Chapter 18
Cultural Resources

18.1 Summary Comparison of Proposed Project

A summary comparison of quantifiable impacts on cultural resources is provided in Figure 18-0. This figure provides information on the magnitude of the most pertinent and quantifiable cultural impacts that are expected to result from the proposed project relative to the approved project.

These incremental differences in impacts between the approved project and the proposed project, together with consideration of the severity of the underlying impacts as set forth in the Final EIR/EIS, are the basis for making both NEPA and CEQA impact significance findings. The incremental analysis addresses whether the proposed project, compared with the approved project, will lead to any new significant environmental effects or to any substantial increase in the severity of previously identified significant effects. The incremental difference between the original impacts and the newly anticipated impacts is then considered against the backdrop of the original significance determinations for the original underlying impacts as described in the Final EIR/EIS.

Figure 18-0. Comparison of Impacts on Cultural Resources

Chapter 18 – Cultural Resources	Approved Project	Proposed Project (Total)	Proposed Project (Increment)
Impact CUL-1: Effects on Identified Archaeological Sites Resulting from Construction of Conveyance Facilities (number of documented cultural resources impacted)	10 documented cultural resources	8 documented cultural resources	-2 documented cultural resources
	Significant and unavoidable/ adverse	Remains significant and unavoidable/ adverse. No change to findings for the approved project.	
Impact CUL-5: Direct and Indirect Effects on Eligible and Potentially Eligible Historic Architectural/ Built-Environment Resources Resulting from Construction Activities (number of documented cultural resources impacted)	8 documented cultural resources	8 documented cultural resources	0 documented cultural resources
	Significant and unavoidable/ adverse	Remains significant and unavoidable/ adverse. No change to the findings for the approved project.	

As depicted in Figure 18-0, the proposed project would not result in new significant impacts or a substantial increase in the severity of previously identified significant cultural resource impacts. This chapter contains the information necessary to make the Final EIR/EIS[1] adequate for the approved project as revised.

[1] The July 2017 document titled *Developments after Publication of the Proposed Final Environmental Impact Report* included modifications and additions to the proposed Final EIR/EIS. In this chapter, references to "the Final EIR/EIS" should be understood to include changes made to the December 2016 document as set forth in the July 2017 document.

18.2 Environmental Setting/Affected Environment

18.2.1 Regulatory Setting

18.2.1.1 Assembly Bill 52

Approved on September 25, 2014, Assembly Bill 52 (AB 52) expands the definition of an environmental resource under CEQA to include tribal cultural resources as a distinct resource category that is separate from other cultural resources protected by CEQA (i.e., unique archaeological resources and historical resources), and that would require consideration. Importantly, Section 11(c) of AB 52 indicates that the "act shall apply only to a project that has a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015." A notice of preparation was prepared for the project in 2009, and the proposed project changes will not require a new notice of preparation, negative declaration, or mitigated negative declaration. Therefore, AB 52 is not applicable to the project.

All other state and federal cultural resources regulations that apply to the proposed project are the same as described in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.1, *Environmental Setting/Affected Environment*.

18.2.2 Affected Environment

The Existing Conditions of cultural resources that would be affected by construction and operation of the proposed project are the same as described in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.1, *Environmental Setting/Affected Environment*. The Final EIR/EIS provides a discussion of the methods used for resource identification, the prehistoric archaeological setting and property types, the ethnographic setting, traditional cultural properties and Native American property types, the historic-era setting and built environment property types, and historical archaeological property types. The modifications to the approved project would be located entirely within the previously analyzed study area from the Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.1, *Environmental Setting/Affected Environment*, and the 2018 Addendum; therefore, the Existing Conditions have not changed from what is described in those two documents.

18.3 Environmental Consequences

This section describes the potential effects of the modifications to the approved project on cultural resources within the study area. Effects are evaluated for severity and, where appropriate, mitigation measures are identified.

This section describes potential direct and reasonably foreseeable indirect effects on cultural resources that would result with implementation of the proposed project. Implementing Environmental Commitments as part of the proposed project would result in impacts on cultural resources similar to those of the approved project and described in Final EIR/EIS Chapter 18, Section 18.3.6.2, *Alternative 4A*. Therefore, the effects of implementing Environmental Commitments are not further discussed in this chapter.

