

6.0 CULTURAL RESOURCES

This chapter discusses the cultural resources setting for the proposed project, analyzes the potential impacts on cultural resources that could result from the implementation of the proposed project, and describes mitigation measures to reduce those impacts.

6.1 EXISTING CONDITIONS

An abundance of natural resources and varied topography made the Sierra Nevada foothills, including the project area, an attractive location for prehistoric land uses and historic-era settlement. Although best known as the placer mining area that played a pivotal role in the Gold Rush of the late 1840s and the 1850s, early Native American sites can be found throughout the region as well, especially along perennial drainages such as Coon Creek.

6.1.1 PREHISTORIC ARCHAEOLOGICAL CONTEXT

Archaeological research within the Sierra Nevada and lower foothill regions over the past several decades has resulted in a substantial amount of new information about prehistory. Researchers have proposed numerous cultural systems and related chronologies in an attempt to trace cultural and technological change through time.

For the Sacramento Valley and foothill regions, Lillard and Purves (1936) recognized a three-part cultural sequence (Early, Middle, and Late Horizons) that was derived from archaeological analysis of midden and cemetery sites in Central California. This scheme was later described in more detail by Lillard, Heizer, and Fenenga (1939) and was refined by Beardsley (1948, 1954). In an attempt to unify the various hypothesized cultural periods in California, Fredrickson (1973, 1974, 1993) proposed an all-encompassing scheme for cultural development, while acknowledging that these general trends may manifest themselves differently and that there may be some variation between subregions. These general cultural periods (Paleo-Indian, Early, Middle and Late Archaic, and Emergent) are used here in connection with the chronology of prehistoric culture in the north-central Sierra Nevada, given the proximity of the project area to the Sacramento Valley.

Relevant to the project area is the document *Framework for Archaeological Research and Management: National Forests of the North-Central Sierra Nevada* (Jackson et al. 1994), which proposes a tentative cultural chronology and cultural history for the north-central Sierra Nevada. The proposed cultural chronology has been further refined through investigations conducted along the South Fork American River by Tremaine and Jackson (1994, 1995), and Boyd (1998), and has been synthesized by Jackson and Ballard (1999). This extensive analysis provides the most recent and relevant cultural/technological chronology for the project area, and forms the basis for the following discussion.

LATE PLEISTOCENE PERIOD

Archaeological sites dating to the earliest human occupation in the Sierra Nevada foothills and eastern Sacramento Valley (more than 10,000 years B.P. [before present]) have rarely been encountered. Possible exceptions are CA-SAC-370 and CA-SAC-379, located near Rancho Murieta (approximately 30 miles south-southeast of the project area). They produced numerous bifaces, cores, and raw materials (which may be indicative of prehistoric quarrying operations) from gravel strata estimated to be 12,000–18,000 years old (Moratto 1984).

EARLY HOLOCENE PERIOD

Jackson and Ballard (1999) use the all-encompassing Western Pluvial Lakes Tradition to describe this broad time frame (ca. 10,000–7000 B.P.). As they point out, this period was first defined by Bedwell (1970) as a human

adaptation to lake, marsh, and grassland environments that were prevalent around 11,000 B.P.; however, the tradition slowly disappeared ca. 8000–7000 B.P.

In the surrounding regions in California, only small isolated locales (e.g., CA-CAL-S342 [Peak and Crew 1990] and CA-CAL-629 and CA-CAL-630 [under analysis by California State University, Fresno]) have thus far yielded substantial data indicating a presence by peoples along the western front of the Sierra Nevada before 7000 B.P., and both of these have been in the foothill regions to the south of the project area.

ARCHAIC PERIOD

Characterized by generally warm and dry climatic conditions and interrupted by brief cool, wet conditions, this period (ca. 7000–3200 B.P.) appears to correspond with the appearance of handstones and milling slabs, suggesting that people were gathering and using more vegetal resources, such as seeds and other botanical constituents. Jackson and Ballard (1999) also suggest that the early part of this period (7000–4500 B.P.) can be defined by the presence of concave-base and side-notched obsidian bifaces on archaeological sites. Stemmed and large corner-notched obsidian projectile points occur during latter part of this period (4500–3200 B.P.).

Sites in the Central Valley also indicate that a great deal of trade was taking place at this time, as evidenced by the presence of obsidian from outside the area, *Haliotis* and *Olivella* shell beads and ornaments, quartz crystals, and other exotic materials (Heizer 1949, 1974; Moratto 1984). Connections between the Great Basin and Central Valley appear to have been established at least by 4000 B.P., and possibly as early as 7000 B.P., as evidenced by the exchange of marine shell beads and other artifacts for obsidian from the east side of the Sierra Nevada crest. Although this was primarily a phenomenon of the Sacramento Valley and lower foothills, similar culture elements are found at elevations up to 3,000 feet, in the foothills of the west slope, suggesting that peoples of this time frame may have acted as “middlemen” within this trade network (Bennyhoff and Heizer 1958, Bennyhoff and Hughes 1983).

EARLY SIERRAN PERIOD

This period (ca. 3200–1400 B.P.) is marked by the abundant presence of milling slabs and handstones, a substantial increase in the production of obsidian tools, and a climatic shift to a cool, wet regime. Small social and residential groups moved within the area in response to the presence of resources, exploiting resources within range of each archaeological site. Ritter noted that evidence at CA-PLA-101, located near Auburn, indicates that this was a period of seasonal occupation and land use with similarities in artifact types (i.e., projectile points) found in contexts east of the Sierra Nevada crest, but that this similarity decreases below 2,500 feet in elevation, (Ritter 1971), which would include the current project area.

MIDDLE SIERRAN PERIOD

This period (ca. 1400–600 B.P.) corresponds with a dramatic decrease in the use of obsidian, not only in the subregion, but throughout the Sierra Nevada (Hall 1983, Bouey and Basgall 1984). During this time there is also a major improvement associated with the introduction of bow and arrow technology. Widespread changes occur at similar time frames throughout central California and the western Great Basin. Social disruption is inferred from changes in artifact assemblages and land use patterns and a high incidence of violent death. This pattern is followed by relatively intensive land use, active trade, and the establishment of permanent settlements in some regions, inferred as reflecting increased populations (Jackson and Ballard 1999).

LATE SIERRAN PERIOD

Regionally, this period (ca. 600–150 B.P.) is characterized by continued intensive use of the western slope of the Sierra Nevada, including significant use of acorns, but with less of a focus on seeds; exploitation of fauna, including deer and rabbits; year-round occupation of sites below 3,500 feet; and short-term seasonal occupation of

mid- to high-elevation Sierra Nevada sites. The presence of single-component sites dating to this time period is given as evidence for this intensified use (Jackson and Ballard 1999). In some subregions, the use of the small points with contracting stems disappears abruptly and is replaced by small Desert Side-notched types, with the continued use of small corner-notched points. However, Jackson and Ballard (1999) suggest the possible reemergence of large corner-notched, stemmed, and contracting stemmed points during the latter portion of this period.

6.1.2 ETHNOGRAPHIC CONTEXT

Ethnographically, the project area is situated within the Nisenan (sometimes referred to as Southern Maidu) sphere of influence. A brief review of the ethnographic literature follows and is of value in assessing the archaeological sites that are the static remains of past activity. However, archaeological data have the potential to reconstruct patterns of former dynamic cultural systems (Binford 1980). It is through the use of ethnographic data applied to archaeology that an archaeologist has the best chance to recreate past cultural adaptations (Binford 1980).

