

3.4 Cultural Resources

The following cultural resources analysis evaluates whether cultural resources exist in areas that could be adversely affected by the proposed Canyon Springs Subdivision. The significance of any potentially affected resources is assessed and measures are proposed to mitigate potential adverse effects of the proposed project.

Cultural resources are defined as prehistoric and historic archeological sites, architectural properties (e.g., buildings, bridges, and structures), and traditional properties with significance to Native Americans. This definition includes historic properties as defined by the National Historic Preservation Act (NHPA). No comments were submitted for the Canyon Springs project during circulation of the NOP; however, comments on cultural resources were submitted during the comment period on the Tahoe Boca project.

3.4.1 SETTING

Environmental Setting

The project area is situated in the Truckee Basin, an alluviated structural basin west of the Carson Range and east of the main crest of the Sierra Nevada. Low hills and ridges are Tertiary and Pleistocene volcanic rocks (Birkeland 1963) and valley floors are covered with relatively flat lying alluvial, glacial and glaciofluvial deposits (Birkeland 1964).

The Pleistocene geology of the Truckee Basin has important implications for the distribution of lithic raw materials that were fashioned into prehistoric stone tools. Landforms in the project area have been influenced greatly by Pleistocene volcanic activity, which occurred between 2.3 and 1.2 million years ago. These flows are correlated with the Lousetown Formation, a series of early Quaternary basaltic rocks extruded from several local vents that underlie much of the Truckee Basin and its flanks (Birkeland 1963). The presence of a basalt source of high knappable quality greatly influenced the prehistoric occupation of the general project area, in terms of aboriginal lithic material procurement activities for the purpose of fashioning stone tools. No basalt of toolstone quality was observed within the project area.

The project area is drained by a number of east-to-west flowing seasonal drainages that ultimately empty into the Truckee River. The proposed project site topography involves flat to moderate slopes with elevations ranging between 5920 and 6120 feet. The project area lies within Storer and Usinger's (1971) Yellow Pine/Jeffrey Pine Belt. Dominant tree species include Jeffrey pines (*Pinus jeffreyi*) and white fir (*Abies concolor*). Open areas are covered by sagebrush (*Artemisia tridentata*) and bitterbrush (*Pursia tridentata*) and assorted forbs and grasses. It is doubtful that modern plant and animal communities closely resemble their pristine composition due to past disturbance. In pristine times the area is thought to have supported a luxuriant growth of native bunch grasses which allowed an abundant large game population (deer and antelope) and provided a nutritious source of seeds for use by prehistoric peoples. Human modifications of the project area are associated with historic and recent logging and modern residential development. The proposed project is located within the Glenshire area. A

transmission line traverses the northwest portion of the project area. The line is shown on USGS maps dating from at least 1955.

PREHISTORY

The archaeology of the region was first outlined by Heizer and Elsasser (1953) in their study of sites located in the Truckee Basin Martis Valley area. They identified two distinct prehistoric lifeways which are believed to have once characterized the area's early occupants. Subsequent studies have further refined the culture history of the region (Elston 1971; Elston et al 1977). Some of the oldest archaeological remains reported for the Tahoe Region have been found in the Truckee River Canyon near Squaw Valley. These Pre-Archaic remains suggest occupation by about 9,000 years ago (Tahoe Reach Phase). Other Pre-Archaic to Early Archaic occupation dating from about 7,000 years ago was documented at Spooner Lake (Spooner Phase) near Spooner Summit overlooking Lake Tahoe. The most intensive period of occupation in the region may have occurred at varying intervals between 4,000 and 500 years ago (Martis Phases during the Early and Middle Archaic, and Early Kings Beach Phase during the Late Archaic). The protohistoric ancestors of the Washoe (Late Kings Beach Phase), also of Late Archaic times, may date roughly from 500 years ago to historic contact.

NATIVE AMERICAN PERIOD

The project area falls within the center of Washoe territory, with primary use by the northern Washoe or Wa She Shu (Downs 1966; Nevers 1976; Steward 1966). The Washoe themselves regard all "prehistoric" remains and sites within the Truckee Basin as associated with their own history. In support of this contention, they point to the traditions of their neighbors (the Northern Paiute, California Indians, and non-Indian Americans), which include stories about migrations and movement, whereas theirs do not (Rucks 1996:6).

