5.11 CULTURAL RESOURCES

This section considers the effects of the proposed Beach Club project alternatives, A through E, on cultural resources located in the project area. This analysis (1) describes the criteria for determining cultural resource significance, including guidance provided in the TRPA Code of Ordinances, and the *Draft 2006 Douglas County Master Plan*; (2) provides an inventory of known cultural resources on the project site; (3) summarizes previous archaeological investigations; and (4) evaluates the potential project impacts to cultural resources and identifies mitigation measures that would reduce those impacts to less-than-significant levels. For the purposes of this EIS, cultural resources include paleontological, historic, prehistoric, and archaeological resources.

5.11.1 REGULATORY BACKGROUND

The criteria for determining the significance of cultural resources in the project area are based on the TRPA Code of Ordinances, Chapter 29, "Historic Resource Protection," and Goals and Policies outlined in Chapters 3 and 6 of the *Draft 2006 Douglas County Master Plan*. These regulations are described in greater detail below.

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

Because there is no involvement in the proposed project by federal agencies, no federal plans, policies, regulations, or laws related to cultural resources are applicable to the proposed project. However, federal regulations, such as Section 106 of the National Historic Preservation Act of 1966 (NHPA), provide the foundation and impetus for the cultural resources ordinances and provisions of the TRPA.

TRPA CODE OF ORDINANCES

In compliance with federal law and Douglas County policies, TRPA has adopted guidelines to determine cultural resource significance and impacts in the Lake Tahoe Basin. Chapter 29 of the TRPA Code of Ordinances states that "sites, objects, structures, districts or other resources of historical, cultural, archaeological, paleontological, or architectural significance locally, regionally, state-wide, or nationally" shall meet at least one of the following criteria:

- **(Section 29.5.A)** Resources associated with historically significant events such as an important community function in the past, a memorable happening in the past, or that which contains qualities reminiscent of an early stage of development in the Region.

- **(Section 29.5.B)** Resources associated with significant persons include buildings or structures associated with a locally, regionally, or nationally known person, notable examples or best surviving works or a pioneer architect, or structures associated with the life or work of significant persons.

- **(Section 29.5.C)** Resources embodying distinctive characteristics include those resources of a distinctive type, period, or method of construction, possessing high artistic values, or representing a significant or distinguishable entity.

- **(Section 29.5.D)** Archeological or paleontological resources protected, or eligible for protection, under state or federal guidelines, are eligible.

- **(Section 29.5.E)** Prehistoric archaeological or paleontological resources that contribute to the knowledge and understanding of early cultural or biological development.

Section 29.2 of the Code requires the protection of sites, objects, structures, or other resources designated as historic resources or for which designation is pending. Demolition, disturbance, removal, or significant alterations are prohibited unless TRPA has approved a resource protection plan to protect the historic resources.

Section 29.2.A requires the resource protection plan to be prepared by a qualified professional and provide surface or subsurface recovery data and artifacts and recordation of structural and other data. Section 29.2.B requires protection during construction, which includes prohibiting grading or excavation in designated historic resource areas, except with a TRPA-approved resource protection plan (TRPA 1991).

TRPA Code of Ordinances Section 29.6 addresses projects related to historic resources. Projects affecting designated historic resources would be required to supply documentation of compliance with standards in Sections 29.6.A through 29.6.D related to additions to historic structures or adjacent structures or in historic sites or districts; and repair, maintenance, reconstruction, or demolition of historic resources (TRPA 1991).

TRPA Code of Ordinances Section 64.8 addresses the discovery of historic resources during grading activities. This section requires grading to cease and TRPA notification if resources are encountered that appear to be 50 years or older. TRPA would suspend grading and consult with appropriate local, state, or federal entities to determine the significance of the resource, if any. The property owner is required to provide protection for the materials during the investigation period (TRPA 1991).

DOUGLAS COUNTY MASTER PLAN

The *Draft 2006 Douglas County Master Plan* outlines one goal that relates to the management and protection of cultural resources.

