
9.0 CULTURAL AND HISTORICAL RESOURCES

This section discusses the Project impacts on cultural resources related to disturbance of archaeological, historical, architectural, and Native American and traditional heritage resources. This section also addresses disturbance of unknown archaeological and paleontological resources (fossils). To provide a basis for this evaluation, the setting subsection describes broad periods of cultural history for the Homewood Mountain Resort (HMR) Ski Area Master Plan Area (Project area). The goal of the cultural resources analysis for this Project is to identify prehistoric and historic archaeological sites, architectural and historical sites, historical landscapes, and traditional cultural properties, including Native American heritage resources, potentially affected by implementation of the Project. Detailed archaeological and ethnographic studies of the Project area and vicinity are found in Lindström (2007), and a detailed historic and architectural study is found Marvin and Brejla (2009).

9.1 ENVIRONMENTAL SETTING

Current environmental review policies, in compliance with the Tahoe Regional Planning Agency's (TRPA) Code of Ordinances Section 29.5A and California Environmental Quality Act (CEQA) Section 15064.5, require that heritage resources be considered as part of the environmental assessment process.

9.1.1 Cultural Resources

The following is a summary of the broad periods of cultural history within the Placer County portion of the Lake Tahoe Basin and more specifically Homewood, California and the west shore of Lake Tahoe. This information is based on field surveys, archival research, and consultations.

Prehistoric Period

The prehistory of the northern Sierra Nevada region and Lake Tahoe Basin has been addressed in several publications, including Heizer and Elsasser (1953), Hester (1973), Elston et al. (1977, 1994), Heizer and Hester (1978), Thomas (1981), and Davis (1982). Detailed summaries of this prehistory and its chronological components is presented in Elston (1986) and Elston et al. (1994).

Prehistoric land use patterns, derived from protohistoric Washoe ethnography, are generally consistent with interpretations derived from numerous archaeological investigations in the Lake Tahoe region of the Sierra Nevada (Tahoe Sierra). The archaeological record indicates a shift from hunting-based societies in earlier times to populations with increasing reliance on plant foods by the time of historic contact. Some of the oldest archaeological finds reported for the Tahoe Sierra have been found in the Truckee River Canyon near Squaw Valley and along Donner Creek near Truckee, suggesting human occupation of the area by about 9,000 years ago. The most intensive period of occupation in the region may have occurred at varying intervals between 4,000 and 1,500 years ago and between 1,500 and 500 years ago. Occupation by the protohistoric ancestors of the Washoe people may date roughly from 500 years ago to historic contact (Elston et al. 1994:13). No evidence of prehistoric artifact remains was discovered in the Project area (Lindström 2007).

The earliest peoples' adaptive strategy may have involved sparse populations, high residential mobility, and non-intensive plant food processing and storage, while later populations shifted to a decrease in overall mobility, increased land-use diversity, a broadened diet and intensified resource procurement, perhaps partially due to factors involving paleoclimatic and demographic change (Elston 1986).

Ethnographic Period

The Project area is within the territory of the Hokan-speaking Washoe people. While they were an informal and flexible political collective, Washoe ethnography hints at a level of technological specialization and social complexity for Washoe groups, non-characteristic of their surrounding neighbors in the Great Basin. Semi-sedentism and higher population densities, concepts of private property, and communal labor and ownership were reported and may have developed in conjunction with residential and basic resource stability (d'Azevedo 1986:473-476).

Lake Tahoe was both the spiritual and physical center of the Washoe world. The Washoe lived along its shores, and the locations of several Washoe encampments in the Lake Tahoe Basin have been reported. Ethnographic camps in the project's vicinity are recorded at the mouth of McKinney Creek (Freed 1966:80, No. 13) and Blackwood Creek (Freed 1966:81, No. 15). The former camp, referred to by the Washoe as *cu'wE'thUkhwO'tha*, was used as a base for fishing and collecting berries and medicinal plants. At the latter site, the Washoe fished, trapped small mammals, and gathered porcupine berries and wild rhubarb.