The ethnographic record suggests that during the mild season, small groups traveled through high mountain valleys collecting edible and medicinal roots, seeds and marsh plants. In the higher elevations, men hunted large game (mountain sheep, deer) and trapped smaller mammals. The Truckee River and tributaries such as Martis Creek were important fisheries year-round. Suitable toolstone (such as basalt) was quarried at various locales in Martis Valley. The Washoe have a tradition of making long treks across the Sierran passes for the purpose of hunting, trading and gathering acorns. These aboriginal trek routes, patterned after game trails, are often the precursors of our historic and modern road systems. Archaeological evidence of these ancient subsistence activities are found along the mountain flanks as temporary small hunting camps containing flakes of stone and broken tools. In the high valleys more permanent base camps are represented by stone flakes, tools, grinding implements, and house depressions.

While there was a tendency for groups to move from lower to higher elevations during the mild seasons, and to return to lower elevations the remainder of the year (Downs 1966), a fixed seasonal round was not rigidly adhered to by all Washoe and some Washoe may have wintered in the Truckee Basin during milder seasons (d'Azevedo 1986:472-473). While some Washoe trekked to distant places for desired resources, most groups circulated in the vicinity of their traditional habitation sites and appear to have been less compelled in their subsistence pursuit to

cover large expanses of land, than was the case for some other groups in the Great Basin. This was due to the large variety of predictable resources close at hand (d'Azevedo 1986:472). Their relatively rich environment afforded the Washoe a degree of isolation and independence from neighboring peoples and may account for their long tenure in their known area of historic occupation (d'Azevedo 1986:466, 471; Price 1962). The Washoe are part of an ancient Hokan-speaking residual population, which has been subsequently surrounded by Numic-speaking intruders, such as the Northern Paiute (Jacobsen 1966). Even into the 20th Century, the Washoe were not completely displaced from their traditional lands. The contemporary Washoe have developed a Comprehensive Land Use Plan (Washoe Tribal Council 1994) that includes goals of reestablishing a presence within the Tahoe Sierra and re-vitalizing Washoe heritage and cultural knowledge, including the harvest and care of traditional plant resources and the protection of traditional properties within the cultural landscape (Rucks 1996:3).

HISTORY

Logging was first initiated in the Truckee-Donner area after the discovery of the Comstock Lode in 1859. When production began to fall in the mines in 1867, the lumbering business also began to suffer. A new market for lumber was found in the Central Pacific Railroad (CPRR). It had been building toward Donner Pass since 1864 and proved to greatly enhance the fortunes of sawmills along its path. As the rails reached the summit in 1866-67, a number of mills established operations in the Truckee Basin to supply the railroad with cordwood for fuel, lumber for construction, and ties for the roadbed. Coburn's Station (Truckee) soon became one of the major lumbering centers. After the completion of the railroad in 1868-69 lumber companies diversified and grew as new markets were opened to them. Truckee saw its most prosperous days during the brisk lumbering period from 1868 through 1880. In the eight miles between Truckee and Boca alone, at least a dozen sawmills were active in 1876. The sharp decline of the silver output due to the final slump in Comstock ore production in 1881 reduced sawmilling in the Truckee Basin (Knowles 1942:30). From 1881 lumbering in the Truckee River country proceeded at a slower and steadier rate, supplying the CPRR and other railroads, other mines, and the building and fuel needs of growing populations as far as the Wasatch Range in Utah (Knowles 1942:32). The period of lumbering in the Truckee Basin, from 1881 through 1909 chronicled the final operations of seven of the nine big lumber operators, including the Pacific Lumber and Wood Company (PL&WCo), which cut in the proposed project vicinity along Juniper Creek (Knowles 1942:32). During the final period of lumbering in the Truckee Basin, between 1910 through 1936, the last of the virgin pine forests were cleared off and almost all the operators then cutting were taking some second growth timber (Knowles 1942:42).