Kroeber (1925) recognized three Nisenan dialects: Northern Hill, Southern Hill, and Valley. The Nisenan territory included the drainages of the Yuba, Bear, and American Rivers, and the lower drainages of the Feather River, extending from the crest of the Sierra Nevada to the banks of the Sacramento River. According to Bennyhoff (1961), the southern boundary with the Miwok was probably a few miles south of the American River, bordering a shared area used by both Miwok and Nisenan groups that extended to the Cosumnes River. It appears that while the foothill Nisenan had distrust for the valley peoples, the relationship between the Nisenan and the Washoe to the east was primarily friendly. Elders recall intergroup marriage and trade, primarily involving the exchange of acorns for fish procured by the Washoe (Wilson 1972).

Native American groups would have exploited any number of faunal and floral resources. However, as in many foothill and valley regions throughout California, various species of oak provided the most important staple food, although the black oak (*Quercus kelloggi*) was apparently the most preferred (Matson 1972). Early-fall acorn harvests provided the region's native inhabitants with a reliable, large-scale food source that could sustain populations through the winter months. Other important floral foodstuffs capable of being stored for long periods included nuts from the gray pine (*Pinus sabiniana*) and buckeye (*Aesculus californica*), as well as hazelnuts (*Corylus rostrata*).

Native Americans used numerous techniques and weapons for hunting, including the bow and arrow, drives, and decoys. Nets, traps, rodent hooks, and fire were all used in hunting small game. Fish could be caught with nets, gorges, hooks, and harpoons within the larger perennial drainages of the foothill regions. One technique apparently involved using soap root and turkey mullein to poison the water so that fish could be gathered easily. Freshwater clams and mussels were also gathered in the larger waterways, such as the American River. Other aquatic food sources available to native populations near the project area would have included fish such as salmon and sturgeon, which would have been netted or caught with the aid of weirs.

The virtual destruction of the Nisenan culture in the 19th century paired with the traditional Nisenan reluctance make it difficult to discuss Nisenan spiritual beliefs and practices in any detail. However, historic records document several observances and dances, some of which are still performed today, that were important ceremonies in early historic times. In general, the basic religious system noted throughout central California, the Kuksu cult, appeared among the Nisenan. Cult membership was restricted to those initiated in its spirit and deity-impersonating rites. However, the Kuksu cult was only one of several levels of religious practice among the Nisenan. Various dances associated with mourning and the changing of seasons were also important. One of the last major additions to Nisenan spiritual life occurred sometime shortly after 1872 with a revival of the Kuksu cult as an adaptation to the Ghost Dance religion (Wilson and Towne 1978). Today descendants of the Nisenan continue to live in the Sierra Nevada foothills, where they are involved in reviving their cultural identity and the preservation of their cultural past.

6.1.3 HISTORICAL CONTEXT

EXPLORATION AND EARLY IMMIGRANT ROUTES

The Sierra Nevada foothills and the Sacramento Valley were virtually unsettled by Europeans other than early Spanish explorers before the Gold Rush. In 1844 the Stevens-Townsend-Murphy Party entered California via Donner Pass, passing along the divide just north of the North Fork American River near Auburn (Egan 1977 in Jackson et al. 1982). John Fremont traversed this same route a year later. However, this route was not the first to be used by immigrant groups immigrating to California. The first was the Bidwell-Bartelson Party, which crossed into Tuolumne County in 1841 and was followed by others who were using the Pit River route to the north.

GOLD RUSH ERA

A wave of gold seekers descended on California, and specifically the foothill and mountain regions of the Sierra Nevada, after gold was discovered at Coloma on the South Fork American River in January 1848. The 1850 U.S. Census, while most likely biased against minority groups that tend to be underrepresented, put the population of Placer County at 11,417. This total consisted of 6,945 whites, 3,019 Chinese, 89 blacks, 634 other foreign races, and 730 Native Americans (U.S. Census 1850).

PROGRESSION OF MINING TECHNOLOGY

To interpret the remains of mining operations found within the project area, it is necessary to look at the progression of mining practices in the region in the context of the gold-bearing deposits, the progression of mining technology, and the application of capital. Restrained by technology and capital, gold production, like other mining operations, has gone through periods of boom and bust. Initially, during the late 1840s, gold deposits were easily accessed, and technology and capital outlay was limited to a pan, pick, and shovel. With this technology, mining was at first concentrated on productive gravel and sand-bar deposits located along perennial drainages.

Other than the simple pick, pan, and shovel methods used in the earliest days of the Gold Rush, with only a small amount of additional capital, an increased amount of gravel could be processed using a rocker—a rectangular box, about 4 feet long and mounted on rockers, that sorted gravel and collected gold in riffles located at the bottom. Use of this device resulted in the formation of cooperatives in which claims could be worked by small groups, with one person digging gravel, another loading the gravel into the rocker, and a third pouring water into the device to wash the gravel deposits. Although Euro-American miners who favored more technologically advanced methods abandoned these devices by the mid-1850s, rockers continued to be used by the Chinese into the 1900s (Williams 1930 in Maniery 1992).

Two other devices used by early placer miners were the “Long Tom,” which became common by around 1850, and its variant, the longer sluice box, which came into use by 1851. Both required a constant flow of water from one end while dirt was shoveled in from the sides and gold was trapped in riffles at the bottom of the apparatus. Because a larger amount of dirt and gravel could be processed, larger groups operated these extraction devices (Kelly and McAleer 1986, Williams 1930 in Maniery 1992).

Both of these methods required large amounts of water, but ground sluicing required even greater amounts. This technique consisted of washing gold-bearing gravels over exposed bedrock. Parallel rows of stacked stones at acute angles are commonly found at ground sluicing sites. Because of this patterning, some have suggested that they are associated with Chinese mining operations. However several studies at mining sites with both Chinese and Euro-American miners have found no correlation with ethnicity (Johnson and Theodoratus 1984a, 1984b; Lindstrom 1988; Kelly and McAleer 1986; LaLande 1981, 1983a, 1983b, 1985; Ritchie 1981; Steeves 1984; Tordoff and Seldner 1987 in Maniery 1992). At first these methods were used to mine the easily accessed placer

deposits along the rivers and streams, and as these gave out, attention turned to the Eocene and Tertiary gravels situated on the slopes and ridges surrounding drainages.

The next technological event to affect how gold was extracted was the advent of hydraulic mining. The development of this method is attributed to Anthony Chabot and Edward Matteson, who were the first to use hydraulic mining at Buckeye Hill and American Hill near Nevada City. At first, low-pressure canvas hoses and nozzles were used. However, these were rapidly replaced by iron pipe and improved nozzles, allowing water to be diverted under much greater pressure. Although there is no mention of hydraulic mining within the project area, this method was employed farther east at Hayden Hill and Green Valley. Millions of tons of silt and sand washed into streams and rivers as a result of these operations, clogging drainages from the foothills to San Francisco Bay. As a response to numerous lawsuits, an injunction was imposed against the industry in 1884, and the Caminetti Act authorized the U.S. Army Corps of Engineers (USACE) to oversee hydraulic mining operations.

LOCAL MINING EXPRESSIONS

Mining sites consist of concentrations of artifacts and features that reflect the plethora of operations and technologies that have been used in the area. These cycles of occupation and abandonment create layers or components of mining technology and systems that are horizontally stratified, often altering or obliterating previous operations, and that can often be viewed as discontinuous with underground structure (Hardesty 1988). Many times only fragments of technologies and operations are visible. For example, Lindstrom (1989) found that finer sediments were carried away during the washing process of placer mining operations, and only larger cobbles or boulders remained at the processing site.