The methods applied to the analysis of impacts on known cultural resources are the same as described in Final EIR/EIS Chapter 18, Section 18.3.1. The criteria used to identify adverse effects are also the same as described in the Final EIR/EIS, Section 18.3.1. Refer also to Section 18.1.1, *Methods for Resource Identification*, of the Final EIR/EIS, Chapter 18.

18.3.1 Effects and Mitigation Approaches

18.3.1.1 No Action Alternative

Under the No Action Alternative, the new Byron Tract Forebay, reusable tunnel material (RTM) storage, and other footprint changes described for the proposed project would not occur. For the purposes of this Supplemental EIR/EIS, the No Action Alternative, against which this proposed project is compared, is consistent with the No Action Alternative Early Long-Term in the Final EIR/EIS. No differing effects on cultural resources would result along the proposed project alignment from what was previously described for the No Action Alternative Early Long-Term in the Final EIR/EIS if the No Action Alternative were to occur.

18.3.1.2 Proposed Project

The Final EIR/EIS found that there was a potential for Alternative 4A (the approved project) to result in impacts on cultural resources. The analysis for cultural resources remains the same as described in the Final EIR/EIS with consideration of the proposed modifications to the approved project. The following are the anticipated cultural resources impacts associated with the proposed project and adopted mitigation measures for these impacts.

Impact CUL-1: Effects on Identified Archaeological Sites Resulting from Construction of Conveyance Facilities

RTM Storage and Byron Tract Forebay and Conveyance

The extent of identified archaeological sites within the area that could be affected by construction of the proposed project are less than the number described for the approved project in Final EIR/EIS Chapter 18, Section 18.3.6.2, *Alternative 4A*. The proposed project encompasses 8 recorded archaeological resources occurring in the study area, as opposed to the 10 described for the approved project. When this is taken into consideration, impacts associated with the proposed project would be comparable to impacts of the approved project, with most of the archaeological resources located within the RTM storage areas. Site descriptions summarizing available information regarding these resources are provided in Appendix 18A, *Identified Cultural Resources Potentially Affected by the Project*, of this document.

The significance of the identified archaeological sites are comparable to those described for the approved project in Final EIR/EIS Chapter 18, Section 18.3.6.2, *Alternative 4A*. Because many of these resources are large (typically in excess of 30 meters across), they are each likely to contain sufficient integrity to yield artifacts in their original associations in a manner that will convey the significance themes outlined in the Alternative 4A discussion in Final EIR/EIS Section 18.3.6.2. These resources are likely to qualify as historical resources or unique archaeological resources under CEQA and historic properties under the National Historic Preservation Act (NHPA).

The mechanisms that could affect archaeological sites would be identical to those described for the approved project in Final EIR/EIS Section 18.3.6.2, *Alternative 4A*. These resources occur within both temporary work areas and permanent surface impact areas and would be subject to the same types of disturbance described for Alternative 4A in Final EIR/EIS Section 18.3.6.2. Construction of the water conveyance facilities has the potential to materially impair these resources under CEQA and to adversely affect the resources as defined by Section 106 of the NHPA.

NEPA Effects: Construction may disturb or damage archaeological resources eligible for listing on the National Register of Historic Place (NRHP) and California Register of Historic Resources (CRHR). This damage may impair the integrity of these resources and thus reduce their ability to convey their significance. For these reasons this effect would be adverse.

***CEQA Conclusion*:** Construction of the approved project would affect 10 identified archaeological resources, which, despite mitigation, would remain a significant and unavoidable impact. The combined facility changes under the proposed project would affect 8 identified archaeological resources that occur in the study area. DWR identified many of these resources and found that they are likely to qualify as historical resources under CEQA (see the individual site descriptions in Appendix 18A, *Identified Cultural Resources Potentially Affected by the Project*, Table 18A-1, *Identified Archaeological Resources*). This impact would be significant because construction could materially alter or destroy the physical integrity of the resource and/or their potential to yield information useful in archaeological research, which is Criterion 4 of the CRHR and the likely basis for the significance of these resources. As-yet undocumented archaeological resources may be significant under other register criteria and would need to be evaluated to determine whether this is the case. If so, indirect effects on these resources may need to be considered if they result in changes to setting in a way that may diminish the significance of the resource in question. Mitigation Measure CUL-1 would reduce this impact, by recovering data at affected significant archaeological sites and by monitoring and protecting resources during construction.