GOAL 9.01: To preserve Douglas County's historic, cultural, and archaeological resources as physical reminders of the County's past and as unique focal points to shape the County's identity, now and in the future. Policies applicable to the proposed project are as follows:

- **Policy 9.01.01:** Douglas County shall support, whenever feasible, the preservation of the County's rich cultural heritage, including the establishment of historic districts to protect significant historic properties.

- **Policy 9.01.02:** Douglas County will cooperate and encourage the development of historical preservation efforts of the towns, the Washoe Tribe, and other entities in the County.

- **Policy 9.01.07:** Douglas County will coordinate with the Washoe Indian Tribe in the identification and preservation of structures and sites of cultural or archaeological significance. Developments proposed in areas of potential archaeological significance shall be required to conduct an investigation in order to determine whether valuable archaeological remains may be affected by the project.

Regarding the goals of local Native American groups, the county's master plan also addresses the goals and policies of the Washoe Tribe Comprehensive Master Plan, and in response the following goal and policy have been adopted.

GOAL 4.01: Douglas County should cooperate and work toward the mutual attainment of the goals of each entity's Master Plan.

- **Policy 4.01.01** Douglas County shall continue to coordinate with the Washoe Tribe regarding planning issues and seek formal agreements on land use, services to the Washoe population in Dresslerville and other development, and concurrency of adequate public facilities in the Pine Nut allotments, economic development, forest and woodlands, water resources, cultural resources, transportation, and other common issues to provide for attainment of Master Plan goals.

5.11.2 AFFECTED ENVIRONMENT

AREA OF POTENTIAL EFFECT

The Beach Club Project includes the 19.63-acre project site, which consists of two parcels: APN 1318-22-002-001 (17.26 acres) and APN 1318-22-002-002 (2.37 acres) (Exhibits 3-2 and 3-3). There are no known cultural resources that would be affected by construction of the Beach Club Project. However, because of prehistoric and historic activities in the vicinity of the project site, there is the potential for the presence of cultural deposits in subsurface contexts.

HISTORIC BACKGROUND AND SETTING

Prehistory

The prehistory of the Northern Sierra Front, which includes the Lake Tahoe Basin, has been studied by numerous researchers, among them Heizer and Elsasser (1953); Elsasser (1960, 1978); Elston (1971, 1982, 1986); Elston et al. (1977, 1994, and 1995); Miller and Elston (1979); Ingbar (1994); Moratto (1984), Pendleton et al., (1982), Kuffner (1987), Peterson (1984), Zeier and Elston (1986), Delacorte (1997), McGuire (1997a and 1997b), and Moore and Burke (1992). The cultural chronology of the Sierra Front is summarized in Table 5.11-1.

Table 5.11-1
Cultural Phases in the Central and Northern Sierra

Phase/Adaptive Strategy	Time Markers	Age (Years B.P.)	Climate
Late Kings Beach/ Late Archaic	Desert Series Projectile Points, chert cores, utilized flakes and other small chert tools, possibly shallow saucer-shaped house pits	700–150 B.P.	Neoglacial; wet and cool, but with little summer precipitation.
Early Kings Beach/Late Archaic	Rosegate Series points, chert cores, utilized flakes and other small chert tools, hullers, M1a sequin beads, possibly small shallow saucer-shaped house pits	1,300–700 B.P.	Neoglacial, dry trees growing in former bogs, Periods where Lake Tahoe may not have overflowed.
Late Martis/Middle Archaic	Corner-notched and eared points of the Martis and Elko Series; Large basalt bifaces	3,000–1,300 B.P.	Neoglacial; wet but not necessarily cooler, increased summer rain.
Early Martis/ Middle Archaic	Contracting Stem points of the Elko-Martis Series; Steamboat points, large basalt bifaces	5,000–3,000 B.P.	Beginning of Medithermal; Neoglacial, wet, but not necessarily cooler, increased summer precipitation, Lake Tahoe begins to overflow.
Spooner/Early Archaic	(None Defined)	8,000–4,000 B.P.	Altithermal; generally hot and dry, Lake Tahoe does not overflow for long periods of time.
Tahoe Reach/ Pre-Archaic	Great Basin Stemmed Series points.	>10,000–8,000 B.P.	Anathermal; warming trend, climate similar to the present.