According to maps of Nevada County dating from 1880 and 1913, the PL&WC owned land adjoining the project area in the east half of Section 3. No ownership is shown on the 1880 map for the west half of the section, which is encompassed by the project area.

The PL&WC centered their operations within the present-day Glenshire-Devonshire subdivision on Juniper Flat and up Juniper Creek. A narrow gauge logging railroad led to their mill site at Clinton (Camp 18 on the railroad and now known as Hirschdale). The mill of the PL&WCo was established in 1870 by G. N. Folsom and H. W. Bragg, although control subsequently passed to Fred Burchhalter. Edwards (1883:56-59) describes the PL&WCo mill and Clinton as one of the largest

and best appointed mills on the line of the CPRR. In addition to the sawmill proper, it supported a full outfit of planers, lath and molding machines, and produced all kinds of dressed and planed lumber. As timber resources were depleted, the narrow gauge line was abandoned in 1901 and shortly thereafter the machinery at the Clinton mill was sold.

It is possible that another small independent logging operation, centered near Union Mills (located about one-half mile north of the project area and shown on Figure 2, of Appendix D of this EIR), may also have harvested timber in the project area. One smaller operator of the period 1881 through 1909, who may have logged closest to the project area, was the partnership of Stewart McKay and J. A. Stewart. According to a 1913 map of Nevada County, Stewart McKay owned property in Section 4, which adjoins the project area on the west. McKay and Stewart put up a new mill on their timberland near Union Mills in the spring of 1891. Six years later, Mr. McKay bought his partner's interest and moved the mill to Sardine Valley, shipping his lumber to Hobart Mills (Knowles 1942:41).

A 1913 map of Nevada County indicates that the entire project area was once owned by the Union Ice Company. However, given the lack of sufficient water it is doubtful that ice was ever manufactured within the project area. From 1868 through the 1920s, ice harvesting was an important business in the Truckee area. Mergers of smaller ice companies formed powerful ice corporations that competed for the ice trade. A summary of the Truckee ice industry is provided by Hansen (1987), Itogawa (1974), Lord (1981), and Macauley (1996).

California's growing major cities and the development of a relatively stable population pattern led to the market demand for ice. The Sierra Nevada ice industry developed greatly after the completion of the transcontinental railroad across the Sierra and the main center of the industry was located on tributaries of the Truckee River and around Donner Pass. Sierra ice was noted for its crystal purity and it was proudly served in large hotels throughout the nation. Ice cooled the 140-degree temperatures deep in the shafts of the Comstock mines. In addition, ice was essential to refrigerate California produce for rail shipment to the eastern markets.

Lumbermen released from seasonal logging work usually found employment in the ice industry around Truckee during the winter. Ice was harvested from artificial ponds and from ponds adjacent to lumber mills that had closed for the winter. Ice was considered ready for harvest when it was at least 10 inches thick (enough to support the weight of horses), which usually took one month from the time that ice first appeared. Prior to harvesting, the ponds were continually cleared of floating debris by dragging the surface with a float. The final layer of snow ice was scraped off with a shaving machine and the ice was then scored for cutting in a checkerboard fashion with 22 inches on a side. Cut blocks were floated to the head of a tramway and lifted into the ice house for storage. Blocks were covered with a layer of sawdust insulation and stacked tightly. Railroad spur lines were built to facilitate loading ice on cars for transportation to market. Each car carried about 10 tons of ice.

Method of Analysis

PREVIOUS STUDIES

In June of 2003, Susan Lindström, Ph.D, prepared a study entitled, *Tahoe Boca Estates Project, Heritage Resource Inventory Update* for the proposed project site. (Tahoe Boca Estates was the name of the previous version of the project proposed for the site.) The work was designed to update and check the prior 1989 study by Blossom Hamusek entitled, *Archaeological Reconnaissance of Tahoe Boca Estates*. Both studies were peer reviewed by Melinda Peak, principal investigator and president of Peak and Associates, a cultural resources consulting firm. The peer review found the Lindstrom report to be a complete and adequate cultural resource for the proposed project site and concurred with its recommendations. The two studies and a letter report by Melinda Peak are located in Appendix D. The following information is derived from the Lindstrom report.