Incremental Impact: The proposed project would result in two fewer archaeological resources being impacted than under the approved project. However, because the proposed project would still impact unique archaeological resources or historical resources, the impact associated with this portion of the project would remain significant and unavoidable. Mitigation Measure CUL-1 would reduce this impact by requiring data recovery at affected significant archaeological sites and by requiring monitoring and protection of resources during construction. However, this measure would not ensure preservation of the physical integrity of the resources or ensure that all of the scientifically important material would be retrieved because feasible archaeological excavation only typically retrieves a sample of the deposit, and portions of the site containing important information may remain after treatment. The impact on identified archaeological sites would be adverse (NEPA) and significant and unavoidable (CEQA) because construction could damage the remaining portions of the deposit, the same as what would result under the approved project.

Mitigation Measure CUL-1: Prepare a Data Recovery Plan and Perform Data Recovery Excavations on the Affected Portion of the Deposits of Identified and Significant Archaeological Sites

See Mitigation Measure CUL-1 under Impact CUL-1 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

Impact CUL-2: Effects on Archaeological Sites to Be Identified through Future Inventory Efforts

RTM Storage

The potential effects of construction on archaeological sites identified through future inventories would be comparable to those described for the approved project in Final EIR/EIS Chapter 18, Section 18.3.6.2, *Alternative 4A*. These future impacts could occur because most of the area crossed by construction areas; including much of the newly identified RTM areas located within the proposed project footprint but not the approved project footprint; is not currently legally accessible as of the writing of this document and as such has not been surveyed for the presence of archaeological sites. As with the approved project, the proposed project would also require extensive geotechnical testing that could damage or destroy archaeological sites. Although the majority of the study area has not been surveyed, sensitive resources have been located within and near the portions of the alignment that have been surveyed. For this reason, additional archaeological resources are likely to be found in the portions of the study area where surveys have not yet been conducted. For the reasons enumerated for Alternative 4A in Final EIR/EIS Section 18.3.6.2, these sites are likely to qualify as historical resources or unique archaeological resources under CEQA and historic properties under Section 106 of the NHPA. The potential effects on historic sites under the proposed project would be the same as those disclosed for the approved project in Final EIR/EIS Section 18.3.6.2, *Alternative 4A*. In summary, historic sites are likely to be associated with the historic-era themes of settlement, reclamation, agriculture, and flood management in the Delta region and as such contributed to the economic base for developing urban centers. These historic sites are likely to qualify as historical resources or unique archaeological resources under CEQA and historic properties under Section 106 of the NHPA.

Byron Tract Forebay and Conveyance

As with the relocated RTM areas, much of the area covered by the new Byron Tract Forebay and the conveyance leading to the SWP and CVP are not currently legally accessible as of the writing of this document and as such has not been surveyed for the presence of archaeological resources. Impacts would be the same as discussed above.

NEPA Effects: The proposed project has the potential to damage previously unidentified archaeological sites. Absent mitigation, ground-disturbing construction would likely physically damage many of these resources by disrupting the spatial associations that convey data useful in research or changing the setting such that the resource no longer contains its significance. Because these sites may qualify for the NRHP or CRHR, damage to these sites may diminish their integrity. These impacts would materially impair these resources within the meaning of CEQA and adversely affect the resources within the meaning of Section 106 of the NHPA. For these reasons this effect would be adverse.

CEQA Conclusion: The study area is sensitive for both prehistoric and historic-era resources that cannot be identified at this time because much of the study area is not legally accessible as of the writing of this document. Because many of these resources are likely to have data useful in prehistoric and historic archaeological research, as well as the integrity to convey this significance, they are likely to qualify as historical resources or unique archaeological sites under CEQA. Ground-disturbing construction for both the approved project or the proposed project may materially alter the significance of these resources by disrupting the depositional context of the resource and the

spatial relationship between the physical constituents of the resource, both of which are necessary for the purposes of yielding important data under Criterion 4 of the CRHR. As-yet undocumented archaeological resources may be significant under other register criteria and would need to be evaluated to determine whether this is the case. If so, indirect effects on these resources may need to be considered if they result in changes to setting in a way that may diminish the significance of the resource in question. Mitigation Measure CUL-2 would address the impacts of both prehistoric and historic resources through conducting inventories, evaluating significance, and proposing treatment of archaeological and historic resources as well as monitoring during the construction phase. For these reasons, the impact would be significant and unavoidable.