The Washoe are a recognized tribe by the U.S. Government and own and maintain over 64,300 acres of land within five different tribal communities. Its 1,200 tribal members are governed by a tribal council that consists of members of the Carson, Dresslerville, Woodfords, and Reno-Sparks Indian groups, as well as members from non-reservation areas (Inter-Tribal Council of Nevada 1995).

Historic Period

The first recorded sighting of Lake Tahoe by Euroamericans was by John C. Frémont and Charles Preuss in February 1844 (Gudde 1969:328). Frémont named the body of water "Lake Bonpland" in honor of Aimé Bonpland, the French botanist who had accompanied Humboldt on his exploration of South America. In 1853, the official mapmaker of the State of California gave the lake the name of "Bigler" after John Bigler, the third governor of California, and this official designation remained for many years. During the Civil War, the Union sentiment objected to this name because Bigler was an outspoken secessionist, and a movement was started to restore the original Washoe appellation, understood to be "Tahoe" and to mean 'big water' (Lindström 1994:10). Dr. Henry De Groot had explored the mountains in 1859 and suggested the Indian name of the lake, and William Henry Knight placed the name Lake Tahoe on Bancroft's map of the Pacific States in 1862 (Gudde 1969:329). The California State Legislature, oblivious to the popular acceptance of the name "Tahoe," inexplicably legalized "Bigler" in 1870, and this act was not repealed until 1945 (Hoover et. al. 1990:257).

Logging became "big business" to fulfill the urgent demand for fuel wood and lumber needed to support the Comstock mines and growing settlements. Four major lumber companies operated within the Tahoe Basin, each developing networks of sawmills, railroads, tramways, flumes, and rafting operations (Lindström 1994:15). By the mid-1890s, the lower portions of the Lake Tahoe Basin were stripped of its timber and large-scale logging in the region was over, although small independent logging continued (Scott 1957:186).

At the turn of the 20th century, the Lake Tahoe Basin began to attract more tourists, and various resorts along the lakeshore developed. In recent years, recreation has assumed an increasingly important role in the economy of the Lake Tahoe Basin.

Homewood History

Gold and silver were discovered north of Lake Tahoe in 1861 and soon brought many miners to the area. Short-lived settlements known as Elizabethtown and Neptune were established a few miles northwest of what is now Kings Beach, and Claraville and Knoxville were founded near the mouth of Squaw Creek. The Tahoe Mining District, located west and north of Lake Tahoe, includes the areas known as the Squaw Valley and Red, White, and Blue or Elizabethtown districts north of the lake and a few scattered lode-gold mines and prospects west of the lake in the vicinity of Homewood (Clark 1970:124). Prospects and settlements were abandoned after 1864. Mining on a limited scale was reactivated during the 1930s on Tahoe's west shore. The Noonchester mine, established in 1939, and Tahoe Treasure mine, established around 1932, are located ¼-mile south of Quail Lake and the HMR ski area boundary (Gudde 1975:345). Due to the poor grade of the ore, the mines were not profitable and were abandoned. There are remains of two mine shafts at Noonchester mine, suggesting that efforts beyond surface mining were attempted (North Lake Tahoe Historical Society).

In 1864, as ore samples proved worthless, several of the disappointed miners who remained in the Tahoe-Truckee Basins became the founders of its earliest settlements. The Homewood area was settled in the 1880s and 1890s by some of these disenfranchised miners (Lekisch 1988:62). Madden Creek is named for Dick Madden, a Squaw Valley stamper who settled on land beside the creek (Lekisch 1988:83). Ellis Peak, lying at the head of Madden Creek's watershed, was named for Jack "Jock" Sargent Ellis, a disgruntled miner who established a dairy and cattle ranch south of Burton's Pass in 1863 on the McKinney-Rubicon Springs-Georgetown road (Scott 1957:466). Ellis Peak first appeared on the Wheeler map of 1881 (Lekisch 1988:31).