Prefield Research

Prefield research entailed a literature review of prehistoric and historic themes for the project area. This included a review of prior archaeological research and of pertinent published and unpublished literature. An updated records search at the North Central Information Center, California State University at Sacramento (NCIC-CSUS) was initiated in order to identify any properties listed on the National Register, state registers and other listings, including the files of the State Historic Preservation Office (NCIC File No. Nev-03-29). References checked include archaeological sites and surveys in Nevada County, the *National Register of Historic Places* (listed properties (1996) and Determinations of Eligibility (1997)), the *California Inventory of Historic Resources* (1976), *California Historical Landmarks* (1990 and updates), *California Points of Historical Interest* (1992 and updates), *Gold Districts of California* (1970), *Survey of Surveys* (Historic and Architectural Resources 1989), *Directory of Properties in the Historical Resources Inventory* (HRI 1997), *Caltrans Local Bridge Survey* (1989), *Historic Spots in California* (1966 and 1990) and *Early California-Northern Edition* (1974).

Research at the NCIC-CSUS disclosed that the entire project area was previously surveyed by Hamusek (1989 and personal communication 2002). She recorded two prehistoric basalt lithic scatters, TB-1 and TB-2, and six isolated artifacts (TB isolates 1-6) to include two projectile points, one basalt biface, two basalt waste flakes, and one broken historic bottle. Other studies within or adjacent to the project area include: Houdyschell 1998, IC #1902), Lindström (1989) and Smith (1996a, IC #1133; 1996b, IC #1144). While no heritage resources were encountered in the Houdyschell and Smith studies, Lindström reported upon one prehistoric basalt lithic scatter (Glenshire/Devonshire Site 6) and an isolated prehistoric artifact (AF-29-58), both located in adjoining Section 4 and near the eastern edge of the Tahoe Boca Estates project area.

Field Research

Archaeological field research was conducted by Susan Lindström, Ph.D and assisting archaeologist, Lizzie Bennett. Lindström has 30 years of professional experience in regional prehistory and history, holds a doctoral degree in anthropology/archaeology and has maintained certification by the

Register of Professional Archaeologists since 1982. Bennett has 15 years of archaeological experience in the region.

The entire project area was subject to an intensive archaeological surface survey by Hamusek and McGann in 1989 by walking transects spaced at 25-meter interval widths. However, findings are now 24 years old and possibly out-dated in terms of present regulations; earlier studies tended to overlook historic resources and linear features and failed to incorporate input from appropriate Native American groups. In consultation with one of the archaeologists who conducted the initial study, (Hamusek, personal communication 12/18/02), it was concluded that the former archaeological reconnaissance needed updating according to guidelines now set by the State of California Office of Historic preservation. Two known Native American sites (TB-1 and TB-2) were relocated, site records were updated and potential project impacts were assessed. In addition, a field spot check of select areas most sensitive to contain historic resources that may not have been detected during the initial survey was also conducted. This cursory field reconnaissance was structured according to the lay-out of the existing system of dirt roads. Transects were walked by two archaeologists along both sides of most of dirt roads, encompassing a roughly 25-foot wide corridor. In addition, intuitive coverage was given to some drainages and other areas that seemed likely to contain heritage resources. The ground surface was partially obscured by brush and duff. Transect intervals were established by pacing. Cardinal directions were determined by compass. Project unit boundaries were delineated by physical features and landmarks that were elicited from project maps. The archaeological coverage map (Figure 4 of the *Tahoe Boca Estates Project, Heritage Resource Inventory Update*, Appendix D of this EIR) is keyed to the survey strategy employed.

NATIVE AMERICAN CONSULTATION

The Washoe Tribe of Nevada and California was consulted regarding the proposed project and has been notified of the survey findings. As part of consultation with the Washoe Tribe, a tribal representative was formally retained to research tribal files, contact tribal elders, and tour Native American sites within the project area. Findings are documented in the Native American report (see correspondence section).