Incremental Impact: The impact on archaeological resources to be identified during future inventory efforts caused by the incremental change in the construction of water conveyance facilities under the proposed project would be the same as under the approved project. Mitigation Measure CUL-2 has been adopted to reduce impacts. However, this mitigation cannot guarantee that all eligible or significant resources would be preserved in place, or that all important information would be retrieved before construction destroys these resources. The scale of the proposed project, investment into existing designs, and the presence of other important environmental resources such as habitat, natural communities, and wetlands that should be avoided are constraints on the flexibility and feasibility of avoidance. The impact would be adverse (NEPA) and significant and unavoidable (CEQA).

Mitigation Measure CUL-2: Conduct Inventory, Evaluation, and Treatment of Archaeological Resources

See Mitigation Measure CUL-2 under Impact CUL-2 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

Impact CUL-3: Effects on Archaeological Sites That May Not Be Identified through Inventory Efforts

The potential effects of construction activities on archaeological sites that may not be identified during inventory efforts would be the same as described for the approved project in Final EIR/EIS Chapter 18, Section 18.3.6.2, *Alternative 4A*. The effects on archaeological resources would be similar because construction activities, method, and duration would be identical for both the approved project and the proposed project. As described for Alternative 4A in Final EIR/EIS Section 18.3.6.2, although surveys would be completed in areas where construction activities are proposed, such surveys cannot guarantee that all sites will be identified prior to construction.

RTM Storage

Ground-disturbing activities of the proposed project, including the work associated with the relocated RTM areas, may disturb and damage these resources before they can be identified and avoided during monitoring efforts required under Mitigation Measure CUL-3. These activities could include excavation, grading, and the placement of spoils, which may result in damage and disturbance that could materially impair these resources within the meaning of CEQA or adversely affect the resources within the meaning of NHPA Section 106. This is because such disturbance would impair the ability of these resources to yield information useful in research.

Byron Tract Forebay and Conveyance

As with the relocated RTM areas, construction of the new Byron Tract Forebay and the conveyance leading to the SWP and CVP may disturb and damage these resources before they can be identified and avoided during monitoring efforts required under Mitigation Measure CUL-3. These activities could include excavation and grading. Impacts would be the same as discussed above.

NEPA Effects: The proposed project has the potential to damage previously unidentified archaeological sites that also may not necessarily be identified prior to construction. Although cultural resource inventories will be completed once the final design for each project element is complete and legal access is secured, no inventory can ensure that all resources are identified prior to construction. Because these sites may qualify for the NRHP or CRHR, damage to these sites may diminish their integrity. For these reasons this effect would be adverse. While Mitigation Measure CUL-3 would reduce the potential for this impact, it would not guarantee the impact would be avoided entirely. The impact would remain adverse even after mitigation.

***CEQA Conclusion*:** Construction of either the approved project or the proposed project has the potential to disturb previously unidentified archaeological sites qualifying as historical resources or unique archaeological resources. Ground-disturbing construction may materially alter the significance of these resources by disrupting the depositional context of the resource and the spatial relationship between the physical constituents of the resource, both of which are necessary for the purposes of yielding important data under Criterion 4 of the CRHR. Such a disruption would constitute a significant impact on the resource, similar to what would result under the approved project. Because these resources would not be identified prior to construction, they cannot be recorded and effects cannot be managed through construction treatment. Mitigation Measure CUL-3 would reduce but not entirely avoid the potential for this impact, by implementing construction worker training, monitoring, and discovery protocols. The impact would be significant and unavoidable.

Incremental Impact: There would be no incremental impact on undocumented archaeological resources caused by the construction of water conveyance facilities under the proposed project compared with the approved project. Therefore, the impact associated with changing the footprint of the water conveyance facilities would remain adverse (NEPA) and significant and unavoidable (CEQA). Mitigation Measure CUL-3 would reduce but not entirely avoid the potential for this impact by requiring implementation of construction worker training, monitoring, and discovery protocols. However, because archaeological resources may not be identified prior to disturbance through these measures, the effect cannot be entirely avoided.

Mitigation Measure CUL-3: Implement an Archaeological Resources Discovery Plan, Perform Training of Construction Workers, and Conduct Construction Monitoring

See Mitigation Measure CUL-3 under Impact CUL-3 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

Impact CUL-4: Effects on Buried Human Remains Damaged during Construction

RTM Storage

Effects on buried human remains during construction under the proposed project would be the same as described for the approved project. As described in greater detail for Alternative 4A in

Section 18.3.6.2 of the Final EIR/EIS, the area where construction activities are proposed is sensitive for buried historic and prehistoric human remains. Placement of RTM would require ground-disturbing work such as excavation and grading that may damage previously unidentified human remains, resulting in direct effects on these resources. While inventory and monitoring efforts are prescribed by Mitigation Measures CUL-2 and CUL-3, the large land area subject to disturbance under the relocated RTM storage areas make exhaustive sampling to identify all buried and isolated human remains technically and economically infeasible. For these reasons the potential remains that such resources may be damaged or exposed before they can be discovered through inventory or monitoring.