Mining camps were ubiquitous in mid-19th century Placer County. Some of the known camps—Dutch Flat, Horseshoe Bar, Smith’s Bar, and Iowa Hill—were farther upslope along the American River than the project vicinity. Two camps in the project vicinity are Gold Hill and Virginiatown, along Auburn Ravine approximately 5 miles south of the project area. Gold Hill, which was in the Ophir Mining District, was organized as a town in 1852. The community had a sizable population, as indicated by the 444 votes cast in the presidential election of that year (Hoover 1990). Virginiatown was founded in June 1851. The first railroad in California was built in 1852 by Captain John Brislow and was used to carry ore to Auburn Ravine (Hoover 1990, Gudde 1975). The town boasted a population of more than 2,000 by 1858, and a post office named Virginia was located there between 1858 and 1860. The county directory indicated that a lack of water prevented development until a ditch could be built from the Bear River in 1861. It was at Virginiatown that Philip Armour had his butcher shop, which is said to have been the nucleus of the great Armour meat packing business in Chicago (Gudde 1975). Another town, Whiskey Diggins southwest of the project area, appears to have been formed around 1855 (Foster and Foster 1994). In 1876, the community changed its name to Valley View, and after the turn of the century the community became a resort (named Kilaga Springs) because of the healthful mineral waters.

As easily mined deposits along perennial streams and rivers were rapidly depleted during the initial Gold Rush, a need arose to divert water to remote locations for placer mining. Several water conveyance systems were used to divert water. One system was the Whiskey Diggins Canal, which passes through the southern portion of the project area. The canal was constructed in the 1850s by the Gold Hill and Bear River Water Company to divert water from Deadman Creek, immediately east of the project area. The water conveyance system was subsequently sold to a Mr. Hall in 1861. After three changes in ownership during the 1870s, the South Yuba Water and Mining Company purchased the water conveyance system in May 1890. Pacific Gas and Electric Company purchased the entire South Yuba Water and Mining Company system, including the Whiskey Diggins Canal, in 1905, and in 1933 sold the canal to Nevada Irrigation District. By the late 19th century, the increase of new mining camps appearing in Placer County slowed considerably, and other economic pursuits, such as ranching and agriculture, became the backbone of the Placer County’s economy.

RANCHING AND AGRICULTURE

Ranching and agriculture, which had once been support systems that provided food to the miners, grew to become dominant industries. As thousands of miners poured into the area during the early 1850s, farmers and ranchers put additional acreage into production to meet the demand for potatoes, flour, and various dairy products.

The first of such settlements in Placer County was Sicard's Ranch, a Mexican grant on the south bank of the Bear River, west of the project area. The grant was given to Theodore Sicard in 1844. Sicard, a French sailor, built an adobe house on the land in 1846, which later became a prominent stopping place for travelers on the way to Sutter's Fort in Sacramento. Sicard and fellow countryman Claude Chana, who had arrived at the ranch in late 1846, planted peach and almond trees, which became the start of the commercial orchard business in the Sacramento Valley. Chana later bought the Sicard grant, and sold the products of his orchard, vineyard, and vegetable garden to area miners (Hoover 1990).

Another locally notable agricultural figure was John A. Livingston, who planted fruit trees on approximately 300 acres north of Newcastle. Livingston controlled four ranches in the Auburn area and eventually served as secretary of the Placer County Land Company (Foster and Foster 1990).

The 1855 General Land Office (GLO) plat map depicts farms and agricultural land in the vicinity, but none are depicted within the project area. Land patent indices list John F. Hicken and John B. Hicken as the earliest known owners of land. Their property, acquired in 1884 and 1886, encompassed the northeast and northwest sections of Section 22 in Township 13 North, Range 7 East (land patent records 2625 and 3222).

John B. Hicken was born in Prussia in 1836. It is unclear when he and his wife Maria Eliza immigrated to the United States; however, they were in Wisconsin by 1859, which is where their son John F. Hicken was born. John B. Hicken is listed as a stock raiser in the 1900 Placer County census. The property he owned was then valued at \$2,000 (U.S. Census 1900).

The most recent owner of the Spears Ranch property was Bradley Spears, who held ownership of the property from 1985 to 2003. Before his ownership, the property was in foreclosure for approximately 10 years. Before the foreclosure the property was owned by a Mr. Art Wildberger, who purportedly ran a cattle ranch on the property from 1940 to 1975 (Spears, pers. comm., 2006). Today the land is owned by Placer County.

6.1.4 PREFIELD AND FIELD METHODOLOGY

Cultural resources investigations for the proposed project consisted of several elements: prefield research, review of previous cultural resources studies and historic maps, Native American consultation, field surveys, and documentation of resources. All aspects of the cultural resources study were conducted in accordance with guidelines outlined in the state Office of Historic Preservation's *Instructions for Recording Historical Resources* (OHP 1995) and the federal *Secretary of the Interior's Standards and Guidelines for the Identification of Cultural Resources* (48 *Federal Register* 44720–23) as amended on September 1983.

PREFIELD RESEARCH

To determine whether previously documented or unrecorded cultural resources are present within and immediately adjacent to the Spears Ranch portion of the Park and along Garden Bar Road, EDAW conducted background research. Research for the Didion Ranch portion of the Park was conducted as part of the 2004 Initial Study/Mitigated Negative Declaration (IS/MND) for the Didion property (Placer County 2004). Prefield research consisted of a records search at the North Central Information Center (NCIC) of the California Historical Resources Information System. Records maintained by the NCIC include California Department of Parks and Recreation Series 523 archaeological site records, site location maps, maps of previous study coverage, National

Register of Historic Places (NRHP) nomination forms, and relevant historical documentation and maps. The NCIC research also included a review of the following sources, all of which are on file at the information center:

- ▶ The NRHP, published by the National Park Service in 1996, as well as computer updates for 1966–September 2006
- ▶ The California Register of Historic Resources, published by the State of California in 2006
- ▶ *California Points of Historical Interest*, published by the State of California in 1992, as well as updates
- ▶ *Historic Spots in California*, published by the State of California in 1966
- ▶ *Directory of Properties in the Historical Resources Inventory*, published by the State of California in 1976, as well as updates
- ▶ The historic property data file (the Office of Historic Preservation’s current computer lists dated April 16, 2004, and December 13, 2007)
- ▶ *California Historical Landmarks*, published by the Office of Historic Preservation in 1990
- ▶ The GLO plat map for Township 13 North, Range 7 East
- ▶ The California Department of Transportation’s Historic Bridge Inventory (published in 1987, 2000, and 2004)
- ▶ U.S. Geological Survey historic maps (1885–87 Sacramento sheet and 1954 Gold Hill quadrangle)

HISTORIC MAPS

A review of historic maps of the Spears Ranch portion of the Park and Garden Bar Road were conducted. The 1867 GLO plat map for Township 13 North, Range 7 East does not depict any structures or roads within the project area; however, several features are indicated in the surrounding area. An unnamed road is located in the southern half of Sections 21 and 22 to the south of the project area. The Myers house is depicted in the northwest corner of Section 31 and Sheridan/Auburn Road is shown in Sections 7 and 8, northwest of the project area. A survey map of the Heredia Estate prepared in 1889 depicts a feature with an illegible label in the southeast quarter of the southeast quarter of Section 16, and an unnamed road that bisects the eastern half of Section 16.