Source: Elston et al (1994:11)

East of the Sierra Nevada crest, in the western Great Basin, the Tahoe Reach Phase (ca. > 10,000–8,000 B.P.) is a period of early occupation (Elston et al. 1994). This time period is marked by the presence of Great Basin stemmed points with ground margins, bifaces, choppers, and crescent shaped tools. The Spooner Phase (8,000–4,000 B.P.), originally proposed by Elston (1971), currently lacks diagnostic artifacts and remains generally undefined pending the results of future research.

Throughout the Archaic period, populations increased, the resource base broadened, and plant food gathering and processing tools became more complex, with new items and technologies added to existing ones. Flaked stone tools became simpler and smaller, with less stylistic variation, and during the Late Archaic the bow and arrow replaced the atlatl and dart (Elston 1982:187, 1986). The intensified use of resources and expanded tool kit complexity that is representative of the transition to the Late Archaic is thought to be in response to population pressure, possibly spurred by a hot, dry spell between 1,000 and 2,000 years before present (Elston 1986).

Two basic Archaic settlement patterns for the Great Basin have been proposed: a dispersed and a restricted pattern (Elston 1982:189). The dispersed pattern was the typical pattern in the more arid regions of the western Great Basin sub-area (central Nevada), where small residential groups frequently selected different winter and base camp sites from year to year to take full advantage of a relatively unpredictable and scarce resource base. The restricted pattern prevailed throughout the Northern Sierra Front between 4,000 and 2,000 years ago. At that time, greater effective moisture provided a resource base that was relatively more reliable and abundant in relation to population density. In the mid-Archaic, residential groups regularly occupied optimally located sites with access to a suite of subsistence resources. Thus high-return resources could be procured at low cost, with few residential moves (Elston 1982:196; Zeier and Elston 1986).

Four artifact classes characterize middle Archaic period sites (Moore and Burke 1992:21). These are large corner-notched and contracting-stem points; large bifaces used as scrapers, rather than for cutting (with steep-edged unifacially shaped working edges, truncations formed by smashing, and little morphological standardization); flake tools made on large interior flakes with steep edge angles similar to the bifaces; and expedient gravers and perforators. Reduction was generalized and inefficient, producing a large amount of waste lithic material (Moore and Burke 1992:21–24). Martis winter sites were located in optimal ecological locales with access to a suite of subsistence resources (Elston 1986:141). Within the Truckee Meadows, it appears from the density of diagnostic artifacts that land use intensified during this time period. However, there is no evidence for long-term occupation, but rather base camps that were visited frequently for limited periods of time.

During the Late Martis Phase (3,000–1,300 B.P.) the difference in Great Basin and California traits seem to form an interface at the crest of the Sierra Nevada. This may be reflective of a cultural and physical barrier that lasts at least throughout the Martis Phases (Ataman 1999:10–11), and may have continued into later times, as suggested by research conducted by Deis (1999), who presents evidence for a discontinuity in use of Great Basin projectile point types during the Late Martis/Early Kings Beach Phase transition.

Abrupt technological, settlement, and subsistence changes are seen throughout the area, and these changes may be associated with the ethnographic Washoe. Small projectile points, indicating a switch from atlatl to bow and arrow technology, are evident throughout the region. The corresponding Early Kings Beach Phase (1,300–700 B.P.) is characterized by the appearance of hullers and bedrock mortars, apparently associated with a northern population expansion and subsequent exploitation of pinyon pines. Fish and small game also become a major part of the diet. Technologically, the phase is marked by a switch to a toolstone-efficient technology centered on the primary use of locally available cherts and sinter. In addition to the major shift to small Rosegate arrow points, other diagnostic traits include the use of large and small triangular bifaces made exclusively of chert, well-thinned bifaces with large width to thickness ratios. Gravers are absent during this period, retouched flakes are rare, and perforators, if present, tend to be made on recycled small corner-notched points.

