

February 17, 2012

Mr. Dennis Hall and Mr. Bill Snyder  
CALFIRE  
Sacramento, CA

Gentlemen:

I am writing to provide brief comments on the Final EIR for the Fairfax Conversion in Annapolis, CA.

There are a number of significant misrepresentations in the FEIR, to wit:

Chapter 2, page 40: "...while there are important Native American sites in the vicinity of Annapolis, it is not a unique area in terms of archaeological and/or cultural site density." This is not an accurate statement. It depreciates knowledge in the prior sentences that this is one of the most important concentrations of historic settlements in coastal northern California and it purposefully obscures, by emphasis, that the area is a highly sensitive zone of intense Native American settlement and ancillary activities. The sources that contradict this incorrect conclusion must be highlighted: 1) The area is mentioned in ethnographic accounts—repeatedly cited in the EIRs and letters of comment—as one of the most dense concentrations of historic settlement for the Pomo people; 2) the variety and number of sites located thus far on the property under conditions of unsatisfactory and deficient survey techniques demonstrates a significant density of sites and cultural locales.

As I wrote in an earlier comment, apparently been ignored but even more relevant now: The DEIR treatment of archaeological resources treats each of the defined sites as discrete rather than part of a larger constellation of sites through deep time, with perhaps strong social interaction during historic times. Provisionally, it would appear that the local documentations, the evidence from Samuel Barrett's 1908 listing of Pomo sites, and the preliminary and incomplete DEIR evidence all point to the very real possibility that the Artesa property or Fairfax Conversion is located in the midst of a significant complex of Native American archaeological sites. This in turn suggests that all concerned parties should be considering *an archaeological district* for nomination to the National Register of Historic Places (NRHP), a process that automatically leads to listing on the California Register of Historical Resources (CRHR).

A second major concern is the FEIR language on p. 2-48, viz:

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“The distribution of known and reported archaeological sites in the Annapolis area, outside the Fairfax Conversion property, suggests that an appropriate boundary for an “Annapolis Archaeological District” would include the land above the 600-foot contour interval on both Beatty Ridge and Brushy Ridge. This would be consistent with guidelines for establishing district boundaries, which recommend using natural topographic features such as ridges, and for large properties suggests the use of USGS contour lines as boundaries (NPS 1991:56). However, the NPS guidelines preclude the creation of a district comprising only the sites within a specific study area. While the creation of an “Annapolis Archaeological District” could help to highlight the research potential of the archaeological resources in the area, state and federal laws call for avoidance of all known cultural resources to the extent feasible. At present there is a *lack of sufficient data to link the various prehistoric sites temporally or thematically as a District. While such analyses could be performed, doing so would likely result in further disturbance to these sites that are to be avoided during project implementation. Therefore, creation of an archaeological district would not afford the sites greater protection than they will receive as individually recorded archaeological sites* that have been determined to be potentially significant under one or more of the relevant criteria for significant archaeological and/or historic-era sites.”

The sections highlighted above are disturbingly misleading. First, the sites within the Artesa property can be linked to adjacent and neighboring sites that would easily constitute a district as outlined in the first part of the paragraph above. There are already known sites surrounding the Artesa property that could easily be incorporated appropriately into a district without much additional research. Second, the idea that the sites within the Artesa property would suffer harm from such a nomination process is absurd—they have already been documented. It is beyond credibility to suggest that their protection would be harmful. Moreover, given the high probability that additional sites would be found if adequate scientific survey were to be conducted on this sensitive property, an archaeological district would also afford these sites protection, something that they are now denied.

The third issue arises around proposed “mitigation” and appears in a statement on page 46 of Chapter 2 of the FEIR, viz:

In summary, Artesa Site(s) -01, -02, -04 and -05 are important archaeological resources. As discussed previously the site plan shows that Artesa Site(s) -01, -02, -04 and -05 have been are to be avoided in the vineyard design and during implementation of the timberland conversion project development process. *Therefore, the sites would not be impacted by development and vineyard activities* [emphasis added].

This FEIR papers over the potential importance of the area as a zone of high sensitivity for cultural sites. The mentioned sites—the only ones discovered *during inadequate survey methods*—are the only protected sites. Other sites, yet to be delimited because sensible and scientific recommendations for their definition have been ignored, *will be destroyed*. The proposed mitigations (p. 2-49)—identifying sites and locales AFTER they have been destroyed by heavy earth-moving machinery is not only inappropriate for such

a sensitive area, it is entirely avoidable if a proper survey were to be conducted to identify all sites *prior* to earth disturbance.

It is discouraging and disappointing that misleading and inaccurate statements and conclusions about such an important matter as Native American heritage are part of the FEIR. We expect more social responsibility from our public agencies than this inadequate treatment.

Yours sincerely,

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