Byron Tract Forebay and Conveyance

As with the relocated RTM areas, construction of the new Byron Tract Forebay and the conveyance leading to the SWP and CVP would require ground-disturbing work and could result in direct effects on buried historic and prehistoric human remains. Impacts and adopted mitigation would be the same as discussed above.

NEPA Effects: Buried human remains may be damaged by the proposed project because such remains may occur either in isolation or as part of identified and previously unidentified archaeological resources at the location of construction activities. This effect would be adverse.

***CEQA Conclusion*:** Impacts on buried human remains would be considered significant. The proposed project area is sensitive for buried human remains and construction of the proposed project would likely result in disturbance of these features. Disturbance of human remains, including remains interred outside of cemeteries, is considered a significant impact. Mitigation Measure CUL-4 would reduce the severity of this impact.

Incremental Impact: There would be no incremental impact on human remains caused by the construction of water conveyance facilities under the proposed project, and the degree of impact would remain the same as under the approved project. Mitigation Measure CUL-4 would reduce the severity of this impact by appropriately protecting the integrity of the human remains discovered, but not to a less-than-significant level because mitigation would not guarantee that these features could be discovered and treated in advance of construction; the scale of construction makes it technically and economically infeasible to perform the level of sampling necessary to identify all such resources prior to construction. Therefore, this impact would remain significant and unavoidable, as with the approved project.

Mitigation Measure CUL-4: Follow State and Federal Law Governing Human Remains if Such Resources Are Discovered during Construction

See Mitigation Measure CUL-4 under Impact CUL-4 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

Impact CUL-5: Direct and Indirect Effects on Eligible and Potentially Eligible Historic Architectural/Built-Environment Resources Resulting from Construction Activities

RTM Storage & Byron Tract Forebay and Conveyance

Effects of constructing the water conveyance facilities on built-environment resources under the proposed project would be identical to those described for the approved project. As described in

greater detail in Table 18A-2 in Appendix 18A, *Identified Cultural Resources Potentially Affected by the Project*, a total of 8 built-environment resources have the potential to be directly or indirectly affected by the newly proposed activities associated with relocation of RTM storage areas, and construction of the new Byron Tract Forebay and associated conveyance within the study area. These effects would materially impair the resources within the meaning of CEQA and result in adverse effects within the meaning of NHPA Section 106 because they would diminish the characteristics that convey the significance of the resources.

NEPA Effects: The proposed project would result in direct and indirect effects on NRHP and CRHR eligible built environment resources. These alterations may diminish the integrity of these resources. For these reasons this effect would be adverse.

***CEQA Conclusion*:** The proposed project would result in the same impacts on identified historic-era built-environment resources as described for the approved project. Impacts on eight identified built-environment resources would result under the approved project. The same resources would be impacted with construction of the proposed project. These resources have been evaluated for the CRHR and qualify as historical resources under CEQA. Construction of the proposed project may require demolition of the historic built-environment resources, similar to what would result under the approved project. Construction may also result in permanent indirect effects such as changes to the setting, similar to what would result under the approved project. Direct demolition or changes to the setting (both similar to what would result under the approved project) would be material alterations because they would either remove the resource or alter the resource character, resulting in an inability of the resource to convey its significance. Mitigation Measure CUL-5 would reduce the impact by implementing a built environment treatment plan that includes preparing an HSR, assessing preconstruction conditions, implementing protection measures, and preparing HABS/HAER/HALS records, or equivalent documentation, for CRHR and NRHP-eligible historic buildings and structures that will be demolished. The impact on historic-era built-environment resources would remain significant and unavoidable because, even with mitigation, the scale of the project and the constraints imposed by other environmental resources make avoidance of all significant effects unlikely.