In the Late Archaic (Kings Beach), there was a more dispersed settlement pattern with less regular occupation of optimal sites, which has been linked to a changing subsistence pattern with progressively greater intensity of

exploitation of diverse resources and ecozones (Elston 1982:199). People continued to occupy the old sites, but also began to occupy new sites in less optimal locations (Zeier and Elston 1986:377–379). Resources were either being depleted faster at the old sites, necessitating more frequent moves, or demographic packing filled in the spaces between optimal locations. At the new sites, low ranked resources were used intensively at higher cost. These new site locations may reflect exploitation of pinyon which reached is northernmost expansion between 1200 and 710 B.P. (Raven 1990:78).

On the eastern Sierra Nevada front, the Late Kings Beach Phase (700–150 B.P.) is marked by flaked stone assemblages dominated by local cherts, with rare use of basalt and sinter (Elston et al. 1994:18). While Elston et al. (1994) ascribe the beginning of this period with the appearance of small side-notched point types that replace the early corner-notched types, Moore and Burke (1992:23) propose that the corner-notched varieties persist until ca. 500 B.P., which is consistent with evidence presented by Clay (1996). However, Elston et al. (1994:18) state that the evidence presented by Moore and Burke for the persistence of corner-notched points is not compelling. Moore and Burke (1992:37) suggest that the dietary breadth decreases during this phase, and there appears to be a decrease in sites at upper elevations, with increased occupation at lower elevations, particularly along terraces of the Truckee River.

Washoe History

Culturally the Washoe people are linked to both California and the Great Basin. However, their language is unique; it is the only non-Numic language group in the Great Basin. Although commonly classified as a member of the Hokan stock (cf., Shipley 1978), which has ten other branches in California (largely concentrated on the central coast), the relationships among these branches have not been established beyond controversy (Jacobsen 1986:107; Moratto 1984). There is no firmly established proto-language or homeland for the Washoe. For this reason, there is no linguistic support for either a California origin or a "formerly widespread Hokan-speaking area in the Great Basin" (Jacobsen 1986:107). Instead, Jacobsen suggests that the Washoe have long occupied their core area as implied by a residue of un-analyzable place names and of apparent older loanwords from the surrounding (linguistic) stocks. This is consistent with archaeological findings of continuity in settlement location between Martis and Kings Beach Phases (c.f. Elston 1971; Zeier and Elston 1986; Moratto 1984:295). It does not, however, confirm the hypothesized "cultural continuity between the Martis and Kings Beach Complexes" (Elston 1971).

Washoe core territory extended from Honey Lake, approximately 60 miles north of Reno, on the north to the West Walker River, south of Gardnerville, Nevada on the south, and from the Pine Nut Range, east of Reno to the Sierra crest on the west. Northerners (*Wel mel ti*) used areas from Eagle Valley north to Honey Lake; southerners (*Hunga lel ti*) occupied the area south of Woodfords; and valley dwellers (*Pau wa lu*) wintered in the Truckee Meadows (Nevers 1976). The project area falls in the center of historic Washoe territory, with primary use by the *Pau wa lu* and *wel mel ti* (Downs 1966, Nevers 1976, and Stewart 1966). In the project vicinity, a Washoe encampment (*lamwO'tha*) is identified at a small stream (most likely Burke Creek) that enters the lake, and two bedrock milling sites located on other drainages to the north and south of the encampment (Freed 1953:78 and 82).

Washoe population estimates are generally low, from 550 in 1861 to 300–400 in 1900 (d'Azevedo 1966:323), although John Reese, a Carson Valley businessman of the 1850s estimated the Carson Valley Washoe population at 2,000–3,000 individuals (d'Azevedo 1966:232–324). Washoe subsistence exhibited a pattern of seasonal resource exploitation, relying on extensive knowledge of the environment.

The Washoe gathered plants in early spring, moving to Lake Tahoe to fish and socialize as snow conditions allowed (Table 5.11-2). In summer, family groups gathered plant foods and hunted in mountain valleys, moving to lower elevations for seed harvests in mid to late summer, when communal rabbit and antelope drives were held. A major celebration began the pine nut harvest, which began in late summer with the taking of green cones and continued at least through late October, with whole cones or nuts in shells stored for winter subsistence (Fowler

1986:65). In summer, shelters were temporary, semi-circular brush affairs, while winter homes were more sturdy; consisting of circular bark or wood slab-covered pole frames that were dispersed in groups of two to ten (d'Azevedo 1986).