NATIVE AMERICAN CONSULTATION

EDAW, on behalf of the County, initiated the consultation process with appropriate Native American groups with a possible interest in the cultural resources studies and the proposed project. EDAW contacted the Native American Heritage Commission (NAHC) in Sacramento and requested a list of suitable tribal organizations and individuals and a search of the NAHC Sacred Lands files. The Sacred Lands files search revealed that no known sites of cultural or spiritual importance to the present-day Native American community were known to exist within the area of potential effects for the proposed Park or Garden Bar Road improvements. The NAHC also provided contact information (Table 6-1) for the following groups and individuals from the Auburn area.

Letters were sent to each of the contacts noted in Table 6-1 before the field survey was conducted. One organization, the United Auburn Indian Community of the Auburn Rancheria, sent a letter expressing concern about Native American sites and remains that may be located in the project vicinity, and requesting a copy of this EIR. Although Section 106 does not apply to the EIR, it is required by the USACE as part of the processing of acquiring a Section 404 permit. In accordance with Section 106, consultation between Placer County and the United Auburn Community and its representatives is ongoing.

Table 6-1 Native American Contacts Provided by the Native American Heritage Commission		
Individual	Address	Affiliation
Rose Enos	15310 Bancroft Road Auburn, CA 95603	Maidu/Washoe
Christopher Suehead	Todd Valley Miwok-Maidu Cultural Foundation P.O. Box 1490 Foresthill, CA 95631	Miwok/Maidu
Jessica Tavares, Chairperson	United Auburn Indian Community of the Auburn Rancheria 575 Menlo Drive, Suite 2 Rocklin, CA 95765	Maidu/Miwok
Jeff Murray or Nicholas Fonseca	Shingle Springs Band of Miwok Indians P.O. Box 1340 Shingle Springs, CA 95682	Maidu/Miwok

Source: Data provided by EDAW in 2006

6.1.5 SURVEY RESULTS

EDAW cultural resource specialists conducted an intensive field survey of the Spears Ranch portion of the Park between October 16 and October 27, 2006, and Garden Bar Road on December 13, 2007. The Didion Ranch portion of the Park was surveyed as part of the 2004 IS/MND for the Didion property (Placer County 2004).

The majority of the sites and features identified during the EDAW cultural resources surveys (see Table 6-2) are related to, or likely related to, three distinct cultural phases or themes: prehistoric resource procurement, placer mining activities that were conducted from the middle of the 19th century until at least the early decades of the 20th century, and ranching activities that began at approximately the same time as mining activities and continued into the 21st century. Small-scale placer mining continues today in the vicinity of the Park, but it is avocational. No commercial ventures are operating in the area. Ranching and other agricultural endeavors are the continued staple industries of the area, and parts of the project area are still being used for cattle grazing. Resources identified during the EDAW cultural resources surveys are briefly described below.

6.1.6 PREHISTORIC FINDS

Nine prehistoric sites were identified during the survey. Of these, eight are milling features (e.g., mortars formed in bedrock or large boulders) and the ninth is a pitted boulder containing cupules. A description of these features is provided below.

MILLING FEATURES

Cultural Resource HF-4: Bedrock Milling Feature

This cluster of eight mortars, formed within a horizontal exposure of volcanic bedrock, is located alongside Coon Creek, near the top of the falls (see Exhibit 3-4 for the location of the falls). The exposed bedrock measures about 36 feet (11 meters [m]) by 54 feet (16.5 m) and exhibits depressions formed by water and gravel tumbling. Eight of these depressions have been modified and exhibit attributes consistent with mortars formed in bedrock. Although there are no sediments on the downslope side of the feature, there is the potential for the presence of shallow cultural materials on the upslope side, adjacent to the feature.

**Table 6-2
Cultural Resources Documented during the Cultural Resources Surveys**

Resource Number	Association	Description	Location (USGS Gold Hill Quad)		
			Township	Range	Section(s)
HF-1	Historic	Historic homestead	13N	7E	22
HF-2	Historic	Placer mining works	13N	7E	16
HF-3	Historic	Ranch site	13N	7E	21 and 22
HF-4	Prehistoric	Bedrock milling feature	13N	7E	22
HF-5	Prehistoric	Bedrock milling feature	13N	7E	22
HF-6	Prehistoric	Bedrock milling feature	13N	7E	16
HF-7	Historic	Concrete dam	13N	7E	16
HF-8	Prehistoric	Bedrock milling feature	13N	7E	22
HF-9	Historic	Whiskey Diggins Canal	13N	7E	21 and 22
HF-10	Historic	Small placer mining works	13N	7E	22
HF-11	Prehistoric	Bedrock milling feature	13N	7E	22
HF-12	Prehistoric	Bedrock milling feature	13N	7E	22
HF-13	Prehistoric	Bedrock milling feature	13N	7E	21
HF-14	Prehistoric	Bedrock milling feature	13N	7E	21
HF-15	Prehistoric	Cupule boulder	13N	7E	21
HF-16	Historic	Canals	13N	7E	21
HF-17	Historic	Placer mining remnant	13N	7E	16
HF-18	Historic	Isolated stove parts	13N	7E	22

Note: USGS = U.S. Geological Survey
Source: Data provided by EDAW in 2006

Cultural Resource HF-5: Bedrock Milling Feature

HF-5 is a collection of three milling features on horizontal exposure of bedrock. The site is situated at the base of a north-trending slope along Coon Creek. The bedrock exhibits naturally occurring depressions formed by fluvial processes. Several of these depressions have been modified by cultural use to form mortars. A total of 18 definitive mortars were identified, many of which were filled with leaves, rock, or soil. Because they were not excavated, complete descriptions and measurements were not made during the site visit. Individual milling features range from 4 inches to 10.6 inches (11–27 centimeters [cm]) in diameter and are up to 10 inches (25 cm) deep. Because of the location at the base of a slope, there is the potential for additional constituents to be present in shallow subsurface contexts immediately upslope of and adjacent to the feature.

Cultural Resource HF-6: Bedrock Milling Feature

HF-6 is a cluster of six mortars formed on a horizontal exposure of volcanic bedrock alongside Coon Creek. The bedrock exhibits naturally occurring depressions formed by water wash and gravel tumbling. Six of these depressions have been modified and exhibit attributes consistent with mortars formed in bedrock. The mortars range in size from 4 inches to 10 inches (10–25 cm) in diameter and are 3 inches to 8 inches (8–20 cm) deep.

Although additional constituents were not observed, there is the potential for the presence of shallow subsurface cultural deposits adjacent to the milling feature.

Cultural Resource HF-8: Bedrock Milling Feature

HF-8 is a cluster of three mortars formed on a horizontal exposure of volcanic bedrock. This location is alongside Coon Creek, upstream of the steep canyon formed by the creek. The bedrock exposure measuring 7 feet by 5 feet (2 m x 1.5 m) contains three mortars, one of which was submerged within the creek at the time of the survey. The mortars range from 6 inches to 7.5 inches (16–19 cm) in diameter, and are roughly 4 inches (11 cm) deep. No sediments are located adjacent to the feature; therefore, subsurface deposits that may include additional artifact constituents are not believed to be present at this site.

