the said *Marguerite L. Kitto*

and to *her* heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof *S. Benjamin Harrison* President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

(SEAL.)

Given under my hand, at the City of Washington, the *first* day of *November*, in the year of our Lord one thousand eight hundred and *ninety seven* and of the Independence of the United States the one hundred and *sixty seventh*

By the President: *Benjamin Harrison*

By *Ellen Harrison* Secretary.

J. R. Lee Recorder of the General Land Office.

ed. Harrison

1892 LAND PATENT

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

CERTIFICATE

No. 12860

Whereas Thomas Hanly of Lake County California

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at San Francisco California whereby it appears that full payment has been made by the said Thomas Hanly

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the Lot numbered five and the East half of the North East quarter of Section seven and the North East quarter of the North East quarter of Section eight in Town Ship eleven North of Range six West of Meridian 12th Meridian in California containing one hundred and eighty two acres and eighteen hundredths of an acre.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Thomas Hanly

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said Thomas Hanly

and to his heirs, the said Tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, thereto belonging, unto the said Thomas Hanly

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof Benjamin Harrison

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

(SEAL.)

Given under my hand, at the City of Washington, this twenty fifth day of January, in the year of our Lord one thousand eight hundred and ninety two, and of the Independence of the United States the one hundred and sixteenth

By the President: Benjamin Harrison

By E. Macfarland

Secretary

W. D. Roberts

Recorder of the General Land Office.

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HISTORICAL
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NWIC Billing Worksheet

IC File Number: 19-1253

Client Name: John Parker Phone: (707) 274-2233

Affiliation: Archaeological Research Email: dr.john@wolfcreekarcheology.com

Proj Name/Number: 20-4, 20-5, 20-6, 20-7

Date Request Rec'd: 1/28/2020

Date of Response: 1/28/2020

Check In: 1:21:00 PM	Check Out: 1:48:00 PM	Check In:	Check Out:	
In-person Time:	Hour(s): 0.45		\$	100.00
Staff Time:	Hour(s):		\$	0.00
Shape Files:	Number:		\$	0.00
Custom Map Features:	Number:		\$	0.00
Digital Database Record:	Number of Row(s):		\$	0.00
Quads:	Number:		\$	0.00
Address-mapped Flat Fee:			\$	0.00
Hard Copy (Xerox/Computer) Pages:	Page(s):		\$	0.00
Labor Charge:	Hour(s):		\$	0.00
PDF Pages:	Page(s):		\$	0.00
PDF Flat Fee:			\$	0.00
Other: CHRIS Data Request			\$	0.00
Subtotal				\$ 100.00
Multi-Day Start:	Multi-Day End:		\$	0.00

Rapid response surcharge of 50% of total cost: \$ 0.00

Total: \$ 100.00

Information Center Staff: Bryan Much
Sonoma State University Customer ID: 1001460
Sonoma State University Invoice No.:
CHRIS Access and Use Agreement No.: 252

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NATIVE AMERICAN HERITAGE COMMISSION

February 25, 2020

John Parker, RPA
Wolf Creek ArcheologyVia Email to: dr.john@wolfcreekarcheology.com

Re: 20-11 WeGrow LLC Cannabis Project, Lake County

Dear Dr. Parker:

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

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