As stated earlier, logging in the Lake Tahoe Basin is connected to Nevada's Comstock Lode, (mining operations) and the building of the Central Pacific Railroad and the lumber markets that it served (Knowles 1942). Beginning in 1859, small-scale mill operators staked timber claims north and south of Homewood to supply local needs. Large-scale clear-cut logging to meet the demands of the Comstock Lode and other silver mines commenced in 1873 and continued until 1898. During the late 1870s to mid-1880s, more distant stands were tapped, with relatively limited harvest occurring in selected pockets along Tahoe's west shore.

A Homewood district, designated as "a composite name for a vacation resort and marina on the west shore of Lake Tahoe" (Salley 1977:99), was established in 1889. Here, 100-foot lots were laid out priced at \$50.00 apiece, but they did not sell. Finally they were offered free of charge to any person who would build a substantial house (Lekisch 1988:62). On July 31, 1900, a post office was established at Homewood. In 1910, Annie and Arthur C. Jost, among Homewood's first residents, built the Hotel Homewood. They later added a large casino and dance floor across the road from the hotel, built by the locally renowned Matt Green. In 1938 Mr. and Mrs. Donald Huff purchased the property and renovated it into a family resort (Scott 1957:73).

Modern development along Lake Tahoe's north shore came in the aftermath of the 1960 Squaw Winter Olympic Games. Events for the cross-country ski races were centered south of Homewood at McKinney and General creeks, but trails extended northward to a point about one quarter mile south of Homewood Canyon in the vicinity of the old Tahoe Ski Bowl and the proposed South Base Lodge at HMR. The Olympics attracted a number of European skiers and

craftsmen who were involved in preparations for the Olympics of 1960 and remained in the Lake Tahoe area practicing their craft. One of these individuals, Martin Hollay, was contacted as part of this study to describe his experienced during this period (Hollay, personal communication 2007). During the summer of 1959, he laid out the Nordic Ski and Biathlon course within Sugar Pine Point State Park, but he does not recall that the trails actually entered into the Project area.

North Base Area

The North Base area, including Lots 112 and 113 of the Lakeside Tract, were the location of the original Homewood Ski Area property. The Homewood dance hall was originally located on the parcels, but when it was demolished in a snow storm, the Huffs built a combination clothing store, gift shop, beauty salon, barber shop, and Union 76 gasoline station on the site (Huff 1984:10, Rick Brown 2009). According to the Placer County Assessor's Office, the store building was erected in 1947 and is now occupied as the ski lodge.

In 1962, Ron Rupp, an employee of the Huffs, set up a rope tow at what would become Homewood Mountain Resort. Shortly thereafter, the property was purchased by Helen Alrich, who developed the Homewood Ski Resort with Rupp (Rick Brown 2009). In 1987 Mrs. Alrich purchased the Tahoe Ski Bowl area to the south, developed in the 1960s by the Kettenhoffen family, and operated the two as Homewood Mountain Resort. In 1998, the resort was purchased by the Jeff Yurosek Family, LLC (McBride 2007).

The oldest building on the property, the ski school building, was moved to the site from the Callender Hotel property. Originally located to the south, on the corner of Fawn and West Lake Shore Boulevard, the building was one of the Callender "Honeymoon Cottages," built in the late 1930s (Rick Brown 2009).

The resort in its current state has low economic viability due to the age and condition of the lifts, lodges, and other facilities resulting in the resort losing money annually for the past few years. In mid-2006, the current owners, Homewood Village Resorts, LLC (Art Chapman, president), purchased the property from Jeff Yurosek and began evaluating the existing resort and its facilities with a goal for redeveloping the property into an economically viable destination resort.

9.1.2 Historical and Archaeological Resources

An Archaeological Resources study was conducted by Susan Lindström, Ph.D., in May of 2007 and concluded that the steep and relatively inaccessible terrain that characterizes most of the HMR has a low probability for containing archaeological resources. Several prior archaeological surveys of the Project area confirmed this, identifying no archaeological sites and only one recorded isolated artifact. The archaeological data corroborated the ethnographic and historical records, which document the lakeshore and the community of Homewood as the center of cultural activity, rather than the adjoining mountain flank. No further archaeological field study was recommended. The study is provided in Lindström (2007).