Cultural Resource HF-11: Bedrock Mortars

HF-11 is a pair of mortars formed within a large volcanic boulder. The site is located on the southern bank of Coon Creek. The boulder exhibits naturally occurring depressions formed by water wash and gravel tumbling. Two of these shallow depressions have been modified and exhibit attributes consistent with mortars formed in bedrock. The mortars range from 9 inches to 12 inches (23–30 cm) in diameter and are 5 inches to 11 inches (12–27 cm) deep. There is a lack of depositional sediments adjacent to the boulder; therefore, subsurface deposits are most likely not present.

Cultural Resource HF-12: Bedrock Milling Feature

HF-12 is a cluster of five mortars formed in a horizontal exposure of volcanic bedrock, situated at the confluence of Coon Creek and Deadman Creek. The bedrock, measuring 23 feet by 4 feet (7 m x 1.2 m), exhibits naturally occurring depressions formed by water wash and gravel tumbling. Five of these depressions have been modified and exhibit attributes consistent with mortars formed in bedrock. The mortars are all conical in shape and range between 5 inches and 8 inches (12–20 cm) in diameter and 2 inches to 6 inches (4–16 cm) deep. The feature is situated directly adjacent to Coon Creek and lacks associated depositional sediments; therefore, subsurface cultural materials are not believed to be present.

Cultural Resource HF-13: Bedrock Mortars

HF-13 consists of two mortars formed within a large volcanic boulder. The site is located on the northern bank of Coon Creek, approximately 400 feet (125 m) from the main creek crossing and the intersection of three main access roads. The boulder exhibits three depressions formed by water. Two of these have been modified and exhibit attributes consistent with mortars formed in bedrock. The mortars range in size between 6 inches and 8 inches (16–20 cm) in diameter and are 2 inches to 3 inches (4–7 cm) deep. Because the dense vegetation in this area prevents a thorough investigation of the adjacent surface, there is the potential for the presence of shallow subsurface cultural materials directly adjacent to the feature.

Cultural Resource HF-14: Single Bedrock Mortar

HF-14 is a single mortar located within a horizontal exposure of volcanic bedrock. This cone-shaped mortar is 9 inches by 6.5 inches by 5 inches (24 cm x 16.5 cm x 12 cm).

ADDITIONAL PREHISTORIC RESOURCE

Cultural Resource HF-15: Cupule Boulder

HF-15 is a pitted boulder containing 13 cupules. Each cupule is round and slightly dished, measuring 0.4 inches to 2 inches (1–5 cm) in diameter and 0.2 inch to 0.4 inch (0.5–1 cm) deep. The feature is located alongside Coon Creek, directly adjacent to two historic canals (cultural resource HF-16, described below). Payen (1966) described

a similar feature at the Lincoln Mound site (CA-PLA-14) southwest of the Park. Investigations at Placer Ranch, about 5 miles north of Roseville and 10 miles southwest of the project area, resulted in the location of several pitted boulders, one of which (CA-PLA-627H) exhibited 40 small cupules (Foster et al. 1976).

Although previous investigations and research in the project vicinity have noted the presence of pitted boulders, and other research has documented their presence in the Coast Range west of Fresno, on the west side of the Sierra Nevada in Plumas County, and elsewhere in Northern California, they are far from ubiquitous. Some researchers (e.g., Payen 1966) suggest that these features are a type of rock art associated with earlier time periods and are associated with the Great Basin rock art tradition. Where they are located on horizontal exposures, some have referred to these features as “rain” rocks, used by shamans who would cover and then uncover them during rain-invoking rituals. Cupules found in the southern Sierra Nevada are interpreted as being made by young women during their puberty initiations (Whitley 2000, 2001). Because of their uniqueness and the potential association with spiritual rituals, the feature is considered a unique archaeological resource and eligible for inclusion in the CRHR under criterion 4 (see Section 6.2.2, “State Plans, Policies, Regulations, and Laws,” below).

No other cultural constituents were observed in association with this prehistoric feature. Because of its location adjacent to a canal, it is possible that this boulder was moved from its original location during the construction of the canal.

6.1.7 HISTORIC-ERA FINDS

Nine historic-era sites were identified during the survey. Of these, three consist of resources related to early settlement and ranching, four are related to the history of mining and prospecting in the area, and one is a historic water conveyance system. These features are described below.

EARLY SETTLEMENT– AND RANCHING-RELATED RESOURCES

Cultural Resource HF-1: Historic Homestead

HF-1 is located near the falls at the confluence of Deadman and Coon Creeks, along the edge of a trail that originates from the Didion Ranch portion of the Park. The site, consisting of three features, appears to be the remains of an early homestead, possibly associated with the occupation of John F. and John B. Hicken in 1884, or an earlier short-term residence associated with Gold Rush–era mining and prospecting. Of the three features documented on the site, feature 1 is a rock chimney structure; feature 2 is a reinforced earthen pad (possibly a tent or structure platform); and feature 3 is a small trench or canal, with several associated pieces of milled lumber (one of which is driven into the creek bank). Although no associated artifacts were observed, dense vegetation may be obscuring additional constituents.

Cultural Resource HF-3: Ranch Site

This ranch site encompasses more than 300 acres near the Park’s southwestern corner. The constituents at this site consist of a house foundation (feature 1) with associated refuse, a water conveyance system (feature 2) with associated stock ponds, an earthen pad (feature 3), a group of rock cairns (feature 4), and four buildings (two residences and two sheds), and a dilapidated chicken coop and corral situated within an improved pasture area. The property also contains what appears to be a collapsed chicken coop composed of wooden posts and wire mesh and a dilapidated wooden corral.

Cultural Resource HF-18: Isolated Stove Parts

This isolated non-associated find is a collection of six cast iron stove fragments. A door fragment has an embossed maker’s mark.

MINING- AND PROSPECTING-RELATED RESOURCES

Cultural Resource HF-2: Placer Mining Works

HF-2 is the remnants of a placer mining and prospecting operation. The site contains two loci that incorporate various archaeological remains. The features at locus 1 consist of a collection of five prospect pits, approximately 30 rock piles, and three trenches. The features contained in locus 2 of the site seem to be associated more with prospecting activities and consist of several pits, trenches, their associated back dirt piles, and four widely distributed artifacts.

Cultural Resource HF-7: Concrete Dam

This site consists of a concrete dam formed onto a bedrock exposure, an excavated diversion canal consisting of segments that have been excavated into bedrock, and other segments that are lined with concrete. The concrete dam (feature 1) is located on the northern bank of Coon Creek, approximately 2,800 feet from the western boundary of the Park. At one time, this feature diverted water into a diversion channel (feature 2) that parallels Coon Creek. Two artifacts were located within and near feature 1—a horseshoe that is cemented to the natural rock outcrop above the dam wall, and a metal frame located downstream of the dam. The metal piece appears to be a frame for the gate that was once in place in the diversion channel. The dates “1922” and “1936” appear within a square concrete inscription tablet placed at the center of the main wall of the dam. The concrete used in dam construction appears to be similar to that used in the structural remains associated with ranching site HF-3, suggesting that the features at these two sites may have been built at the same time or by the same individual. The previous owner of the property, Bradley Spears, indicated that Art Wildberger operated a cattle ranch on the property from 1940 to 1975 (Spears, pers. comm., 2006). Therefore, the dam and residence at HF-3 are most likely associated with an unknown previous owner who predates ownership by Wildberger.

Cultural Resource HF-10: Small Placer Mining Works

HF-10 is a small placer mining locale situated near the base of a south-facing slope, approximately 65 feet north and upslope of Coon Creek. The three features observed at this location consist of a trench (feature 1), a circular pit (feature 2) with stacked cobbles, and a collection of at least five rock piles (feature 3). Dense grass prevents the full description of all the features, and artifacts and additional features may be present. However, given the limited areal extent of the mining operation, it appears to have been one of short duration, possibly occurring during the 1850s to 1870s or during the Great Depression.