A copy of this report is on file with NCIC-CSUS.

HERITAGE RESOURCE INVENTORY

A heritage resource survey disclosed no new prehistoric or historic sites, apart from Native American sites TB-1 and TB-2, which were inventoried in the 1989 study. Both sites were relocated and re-recorded. Archaeological site record addenda are contained in the accompanying confidential appendix. Site TB-1 is a sparse prehistoric flaked stone artifact scatter along a low finger ridge above an ephemeral drainage and wet meadow. An intensive surface survey conducted at one-meter intervals disclosed a total of 37 basalt waste flakes, two basalt bifaces and a five-meter diameter concentration comprising 10 flakes. The site was remapped according to current surface artifact locations, which were plotted from the mapping datum established in the 1989 survey. Site TB-2 appears to be a very sparse prehistoric scatter of flaked stone artifacts located along a moderate north-facing slope across the same ephemeral drainage and wet

meadow that bounds site TB-1. An intensive surface survey conducted at one-meter intervals disclosed a total of 11 basalt waste flakes and one basalt biface.

In addition to the six isolated finds recorded during the earlier study, two isolated prehistoric artifacts (basalt waste flakes) were found during the current survey.

A system of dirt roads criss-crosses the project area. In order to assess their potential historic status, historic maps were examined. None of the roads within the project area appear on maps dating from 1865 (General Land Office Survey Plat), 1880 and 1913 (Nevada County Map), or USGS maps dating from 1955, 1969, 1978, 1985, and 1992. In addition to the lack of historical documentation, the majority of the dirt roads possess physical characteristics untypical of historic roads (short radius curves, steep grades, multiple wyes at intersections, and numerous roads that parallel and/or cross over one another.) Such suggests that these dirt roads date from the modern era and are associated with recent logging and/or recreation. Given the indeterminate historical documentation and questionable morphology of these roads, no historic roads were recorded within the project area.

Numerous historic high cut stumps and cut logs occur throughout the project area. These features were noted but not formally recorded. All are badly deteriorated and not suitable for any further analysis such as dendrochronology (tree-ring dating). A number of modern artifacts and features were encountered. As none are believed to be older than 50 years, they were not formally recorded.

Regulatory Setting

Cultural resources are managed under a broad spectrum of federal and state (California) statutes and regulations. Federal agencies with jurisdiction over aspects of proposed projects are considered unlikely to examine potential impacts on cultural resources because there is no federal funding or permitting. Hence, the National Historic Preservation Act of 1966 (NHPA), the American Indian Religious Freedom Act of 1978, the Archaeological Resources Protection Act of 1979, the Historic Sites Act of 1935, and the National Environmental Policy Act of 1969 (NEPA) are not expected to apply. Legal provisions that are relevant to the proposed project site are discussed below.

STATE

A variety of California laws and local ordinances have been passed in the last few decades that are designed to protect archaeological resources. Key legislation is summarized below. Several California public resource codes make it illegal to damage objects of historical or archaeological interest on public or private lands or to disturb human remains, including those in archaeological sites. It is illegal to possess remains or artifacts taken from Native American graves, and the Native American Heritage Commission must be consulted whenever Native American graves are found.

Health and Safety Code, Section 7050.5(b)

This code requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native

American. If remains are identified as Native American, the coroner must contact the California Native American Heritage Commission.

Health and Safety Code, Section 7052 (Stats. 1939, C.60:672)

This code section establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Penal Code, Section 622.5 (Stats. 1939, D.90:1605, 5.1)

This code provides misdemeanor penalties for injuring or destroying objects of historical or archaeological interest located on public or private lands. It specifically excludes the landowner.

Public Resources Code, Section 5097.5 (Stats. 1965, C.11362792)

An additional code defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands.

Public Resources Code, Section 5097.9

It is contrary to the free expression and exercise of Native American religion to interfere with or cause severe or irreparable damage to any Native American cemetery, place of worship, religious or ceremonial site or sacred shrine.