A pedestrian survey and visual inspection of the architectural resources of the Project area resulted in the inventory and recordation of three buildings at the North Base area. No buildings at the South Base are 50 years of age or older and thus were not recorded. The three North Base area recorded buildings included the Ski Lodge, Ski School Building, and Ski Patrol Hut. The Ski Lodge was constructed around 1947 by the Huff family as a combination gift and clothing store, beauty shop, and barbershop. It was remodeled for the ski operations in the early 1960s. The building lacks integrity of design, materials, setting, feeling, and association. The Ski School building was originally constructed as one of the nearby

Callender Resort “Honeymoon Cottages” in the late 1930s and moved to the site in the 1960s. The building is in good condition. The Ski Patrol Hut was built in the early 1960s during the development of the ski area. The front porch is no longer existing, and the building is in poor condition. The Historic Structures Evaluation report is provided in Marvin and Brejla (2009).

9.1.3 Paleontological Resources

No paleontological resources are known to exist within the Project area (Lindström 2007).

9.2 REGULATORY SETTING

The resources identified for this Project were evaluated for their eligibility for listing on the National Register of Historic Places (NRHP); California Register of Historical Resources (CRHP); and in accordance with TRPA Code of Ordinances, Chapter 29.

National Register of Historic Places

The National Historic Preservation Act of 1966, as amended, authorized the NRHP. The significance of cultural resources is evaluated under the criteria for listing in the NRHP. The criteria defined in 36 CFR 60.4 are:

“The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, association, and,

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded, or may be likely to yield, information important to prehistory or history.”

Sites younger than 50 years, unless of exceptional importance, are not eligible for listing in the NRHP.

An integral part of assessing cultural resource significance, aside from applying the above criteria, is the physical integrity of the resource. Prior to assessing a resource’s potential for listing in the NRHP, it is important to understand the seven categories for measuring integrity. According to National Register Bulletin 15 (1984), *How to Apply the National Register Criteria for Evaluation*, the types of integrity are:

- Location is the place where the historic property was constructed or the place where the historic event occurred;
- Design is the combination of elements that create the form, plan, space, structure, and style of a property;
- Setting is the physical environment of a historic property;

- Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
- Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
- Feeling is a property's expression of the aesthetic or historic sense of a particular period of time; and
- Association is the direct link between an important historic event or person and a historic property.

To qualify for listing in the NRHP, a property must represent a significant part of the history, architecture, archeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past.

Properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics to be eligible for the NRHP. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both why a property is significant and when it was significant. A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or persons. A property important for association with an event, historical pattern, or person ideally might retain some feature of all seven aspects of integrity. A basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today (National Park Service 1984:6, 46, 48).

California Environmental Quality Act

CEQA includes provisions for significance criteria related to historical and prehistoric archaeological resources. Section 15064.5 of CEQA characterizes significant impacts as those causing damage to an "important archaeological resource." The Public Resource Code was amended (in 1992) with the addition of Section 5024.1, which authorized the establishment of the CRHR. Identified cultural resources must be evaluated against CRHR criteria. To be determined eligible, a property must be significant at the local, State, or national level under one or more of the following four CRHR criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of the history and cultural heritage of California and the United States;
2. It is associated with the lives of persons important to the nation or to California's past;
3. It 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 values; or
4. It has yielded, or may be likely to yield, information important to the prehistory or history of the State and the nation.

In addition to meeting one of the above criteria, a significant property must exhibit a measure of integrity. Properties eligible for listing in the CRHR must retain enough of their historic character or appearance to be recognizable as historic properties and to convey the reasons for their significance. Integrity is judged in relation to location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a property is thought to be eligible. Resources listed on the California Register must be 50 years or older.

An impact is considered to be significant under CEQA if the project may disturb

- historical architectural resources;
- known prehistoric or historic cultural resources; or
- buried, unknown prehistoric or historic archaeological resources.