Cultural Resource HF-16: Canals

HF-16 consists of two parallel canals (canals 2 and 3) that extend for a distance of approximately 350 feet. Canal 2 is rock lined and is situated just upslope of Coon Creek. Canal 3 is excavated into bedrock.

Cultural Resource HF-17: Placer Mining Remnant

HF-17 is a stacked rock pile that appears to be a remnant of placer mining operations. The feature consists of three courses of 40–50 stacked cobbles and boulders. The remnant of a ditch/canal with a prominent berm on the downslope side extends along the south side of Coon Creek for an undetermined distance. No artifacts or other associated constituents were observed.

WATER CONVEYANCE SYSTEM

Cultural Resource HF-9: Whiskey Diggins Canal

Three segments of the Whiskey Diggins Canal are located within the Spears Ranch portion of the Park. Portions of the canal located immediately south of the current Park were formally recorded by Foster and Foster (1994).

The first ditch segment within the project area enters the property at the southeast boundary near the midpoint of the eastern section line of Section 22. It exits and then reenters the Spears Ranch portion of the Park on the eastern side of the midpoint of the section, then exits again on the west side of Section 22. The final segment documented here as part of HF-3 is a small, curving segment that is found near the middle of the western boundary of Section 22. The ditch appears as it is described by Foster and Foster (1994), with the exception of several segments that are lined with black mesh, improvements related to ongoing maintenance by Nevada Irrigation District. The overall depth is approximately 2 feet (0.6 m) and the width is approximately 6 feet (1.8 m). A maintenance road parallels the canal on the downslope side.

6.2 REGULATORY SETTING

6.2.1 FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

SECTION 106 NATIONAL HISTORIC PRESERVATION ACT

As part of the process involved in acquiring a Section 404 from the Corps compliance with Section 106 of the National Historic Preservation Act is required. Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations (Title 36, Section 800 of the Code of Federal Regulations [i.e., 36 CFR 800], as amended in 1999) requires federal agencies to consider the effects of their actions, or those they fund or permit, on properties that may be eligible for listing or are listed in the NRHP.

The NRHP is a register of districts, sites, buildings, structures, and objects of significance in American history, architecture, archaeology, engineering, and culture. The regulations provided in 36 CFR 60.4 describe the criteria used to evaluate cultural resources for inclusion in the NRHP. Cultural resources can be significant on the national, state, or local level. Properties may be listed in the NRHP if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

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

To determine whether an undertaking could affect historic properties, cultural resources (archaeological, historical, and architectural properties) must be identified, inventoried, and evaluated for listing in the NRHP. Although compliance with Section 106 is the responsibility of the lead federal agency, the work necessary to comply can be undertaken by others. The Section 106 review process involves a four-step procedure:

- ▶ Initiate the Section 106 process by establishing the undertaking, developing a plan for public involvement, and identifying other consulting parties.
- ▶ Identify historic properties by determining the scope of efforts, identifying cultural resources, and evaluating their eligibility for inclusion in the NRHP.
- ▶ Assess adverse effects by applying the criteria of adverse effect on historic properties (resources that are eligible for inclusion in the NRHP).

- ▶ Resolve adverse effects by consulting with the State Historic Preservation Officer and other consulting agencies, including the Advisory Council on Historic Preservation if necessary, to develop an agreement that addresses the treatment of historic properties.

6.2.2 STATE PLANS, POLICIES, REGULATIONS, AND LAWS

The California Environmental Quality Act (CEQA) provides for the documentation and protection of significant prehistoric and historic resources. Before a discretionary project is approved, the potential impacts of the project on archaeological and historical resources must be considered (Public Resources Code [PRC] Sections 21083.2 and 21084.1, State CEQA Guidelines Section 15064.5 [California Code of Regulations (CCR) Section 15064.5]).

A variety of cultural resources can be determined to be historical resources under CEQA, including traces of prehistoric habitation and activities and historic-era sites and materials. In general, traces of human activity more than 50 years old are typically treated as a potential cultural resource. However, because projects can extend over a period of years from planning to implementation, the minimum age generally used in practice for resources to be considered for possible historic qualities is 45 years.

Prehistoric and historic cultural resources in the Spears Ranch portion of the Park may be eligible for inclusion in the CRHR. Listing, or eligibility for listing, in the CRHR is the primary consideration in whether or not a resource is subjected to further research and documentation. CEQA states that if a project would result in significant impacts on important historical resources, then alternative plans or mitigation measures must be considered. However, only significant historical resources need to be addressed. CEQA Section 5024.1 (PRC Section 5024.1) and Section 15064.5 of the State CEQA Guidelines (CCR Section 15064.5) include listing or eligibility for listing on the California Register of Historical Resources in the definition of a significant historical resource.

A cultural resource may be eligible for listing in the CRHR if it:

- (1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (2) is associated with the lives of persons important in our past;
- (3) 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) has yielded, or may be likely to yield, information important in prehistory or history.

If a prehistoric or historic resource does not necessarily meet any of the four CRHR criteria, but does meet the definition of a "unique" archeological resource as outlined in PRC Section 21083.2, it may still be treated as a significant resource. A "unique" archaeological resource is defined as:

...an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

As a matter of policy, public agencies should avoid damaging effects on historic and archaeological resources, particularly those that are eligible for the CRHR. When impacts cannot be avoided, their effects can be mitigated through:

- ▶ avoiding resources during construction phases,
- ▶ incorporating sites into open space,
- ▶ capping resources with chemically neutral stable fill,
- ▶ deeding a site into a permanent conservation easement, or
- ▶ recovering data about the site (testing and excavation).

The State CEQA Guidelines also provide for a measure of protection for Native American human remains (CCR Section 15064.5[d]) and for the accidental discovery of cultural resources (CCR Section 15064.5[e]). These are particularly important provisions in that they take into account the possibility that significant resources not noted as a result of previous research efforts may be present within a project area and need to be treated in a way commensurate with CEQA standards. Section 15064.5(e) of the State CEQA Guidelines (i.e., CCR Section 15064.5[e]) requires that excavation activities be stopped whenever human remains are uncovered, and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of a Native American, the NAHC must be contacted within 24 hours, and the provisions for treating or disposing of the remains and any associated grave goods as described in CCR Section 15064.5 must be followed.

6.2.3 LOCAL PLANS, POLICIES, REGULATIONS, AND LAWS

The following are the relevant goal and policies identified by the *Placer County General Plan* (Placer County 1994) for cultural resources.

GOAL 5.D: To identify, protect, and enhance Placer County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.

- ▶ **Policy 5.D.1.** The County shall assist the citizens of Placer County in becoming active guardians of their community's cultural resources.
- ▶ **Policy 5.D.2.** The County shall solicit the cooperation of the owners of cultural and paleontological resources, encourage those owners to treat these resources as assets rather than liabilities, and encourage the support of the general public for the preservation and enhancement of these resources.
- ▶ **Policy 5.D.3.** The County shall solicit the views of the Native American Heritage Commission and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.
- ▶ **Policy 5.D.4.** The County shall coordinate with the cities and municipal advisory councils in the County to promote the preservation and maintenance of Placer County's paleontological and archaeological resources.
- ▶ **Policy 5.D.5.** The County shall use, where feasible, incentive programs to assist private property owners in preserving and enhancing cultural resources.
- ▶ **Policy 5.D.6.** The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a County-wide cultural resource data base, to be maintained by the Department of Museums.
- ▶ **Policy 5.D.7.** The County shall require that discretionary development projects be designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts,

whenever possible, shall be reduced to a less-than-significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.