Incremental Impact: There would be no incremental impact on eligible and potentially eligible built-environment resources caused by the construction of water conveyance facilities under the proposed project. Both the approved project and the proposed project would affect eight identified built-environmental resources. Mitigation Measure CUL-5 may reduce the impact by requiring implementation of protective measures and monitoring protocols for historic resources near the project and capturing and preserving a description of the significant information and characteristics associated with directly and adversely impacted resources. However, implementation of the mitigation measure cannot guarantee that effects would be entirely avoided. The scale of the proposed project and the constraints imposed by other environmental resources make avoidance of all significant effects unlikely. For these reasons, this impact would remain the same as under the approved project: adverse (NEPA) and significant and unavoidable (CEQA) even with implementation of Mitigation Measure CUL-5.

Mitigation Measure CUL-5: Consult with Relevant Parties, Prepare and Implement a Built Environment Treatment Plan

See Mitigation Measure CUL-5 under Impact CUL-5 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

Impact CUL-6: Direct and Indirect Effects on Unidentified and Unevaluated Historic Architectural/Built-Environment Resources Resulting from Construction Activities

RTM Storage & Byron Tract Forebay and Conveyance

Effects of constructing the water conveyance facilities on unidentified and unevaluated historic architectural and built-environment resources under the proposed project would be identical to those described for the approved project. Although DWR does not have legal access to the majority of the area where water conveyance facilities would be built, historical documentation suggests numerous additional resources occur in the study area that have not been identified or which cannot currently be accessed and evaluated. Construction activities associated with the relocation of RTM areas, as well as construction of the new Byron Tract Forebay and associated conveyance, may result in direct demolition of these resources, or indirect effects such as changes to the setting.

The resources may exhibit significance under both CEQA (State CEQA Guidelines Section 15064.5[a][3]) and the NRHP (36 Code of Federal Regulations [CFR] 60.4). In addition, because many of the historic-era structures in the Delta region are intact, and retain their rural agricultural setting, many of these resources are likely to have integrity within the meaning of CEQA and the NRHP (14 California Code of Regulations Section 4852[c], 36 CFR 60.4). Because many unidentified resources are likely to have significance and integrity, they may qualify as historical resources under CEQA and historic properties under Section 106 of the NHPA.

NEPA Effects: The proposed project may result in direct modification or indirect changes to the setting for inaccessible and NRHP and CRHR-eligible resources. These changes may diminish the integrity of these resources. For these reasons, this effect would be adverse. Mitigation Measure CUL-6 had been adopted but would not fully mitigate these effects, which would remain adverse after mitigation.

***CEQA Conclusion*:** Similar to the approved project, construction activities associated with relocation of the RTM storage areas as well as construction of the new Byron Tract Forebay and associated conveyance within the study area may result in permanent indirect effects such as changes to the setting. Direct demolition or changes to the setting would be material alterations because they would either remove the resource or alter the resource character, resulting in an inability of the resource to convey its significance. Many of these resources are likely to qualify as historic properties or historical resources under the NHPA and CEQA. Mitigation Measure CUL-6 would reduce these impacts by requiring surveys be conducted on previously inaccessible properties to determine if constructing the water conveyance facilities would adversely affect the properties and if so, the development and implementation of treatment plans. The scale of the project and the constraints imposed by other environmental resources make avoidance of all significant effects unlikely.

> ***Incremental Impact:*** There would be no incremental impact on unidentified and unevaluated built-environment resources caused by the construction of water conveyance facilities under the proposed project. The impact under the proposed project would be significant, as would the impact of the approved project. Mitigation Measure CUL-6 would reduce these impacts by requiring that surveys be conducted on previously inaccessible properties to determine if constructing the water conveyance facilities would adversely affect the properties. If adverse effects would result, the mitigation measure requires the development and implementation of treatment plans. The scale of the proposed project and the constraints imposed by other environmental resources make avoidance of all significant effects unlikely. For these reasons,

this impact would remain adverse (NEPA) and significant and unavoidable (CEQA) even with implementation of the Mitigation Measure CUL-6.

Mitigation Measure CUL-6: Conduct a Survey of Inaccessible Properties to Assess Eligibility, Determine if These Properties Will Be Adversely Impacted by the Project, and Develop Treatment to Resolve or Mitigate Adverse Impacts

See Mitigation Measure CUL-6 under Impact CUL-6 in Final EIR/EIS Chapter 18, *Cultural Resources*, Section 18.3.5.9.

18.3.2 Cumulative Analysis

The analysis for cumulative effects for cultural resources remains the same as described in the Final EIR/EIS with consideration of the proposed project modifications.

18.4 References Cited

None.