Tahoe Regional Planning Agency Code of Ordinances, Chapter 29

TRPA Code of Ordinances, Chapter 29 (Chapter 29) has similar requirements outlined above for the NRHP and CRHR, but on a more local/regional level. Chapter 29 states:

Sites, objects, structures, districts or other resources eligible for designation as resources of historical, cultural, archeological, paleontological, or architectural significance locally, regionally, statewide or nationally shall meet at least one of the following criteria:

29.5A Resources Associated With Historically Significant Events and Sites:

Resources shall exemplify the broad cultural, political, economic, social, civic, or military history of the Region, states, or the nation, or be associated with events that have made a significant contribution to the broad patterns of history, including regional history. Such resources shall meet one or more of the following criteria:

- (1) Association with an important community function in the past;
- (2) Association with a memorable happening in the past; or
- (3) Contain outstanding qualities reminiscent of an early stage of development of the Region.

29.5B Resources Associated With Significant Persons: Resources that are associated with the lives of persons significant in history, including regional history, such as:

- (1) Buildings or structures associated with a locally, regionally, or nationally known person;
- (2) Notable examples, or best surviving works, of a pioneer architect, designer or builder; or
- (3) Structures associated with the life or work of significant persons.

29.5C Resources Embodying Distinctive Characteristics: Resources that embody the distinctive characteristics of a type, period, or method of construction, that possess high artistic values, or that represent a significant or distinguishable entity but whose components may lack individual distinction, are eligible. Works of a master builder, designer or architect also are eligible. Resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the Region, the states, or the nation.

29.5D State and Federal Guidelines: Archaeological or Paleontological resources protected, or eligible for protection, under State or federal guidelines are eligible.

29.5E Prehistoric Sites: Sites where prehistoric archaeological or paleontological resources, which may contribute to the basic understanding of early cultural or biological development in the Region are eligible.

Paleontological Resources

The significance of paleontological resources is evaluated using State guidelines. CEQA guidelines indicate that a Project could have a significant effect on the environment if Project activities disrupt or adversely affect a paleontological site (CEQA, Appendix G).

California Public Resources Code Section 5097.5 prohibits the excavation or removal of any “vertebrate paleontological site, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands.” Public lands are defined as lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation. Any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands are considered misdemeanors.

According to standard procedures published by the Society of Vertebrate Paleontology (1991), sedimentary rock units with a high potential for containing significant nonrenewable paleontologic resources are those determined by previous studies to contain vertebrate or significant invertebrate fossils (Society of Vertebrate Paleontology 1991). Significant paleontologic resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon, diagnostically or stratigraphically important, and those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally (Reynolds 1988).

9.3 EVALUATION CRITERIA WITH POINTS OF SIGNIFICANCE

Based on the TRPA and CEQA guidelines, a project impact is considered significant if conditions presented in Table 9-1 are met.

Table 9-1

Evaluation Criteria with Points of Significance – Cultural and Historical Resources

Evaluation Criteria	Point of Significance	Justification
CUL-1. Will the Project adversely change the significance of an eligible or potentially-eligible National Register property, or a resource that meets the criteria for inclusion in the California Register of Historical Resources, or a resource on TRPA maps, including archaeological, historical, architectural, and Native American/traditional heritage resources?	a) Reduction in the integrity of the resource's location, design, setting, materials, workmanship, feeling, association or other characteristics that convey its eligibility; b) Demolition, destruction or relocation of an historical or archaeological resource.	CEQA Appendix G Checklist V (a, b) CEQA Guidelines Section 15064.5 TRPA Initial Environmental Checklist II (20 a, b, c) NHPA, Section 106 PRC Sections 5020-5024, 5024.5, 21083.2, 21084.1 TRPA Code of Ordinances Chapter 29 National Trails System Act Section 5(b)(11)
CUL-2. Will the Project cause a physical change which would adversely affect unique ethnic cultural values or restrict historic or pre-historic religious or sacred	a) Loss of unique ethnic cultural values; b) Loss of religious or sacred uses within the potential	TRPA Initial Environmental Checklist II (20 d, e)