Health and Safety Code, Ch. 1492 (SB 297)

The Health and Safety Code requires that the Governor's Native American Heritage Commission be consulted whenever Native American graves are found. It makes it illegal to possess remains or artifacts taken from Native American graves. If human remains are discovered, all work should stop in the immediate vicinity of the find and the county coroner must be notified, according to Section 7050.5 of the Health and Safety Code. If the remains are Native American, the coroner should notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains.

Public Resources Code, Sections 5024 and 5024.5

These code sections require state agencies to inventory and protect historical structures and objects under their jurisdiction. The State Historic Preservation Officer must be consulted before any such structure or object is altered or sold.

Confidentiality

In order to prevent vandalism and unauthorized artifact collecting and to protect landowners from trespass, the locations of cultural resources are kept confidential. California Government Code Section 6254.10 exempts archaeological site information from the California Public Records Act,

which requires that public records be open to public inspection. Location information is restricted and is not circulated as part of public documents, but is used for planning purposes only.

LOCAL

Town of Truckee General Plan (1996)

Conservation and Open Space Policies

Policy 9.1: Require evaluation of impacts to cultural resources for projects which involve substantial site disturbance.

Policy 9.5: Encourage and cooperate with the private sector in the implementation of innovative techniques intended to preserve archaeological and historic sites by gift, private conservancies and easements.

Project Consistency with General Plan Policies

The proposed project is consistent with Policy 9.1 by virtue of the impact evaluation provided by this Draft EIR. The proposed project is consistent with Policy 9.5 because the Native American sites identified as TB-1 and TB-2 are located in an area that is proposed for open space (see Impact #3.5-1), therefore leaving open the possibility of implementing the techniques identified in the policy.

3.4.2 THRESHOLDS OF SIGNIFICANCE

This section identifies the standard used to identify and measure potential impacts, and the limitations that exist with regard to the imposition of mitigation measures in connection with the proposed project.

Under CEQA, historical resources are recognized as a part of the environment (Public Resources Code 21001(b), 21083.2, 21084(e), 21084.1). A “historical resource” includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant, or important in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California (Public Resources Code 5021.1).

In 1992, the Public Resources Code was amended as it affects historical resources. The amendments included creation of the California Register of Historical Resources (Public Resources Code 5020.4, 5024.1 and 5024.6). While the amendments became effective in 1993, it was not until January 1, 1998, that the implementing regulations for the California Register were officially adopted (Public Resources Code 4850 *et seq.*).

The California Register is an authoritative listing and guide for state and local agencies and private groups and citizens in identifying historical resources. This listing and guide indicates which resources should be protected from substantial adverse change. The California Register includes historical resources that are listed automatically by virtue of their appearance on or

eligibility for certain other lists of important resources. The Register includes historical resources that have been nominated by application and listed after public hearing. Also included are historical resources listed as a result of an evaluation by specific criteria and procedures adopted by the State Historical Resource Commission.

The criteria used for determining the eligibility of a cultural resource for the California Register are similar to those developed by the National Park Service for the National Register of Historic Places. However, criteria of eligibility for the California Register were reworded to better reflect California history.

Any building, site, structure, object or historic district meeting one or more of the following criteria may be eligible for listing in the California Register:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Eligibility for the California Register also depends on the integrity, or the survival of characteristics of the resource that existed during its period of significance. Eligible historic resources must not only meet one of the above criteria, but also they must retain enough of their historic character or appearance to convey the reasons for their importance, or retain the potential to yield significant scientific or historical information or specific data.

Like the process of evaluating historical resources for National Register eligibility, California Register evaluations include the consideration of seven aspects of integrity: location, design, setting, materials, workmanship, feeling and association. The evaluation of integrity must be judged with reference to the particular criterion or criteria under which a resource may be eligible for the California Register. However, the implementing regulations specifically caution that alterations of a historic resource over time may themselves have historical, cultural or architectural significance.

Most often, historical resources eligible for the California Register will be 50 years old or older; however, the new implementing regulations stipulate that "a resource less than 50 years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance."