Archaeologically, the manifestations of ethnographic occupation may be viewed using the theoretical model presented by Binford (1980). According to this theoretical model, archaeological sites are the static remains of past activity, whose data allow reconstruction of patterns of former dynamic cultural systems. To this end, site classification systems attempt to define site function based on materials present and their distribution in the site, and the site's position relative to available resources. It is through the use of ethnographic data applied to archaeology that the archaeologist has the best chance to recreate past cultural adaptations (Binford 1980:5). Although a clear one-to-one correlation between ethnographic observation and archaeological material frequently does not exist, in general this is a good method if used wisely.

The Washoe combined the techniques of foragers: moving to a resource patch and ranging out from the residential base as collectors making fewer residential moves, gathering specific resources in organized groups, and storing subsistence resources for use during at least part of the year (Binford 1980). During the winter the Washoe lived in dispersed villages and consumed stored foods gathered by organized groups (e.g., pine nut harvests, game drives). Washoe groups fished together in the spring, but split into small family groups during the summer, occupying forager-type bases and moving from one resource patch to another. The general pattern of Washoe subsistence is presented in Table 5.11-2.

Table 5.11-2
General Pattern of Washoe Subsistence

Subsistence Activity and Major Resource	Resource Location	Season
Gathering plant foods, especially watercress, new grass and tule shoots and bulbs	On meadows or adjacent to valley floor in vicinity of winter camp	Late winter, very early spring
Fishing, spring spawning runs	Especially Lake Tahoe shore and tributaries but also Pyramid Lake, Truckee River, Honey Lake, Long Valley Creek, and probably most other large lakes and streams	Early spring
Gathering waterfowl eggs	Waterfowl nesting areas, lakes, marshes, and streams: valley bottoms	Spring
Hunting waterfowl; drives	Shallow lakes and marshes: valley bottoms	Late spring, early summer
Gathering various plant foods, small stream fishing	Sierran meadows and streams	Late spring, mid-summer
Gathering, concentration on grass and brush seeds	Valley floors and fans	Mid-summer to late summer
Upland bird hunting	Valley floors, fans and mountain foothills	Late summer, early fall
Rabbit drives	Valley floors, fans	Early fall
Gathering pine nuts	Eastern mountains, south of Truckee River	Early to mid-fall
Fishing, fall runs	Recorded for Truckee River and Donner Creek, probably most streams	Late Fall
Deer Hunting	Sierra Nevada, eastern mountains, along game migration trails	Throughout fall and winter
Mountain sheep hunting	Sierra Nevada, eastern mountains	Fall before snows
Antelope drives	Valley floors	Throughout fall
Subsistence on stored seeds and dried meat, shelter for winter	In winter camp on valley margins with topographic relief	Throughout winter

Source: Elston 1979.

The contemporary Washoe have developed a Comprehensive Land Use Plan (Washoe Tribal Council 1994). It includes goals of reestablishing a presence in the Tahoe Sierra and revitalizing Washoe heritage and cultural knowledge, including the harvest and care of traditional plant resources and the protection of traditional properties in the cultural landscape (Rucks 1996).

Euro-American History

Lake Tahoe was not viewed by Euro-American visitors to the area until 1844, when John C. Fremont first observed it from afar (Gudde 1974). Later that same year, members of the Stevens-Murphy-Townsend emigrant party were perhaps the first Euro-American people to venture onto the shore of the lake. The California gold rush of 1849, and the subsequent silver rush a decade later in Nevada, brought many miners through the Tahoe Sierra along opposite migration patterns. The strategic proximity of the Lake Tahoe Basin to the Mother Lode in California and the Comstock Lode in Nevada promoted related development in lumbering, grazing, transportation, market hunting and fishing, tourism, and urban development. Tahoe's strategic proximity to wood, water, mineral, rangeland, and recreational resources justified the investment of a significant amount of capital and energy into transportation to and through the basin.