Evaluation Criteria	Point of Significance	Justification
uses within the potential impact area?	impact area.	
CUL-3. Will the Project disturb significant unknown archaeological resources?	a) The project has the potential to pose a significant impact on unknown archaeological resources which may be discovered during construction-related ground disturbing activities b) There is a high probability of encountering subsurface cultural remains in certain areas based on the presence of existing/known resources c) The Project will pose a significant impact if it adversely affects greater than 0 previously unknown significant cultural resources	NHPA, Section 106 CEQA Guidelines Section 15064.5 PRC Section 5020-5024, 21083.2, 21084.1 TRPA Regional Plan, Goals & Policies, Chapter IV, Cultural Subelement
CUL-4. Will the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Destruction of greater than 0 significant paleontological resources, sites or geologic features.	CEQA Appendix G Checklist V (c)
CUL-5. Will the Project disturb any human remains, including those interred outside formal cemeteries?	Disturbance of greater than 0 human remains	CEQA Appendix G Checklist V (d) NHPA, Section 106 NAGPRA

Source: Hauge Brueck Associates, 2009

9.4 ENVIRONMENTAL IMPACTS AND RECOMMENDED MITIGATION

Impact: CUL-1: Will the Project adversely change the significance of an eligible or potentially-eligible National Register property, or a resource that meets the criteria for inclusion in the California Register of Historical Resources, or a resource on TRPA maps, including archaeological, historical, architectural, and Native American/traditional heritage resources?

Analysis: *No Impact; Alternatives 1, 2, 3, 4, 5, and 6*

No NRHP, CRHR, or TRPA mapped properties are located in the Project area (Lindström 2007, and Marvin and Brejla 2009). Architectural resources in the North Base area of the Project area were evaluated as not eligible for listing on the NRHP under any of the criteria, or to be important historical resources for the purposes of CEQA or TRPA, primarily due to their lack of integrity (Marvin and Brejla 2009). HMR intends to

relocate the existing Ski School building to the proposed on-site fishing/ice skating pond located between buildings C and D at the North Base area (area shown on Figures 3-7 and 3-8 in Chapter 3). The relocation of the existing Ski School building will not result in impacts to any eligible or potentially eligible National Register properties.

Mitigation: No mitigation is required.

Impact: CUL-2: Will the Project cause a physical change which would adversely affect unique ethnic cultural values or restrict historic or pre-historic religious or sacred uses within the potential impact area?

Analysis: *No Impact; Alternatives 1, 2, 3, 4, 5, and 6*

No unique ethnic cultural values or historic or pre-historic religious or sacred uses are known to have occurred within the Project area (Lindström 2007, and Marvin and Brejla 2009). Therefore, there are no impacts associated with the Proposed Project (Alternative 1) and Alternatives 2, 3, 4, 5, and 6.

Mitigation: No mitigation is required.

Impact: CUL-3: Will the Project disturb significant unknown archaeological resources?

Analysis: *Potentially Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

No unique archaeological features are known to exist in the Project area (Lindström 2007, and Marvin and Brejla 2009). Therefore, there are no known impacts associated with any Alternative. No immediate Native American concerns regarding the Project area were identified (Lindström 2007). The Washoe Tribe of Nevada and California was notified of survey findings and concurred with the report recommendations (Lindström 2007). However, as with any construction undertaking (including BMP retrofit disturbance), the potential for undiscovered subsurface archaeological features remains though it is unlikely, particularly within the existing footprint of the previously disturbed base areas. Therefore, this impact is potentially significant.

Mitigation: **CUL-3: Identify and Protect Undiscovered Archaeological Resources.**

To assure that potential undiscovered resources are identified during site grading, a qualified archaeologist shall be on-site during initial ground disturbing construction excavation and grading operations.