- ▶ **Policy 5.D.8.** The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.
- ▶ **Policy 5.D.9.** The County shall use the State Historic Building Code to encourage the preservation of historic structures.
- ▶ **Policy 5.D.10.** The County will use existing legislation and propose local legislation for the identification and protection of cultural resources and their contributing environment.
- ▶ **Policy 5.D.11.** The County shall support the registration of cultural resources in appropriate landmark designations (i.e., National Register of Historic Places, California Historical Landmarks, Points of Historical Interest, or Local Landmark). The County shall assist private citizens seeking these designations for their property.
- ▶ **Policy 5.D.12.** The County shall consider acquisition programs as a means of preserving significant cultural resources that are not suitable for private development. Organizations that could provide assistance in this area include, but are not limited to, the Archaeological Conservancy, The Nature Conservancy, and the Placer Land Trust.

6.3 IMPACTS

6.3.1 ANALYSIS METHODOLOGY

SUMMARY OF METHODOLOGY

As described above in Section 6.1.4, “Prefield and Field Methodology,” cultural resources investigations for the Spears Ranch portion of the Park and Garden Bar Road consisted of a staged approach that included prefield research, review of previous cultural resources studies and historic maps, Native American consultation, field surveys, and documentation of resources. Resources were assessed for their potential for eligibility for inclusion in the NRHP and CRHR. All aspects of the cultural resources study were conducted in accordance with the *Secretary of the Interior’s Guidelines for the Treatment of Historic Properties*, and documented according to the guidelines outlined in *Instructions for Recording Historical Resources* (OHP 1995).

RESOURCE ELIGIBILITY

One of the most important considerations in determining the potential consequences of the proposed project on documented cultural resources is the level of significance each site or feature possesses when measured against the NRHP and CRHR criteria (see Section 6.2, “Regulatory Setting,” above). The potential for eligibility of each documented resource within the project area and in the vicinity is summarized below in Table 6-3. Additional work may be required to complete the eligibility or mitigate for impacts if the project cannot be redesigned to avoid direct or indirect impacts.

**Table 6-3
Preliminary NRHP/CRHR Resource Eligibility**

Resource Number	Association	Resource Type	NRHP and CRHR Eligibility
HF-1	Historic	Historic homestead	Not eligible under NRHP criteria (a)–(c) or CRHR criteria 1–3; potentially eligible under NRHP criterion (d) and CRHR criterion 4
HF-2	Historic	Placer mining works	Not eligible
HF-3	Historic	Ranch site	Not eligible
HF-4	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria (a)–(c) or CRHR criteria 1–3; potentially eligible under NRHP criterion (d) and CRHR criterion 4
HF-5	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria (a)–(c) or CRHR criteria 1–3; potentially eligible under NRHP criterion (d) and CRHR criterion 4
HF-6	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-7	Historic	Concrete dam	Not eligible
HF-8	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-9	Historic	Whiskey Diggins Canal	Not eligible
HF-10	Historic	Small placer mining works	Not eligible
HF-11	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR Criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-12	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-13	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-14	Prehistoric	Bedrock milling feature	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; potentially eligible under NRHP criterion d and CRHR criterion 4
HF-15	Prehistoric	Cupule boulder	Not eligible under NRHP criteria a–c or CRHR criteria 1–3; eligible under NRHP criterion d and CRHR criterion 4
HF-16	Historic	Canals	Not eligible
HF-17	Historic	Placer mining remnant	Not eligible
HF-18	Historic	Isolated stove parts	Not eligible

Source: Data compiled by EDAW in 2006

Of the nine prehistoric sites, eight are milling features, and one is a boulder with small cupules. Three of these milling features (HF-8, HF-12, and HF-14) lack associated sediments or deposits that have the potential to contain additional archaeological deposits. However, ethnographic data supplied elsewhere indicate that ethnographic studies may supply additional information on the formation and composition of work groups and on the types of resources and the methods of processing that occurred at each of these locations. The remaining five milling features (HF-4, HF-5, HF-6, HF-11, and HF-13) are in locations containing sediments. The results of archaeological testing elsewhere indicate that these features have the potential to possess associated subsurface cultural constituents that can yield data addressing one or more of the research issues established for this project. Therefore, because of their data potential, all of these sites are recommended as potentially eligible for inclusion in the NRHP and CRHR. The remaining site is the boulder with associated cupules (HF-15). Because of the uniqueness and the potential association with spiritual rituals, the feature is considered a unique archaeological resource and eligible for inclusion in the NRHP under criterion d and the CRHR under criterion 4.

Of the nine historic-era resources, an isolated stove (HF-18) is not considered significant because of a lack of association. The Whiskey Diggins Canal (HF-9) lacks integrity, unique features, association, and archaeological deposits that would qualify it as eligible for the NRHP or CRHR. Similarly, the ranch site (HF-3) lacks integrity, associations, or architecturally unique elements that would qualify for inclusion in the NRHP or CRHR. Of the placer mining/prospecting-related sites (HF-2, HF-7, HF-10, HF-16, and HF-17), none appear to be specific to a particular era. All display various impacts on their integrity and lack associated archaeological deposits, precluding them from being associated with a particular era or event. Therefore, none are considered eligible for the NRHP or CRHR. Although a suspected historic homestead (HF-1) does not appear to qualify for eligibility under NRHP criteria a–c or CRHR criteria 1–3, because of dense vegetation there is the potential for surface and subsurface archaeological deposits that may further an understanding of life ways on early homesteads of the region. Therefore, pending further investigations, including subsurface testing, the site is recommended as potentially eligible for inclusion in the NRHP under criterion d and the CRHR under criterion 4.

6.3.2 THRESHOLDS OF SIGNIFICANCE

Based on the Placer County CEQA checklist and Appendix G of the State CEQA Guidelines, the proposed project would result in a potentially significant impact on cultural resources if it would:

- ▶ cause a substantial adverse change in the significance of a unique archaeological resource or a historical resource as defined in Section 21083.2 of CEQA and Section 15064.5 of the State CEQA Guidelines, respectively; or
- ▶ disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 of the State CEQA Guidelines defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

6.3.3 IMPACT ANALYSIS

IMPACT 6-1	Cultural Resources—Potential for Loss of or Damage to Potentially Significant Cultural Resources. <i>Nine potentially significant cultural resources and one significant cultural resource have been documented within the Spears Ranch portion of the Park. The proposed project has the potential to damage or destroy these cultural resources, either directly by construction or by increased public use.</i>
Significance	<i>Potentially Significant</i>

Mitigation Proposed *Mitigation Measure 6-1: Modify Project Plans to Avoid Potentially Significant Cultural Resources and Actively Monitor Resources for Indirect Effects*

Residual Significance *Less than Significant*

Of the nine potentially significant cultural resources and one significant archaeological resource, an existing trail crosses one historic site (HF-1), and no project-related activities would disturb potentially significant archaeological deposits that may be associated with this resource. Adverse effects on the prehistoric sites considered potentially eligible for the NRHP under criterion d and for the CRHR under criterion 4 because of the potential presence of subsurface deposits (HF-4, HF-5, HF-6, HF-11, and HF-13) would be avoided through modifications of project design and implementation. Similarly, the bedrock milling features considered potentially eligible because of the potential for information that could be derived from further ethnographic research (HF-8, HF-12, and HF-14) would be avoided during project design and implementation. Trails and other project facilities that would involve ground disturbance would be designed to avoid each of these sites.