If an archaeological resource does not meet the definition of a "historical resource," it may meet the definition of a "unique archaeological resource" under Public Resources Code Section 21083.2. An archaeological resource is "unique" if it:

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

Public Resources Code Section 21084.1 stipulates that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. “Substantial adverse change” means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.

Any project that involves federal undertakings, lands, funds, or permits must comply with Section 106 of the National Historic Preservation Act (NHPA; amended 1999); this Act defines important (“*significant*”) resources as those listed on, or eligible for listing on, the National Register of Historic Places. Section 106 and its implementing regulations require federal agencies to provide the Advisory Council on Historic Preservation an opportunity to comment on actions that will affect historic properties. National Register criteria define an important cultural resource as one that is associated with important persons or events, or that embodies high artistic or architectural values, or that has scientific value (36 CFR 60.6). Where a cultural resource has not been evaluated for its importance, it is treated as potentially important until an evaluation can be done.

The following standards of significance are based on Appendix G of the State CEQA Guidelines.

For the purposes of this EIR, an impact would be considered significant if the proposed Canyon Springs subdivision would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Potential effects on cultural resources were considered with respect to local, state, and federal regulations as outlined in the *Public Resources Code*, Section 21093.2. In general, this code seeks to identify “significant” sites and/or properties.

Virtually any physical evidence of past human activity can be considered a cultural resource, although not all such resources are considered to be significant. They often provide the only means of reconstructing the human history of a given site or region, particularly where there is no written history of that area or that period. Consequently, their significance is judged largely in terms of their historical or archaeological interpretive values. Along with research values, cultural resources can be significant, in part, for their aesthetic, educational, cultural and religious values.

3.4.3 IMPACTS AND MITIGATION MEASURES

Impact #3.4-1: Disruption of known and unknown cultural resources.

Discussion/Conclusion: The two isolated artifacts recorded during the study by Susan Lindström do not meet CEQA criteria of significance. All of their potentially important information has been recovered during the course of the Susan Lindström study. Native American sites TB-1 and TB-2 may contain subsurface components and are potentially significant according to CEQA criteria; however, both are located well within open space areas and will not be subject to direct project impacts. Yet, surface remains may be at risk of vandalism and unauthorized artifact collection due to increased public accessibility to the project area. In addition, buried or concealed heritage resources could be disturbed during construction. This impact is *potentially significant*.

Mitigation Measures

Implementation of the following mitigation measure will reduce the impact to a level that is *less than significant*.

Mitigation Measure #3.4-1:

Because only surface remains may be potentially impacted by project activities, no archaeological test excavations are necessary. However, all surface remains shall be collected, analyzed, and reported upon, leaving potential subsurface archaeological deposits in tact and undisturbed. In addition, all surface site indicators shall be removed to prevent threats to site integrity from vandalism.

Additional study at both sites shall be conducted, including the following activities:

- field artifact technical analysis prior to project ground disturbance activities*
- 100% collection of all surface artifacts*
- submittal of a small representative sample of collected artifacts for basalt sourcing analysis*
- completion of a catalog of items collected and preparation of a brief report presenting findings of lithics analysis.*

Native American sites TB-1 and TB-2 shall remain within open-space areas that are free from ground disturbance activities. During project construction, a protective buffer shall be maintained by installing temporary fencing around each site. Fencing shall be removed after project ground disturbance activities cease.

Although the project area has been subject to systematic surface archaeological investigations, it is possible that buried or concealed heritage resources could be present and detected during project ground disturbance activities. In the event of fortuitous discoveries of additional heritage resources, which have not previously been inventoried, project activities shall cease in the area of the find and the project sponsor shall consult a qualified archaeologist for recommended procedures.

Cumulative Impacts

Discussion/Conclusion: The proposed project, in combination with other reasonably foreseeable projects, would increase the density of the area and may further threaten significant cultural resources in the vicinity. Professional archeologists generally recognize that population growth increases the probability for vandalism and other purposeful as well as inadvertent acts that destroy significant archeological resources. The Canyon Springs project, as well as other projects likely to occur in the Truckee area, will be required to mitigate impacts on cultural resources; therefore, this cumulative impact is *less than significant*.