If previously undiscovered human remains, archaeological resources, exotic rock (non-native) or unusual amounts of shell or bone are discovered during construction or any subsequent activity, ground disturbing activity will cease in the vicinity of the discovery until the TRPA and Placer County Cultural Resources or Planning staff (or their qualified SOPA-certified consultants) assesses it for eligibility to the NRHP, compliance with TRPA Code Section 29, and/or (in the event of a prehistoric or ethnographic find) for Native American Heritage Commission (e.g., Washoe) values. This assessment will occur in consultation with the California SHPO, TRPA, Placer County and the Washoe Tribe, as appropriate. Cessation of applicable construction activity will continue until proper treatment can be determined and implemented by the responsible agencies.

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only

proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.

Following a review of a new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site.

After

Mitigation: *Less than Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

Implementation of Mitigation Measure CUL-3 will protect potentially eligible resources that may be unearthed during project construction. Therefore, with mitigation, this impact is reduced to a level of less than significant.

Impact: CUL-4: Will the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Analysis: *Potentially Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

No unique paleontological resources or geologic features are located within the Project area. Therefore, there are no known impacts associated with any Alternative. However, as with any construction undertaking (including BMP retrofit disturbance), the potential for undiscovered subsurface paleontological features remains though it is unlikely, particularly within the existing footprint of the previously disturbed base areas. Therefore, this impact is potentially significant.

Mitigation: **CUL-4: Identify and Protect Undiscovered Paleontological Resources.**

Prior to submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified paleontologist has been retained by the applicant to observe grading activities and salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered, which require temporary halting or redirecting of grading, the paleontologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Department.

The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to a State-designated repository such as Museum of Paleontology, U.C. Berkeley, the California Academy of Sciences, or any other State-designated repository. Otherwise, the finds shall be offered to the Placer County Department of Museums for purposes of public education and interpretive displays.

These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Department of Museums. The paleontologist shall submit a follow-up report to the Department of Museums and Planning Department which shall include the period of inspection, an analysis of the fossils found, and present repository of fossils.

After

Mitigation: *Less than Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

Implementation of Mitigation Measure CUL-4 will protect potentially eligible resources that may be unearthed during project construction. Therefore, with mitigation, this impact is reduced to a level of less than significant.

Impact: CUL-5: Will the Project disturb any human remains, including those interred outside formal cemeteries?

Analysis: *Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

No formal cemeteries were identified during the cultural resources study for the Project (Lindström 2007, and Marvin and Brejla 2009). No immediate Native American concerns regarding the Project area were identified (Lindström 2007). The Washoe Tribe of Nevada and California was notified of survey findings and concurred with the report recommendations (Lindström 2007). However, as with any ground-disturbing activity there is always the possibility of encountering buried resources that were not revealed during intensive surface investigations. Based on the history and movement of native peoples, the likelihood of encountering buried human remains is potentially significant.

Mitigation: **CUL-3: Identify and Protect Undiscovered Archaeological Resources**

Implement Mitigation Measure CUL-3 as described above under Impact CUL-3.

After

Mitigation: *Less than Significant Impact; Alternatives 1, 2, 3, 4, 5, and 6*

Implementation of Mitigation Measure CUL-3 will ensure proper treatment of human remains that may be unearthed during project construction. Therefore, with mitigation, this impact is reduced to a level of less than significant.

9.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

Impact: CUL-C1: Will the Project have significant cumulative impacts to cultural or historical resources?

Analysis: *No Impact; Alternatives 1, 2, 3, 4, 5, and 6*

The list of past, present, and reasonably foreseeable future projects considered in this cumulative impact analysis is provided in Table 20-1, Chapter 20 – Mandated Environmental Review. The Project area contains no known historic, pre-historic, archaeological, or paleontological resources. Construction and operation of the Proposed Project and Alternatives are not expected to affect known cultural or historical resources. Consequently, construction and operation of Alternatives 1, 2, 3, 4, 5, or 6 are not expected to result in a cumulatively considerable contribution to a cumulative impact on cultural or historical resources.

Mitigation: No mitigation is required.

9.6 REFERENCES

- Brown, Rick (grandson of C. Don, Sr., and Bernice Huff). 2009. Telephone interview of 5 October 2009. Notes on file, Foothill Resources, Ltd., Murphys, California.
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