Increasing public recreation use of the project area would create a risk of indirect damage to potentially significant or significant cultural resources. Cultural resources sites can be subject to vandalism or other damage by Park users. As part of the County’s plans for management of the Park, monitoring of potential indirect impacts on sites that could occur as a result of public use of the Park would be conducted by the County or members of the local Native American community, or both. If indirect impacts from visitor use were to be considered a threat to resource values, protective barriers would be installed to avoid or minimize these impacts.

HF-15, a cupule boulder, appears to have been displaced from its original location. However, this resource represents unique values associated with potential spiritual use and is of considerable interest to the local Native American community. Consultation between the County and the local Native American community regarding this resource is ongoing. Because the boulder no longer appears to be located in its original context, relocation to a site suitable to the Native American community is not considered an adverse effect.

For the reasons described above for resources HF-4, HF-5, HF-6, HF-11, and HF-13 and resources HF-8, HF-12, and HF 14, this impact would be potentially significant. Implementation of Mitigation Measure 6-1 would reduce this impact to a less-than-significant level.

IMPACT 6-2 **Cultural Resources—Potential for Disturbance of Undiscovered Cultural Resources.** *The project vicinity is known to contain numerous historic and prehistoric resources. In addition, buried traces of historic-era activity and early Native American occupation that remain undocumented may be present within and in the vicinity of proposed trails. Ground-disturbing activities during construction of trails and Park facilities could disturb undiscovered cultural resources.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 6-2: Protect Previously Unknown Cultural Resources*

Residual Significance *Less than Significant*

Although the entire Spears Ranch portion of the Park and Garden Bar Road were subject to an intensive archaeological inventory, and methods of identifying resources located on and above the ground surface were used, it is possible that presently unidentified cultural deposits are present in subsurface contexts. Subsurface prehistoric resources may take the form of stone tools and tool fragments, rock concentrations, burned and/or unburned shell or bone, and/or darkened sediments containing some of the above-mentioned constituents. Historic-era deposits can include fragments of glass, ceramic, and metal objects; milled and split lumber; and

structure and feature remains, such as building foundations and dumps. Because the potential exists for disturbing undiscovered cultural resources, this impact would be potentially significant. Implementation of Mitigation Measure 6-2 would reduce this impact to a less-than-significant level.

IMPACT 6-3 **Cultural Resources—Potential for Disturbance of Unknown Human Interments.** *Although no evidence of human interments was found in documentary research or during the archaeological inventory evidence of prehistoric and historic use of the project area has been found. If undiscovered human remains are present, ground-disturbing activities during construction of trails and other Park facilities could adversely affect presently unmarked human interments.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 6-3: Stop Potentially Damaging Work if Human Remains are Uncovered During Construction*

Residual Significance *Less than Significant*

The entire Spears Ranch portion of the Park and Garden Bar Road were subject to an intensive archaeological inventory, and the project vicinity is known to contain numerous historic and prehistoric resources. No evidence of human remains was found within or near the project area through a review of documentary research and completion of an archaeological inventory; however, potentially unmarked Native American or historic-era human interments could be present, because evidence of prehistoric and historic use of the project area has been found. Undiscovered human interments could be encountered during project-related ground-disturbing activities. Because unknown or undocumented subsurface human remains could be uncovered during construction of trails or Park facilities, this impact would be potentially significant. Implementation of Mitigation Measure 6-3 would reduce this to a less-than-significant level.

6.4 MITIGATION MEASURES

Mitigation Measure 6-1: Modify Project Plans to Avoid Potentially Significant Cultural Resources and Actively Monitor Resources for Indirect Effects.

Mitigation Measure 6-1 applies to Impact 6-1.

The County will prepare detailed design of trails, roads, and other Park facilities to ensure that direct effects associated with project implementation avoids all significant and potentially significant documented cultural resources in the project area. As part of the County’s ongoing operational responsibility, usage trends that threaten any potentially significant documented cultural resources will be actively managed to avoid damage. If designing such trails and facilities to avoid potential impacts is not feasible or if management of Park usage indicates potential impacts to significant or potentially significant cultural resources, an approved treatment plan shall be drafted and implemented to mitigate the significant impacts. Such a plan may include one or more of the following elements:

- ▶ vegetation removal and surface inspection;
- ▶ ethnographic studies or Native American consultation, or both;
- ▶ subsurface testing; and
- ▶ if necessary, data recovery.

Implementation of this mitigation measure would reduce Impact 6-1 to a less-than-significant level.

Mitigation Measure 6-2: Protect Previously Unknown Cultural Resources.

Mitigation Measure 6-2 applies to Impact 6-2.

Given the potential for subsurface deposits, if undocumented resources are encountered during construction, all destructive work in the vicinity of the find shall cease until a qualified professional archaeologist can assess the significance of the find and, if appropriate, provide recommendations for treatment. Appropriate measures for treatment may include no action, avoidance of the resource through relocation of Park facilities, subsurface testing, and potentially data recovery. For any such discovery, a memorandum documenting the results of the evaluation shall be provided to the County by the archaeologist, and the County shall forward the memorandum to the California Department of Parks and Recreation and the State Historic Preservation Officer.

Implementation of this mitigation measure would reduce Impact 6-2 to a less-than-significant level.

Mitigation Measure 6-3: Stop Potentially Damaging Work if Human Remains are Uncovered during Construction.

Mitigation Measure 6-3 applies to Impact 6-3.

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, the construction contractor or the County, or both, shall immediately halt potentially damaging excavation in the area of the burial and notify the County coroner and a qualified professional archaeologist to determine the nature of the remains. The coroner shall examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands, in accordance with Section 7050(b) of the Health and Safety Code. If the coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). After the coroner's findings are presented, the County, the archaeologist, and the NAHC-designated Most Likely Descendant (MLD) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed.

Upon the discovery of Native American remains, the procedures above regarding involvement of the County coroner, notification of the NAHC, and identification of a MLD shall be followed. The County shall ensure that the immediate vicinity (according to generally accepted cultural or archaeological standards and practices) is not damaged or disturbed by further development activity until consultation with the MLD has taken place. The MLD shall have 48 hours after being granted access to the site to complete a site inspection and make recommendations. A range of possible treatments for the remains may be discussed: nondestructive removal and analysis, preservation in place, relinquishment of the remains and associated items to the descendants, or other culturally appropriate treatment. Assembly Bill (AB) 2641 (Chapter 863, Statutes of 2006) suggests that the concerned parties may extend discussions beyond the initial 48 hours to allow for the discovery of additional remains. AB 2641 includes a list of site protection measures and states that the County shall comply with one or more of the following measures:

- ▶ Record the site with the NAHC or the appropriate Information Center.
- ▶ Utilize an open-space or conservation zoning designation or easement.
- ▶ Record a document with the county in which the property is located.

The County or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the NAHC is unable to identify a MLD, or if the MLD fails to make a recommendation within 48 hours after being granted access to the site. The County or its authorized representative may also reinter the remains in a location not subject to further disturbance if it rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner. Adherence to these procedures and other provisions of the California Health and Safety Code and AB 2641 would reduce potential impacts on human remains to a less-than-significant level.