In the vicinity of the project site, Martin K. "Friday" Burke formed a partnership with a Mr. Small, acquired the franchise for the western end of a toll road linking the basin with Carson and Washoe Valleys and opened Friday's Station, one of the principal way-stations along Kingsbury Grade, in 1860. The station, located near the current intersection of Highway 50 and Kahle Drive, was used by the Pony Express between 1860 and 1861, and the Pioneer Stage Line, and Wells Fargo Express. However, upon completion of the Central Pacific Railroad, business at the Station quickly declined (Scott 1957:232, 236, 237). Small became the sole owner in 1871 and later sold the business to John Wales Averill in 1896 when the name was changed to Edgewood (Scott 1957:234, 236, 237). Later in 1898 the land and business was purchased by David Broods Park (Scott 1957:237).

Discovery of the Comstock Lode in 1859 and the subsequent demand of lumber and timber for square set shoring in the mines created a booming logging industry in the Lake Tahoe Basin. By the 1870s the industry was dominated by several large firms consisting of Sierra Nevada Wood and Lumber Company, Donner Lumber and Boom Company, and the Pacific Wood, Lumber, and Flume Company, however, the largest was the Carson and Tahoe Lumber and Fluming Company. By the end of the Comstock Mining period, the majority of the prime timber in the Tahoe Basin had been removed. Logging was also a major theme in the vicinity of the project area. Following the death of Burke his widow sold 600+ acres to Folsom in 1888 and the following year Folsom established a logging camp named Hobart approximately one-half mile north of Friday's Station (Scott 1957:237, 239 and 240). However, Folsom's operation was short lived. After enjoying a peak in logging operations in 1893, when two log chutes ran through the meadow to the lakeshore, and a shingle mill was fed by Hobart's Ditch, the operations sank to only producing cordwood in 1896 and in 1897 Folsom was forced into bankruptcy (Scott 1957:240–241).

Ranching and dairying began with the grazing of cattle on Powers Ranch, south of Smalls Ranch in 1896. Later in the early 1900s the land, including the meadow to the north of the project site, was acquired by the Rabe family (Scott 1957:240 and 242).

A later historic development, between 1940 and 1950 was the construction of the Sky Harbor Airport, the first airstrip to border Lake Tahoe (Scott 1957:242). Upon construction of the South Tahoe Airport the airstrip was abandoned in the late 1950s and the project site was acquired by Oliver Kahle and Ben Jaffee. The current trailer park appears to have been construction around 1965.

Literature Review

Methods employed for this project consisted of pre-field research, Native American consultation, field inventory, and report preparation. This phased methodology provided for a logical structured assessment of the cultural resources sensitivity of the Tahoe Beach Club project area.

Pre-field Research

Research into cultural resource issues for the Tahoe Beach Club project began with a request for a record search from the Nevada State Museum, Carson City. The record search included, but was not necessarily restricted to, a review of select publications and properties listed in the following sources:

- *National Register of Historic Places* (National Park Service 1996 and updates)
- *GLO Plat Map, T13N, R 18E*
- *Nevada Place Names* (Carlson 1985)

Results of Pre-Field Research

A review of records on file at the Nevada State Museum Annex in Carson City indicated that no investigations have been reported for the proposed project site. However, several studies have been conducted within the immediate vicinity. All of these studies were conducted by the U.S. Forest Service on public lands north of the project site (Table 5.11-3).

Table 5.11-3
Results of Prefield Research

NSM Report Number	Author (Date)	Title	Identified Resources
3-102	Kraushaar (1984)	Nevada Beach Dwarf Mistletoe Suppression Project FS ARR 05-19-134	Isolated historic refuse
3-123	Casale (1990)	Nevada Beach pump (Station) House – FS ARR 05-19-209	Isolated historic refuse
3-138	Rucks (1991)	Burke Creek Rediversion/Restoration Project	None
3-150	Davis (1992)	Rabe Interpretive Trail – FS CRR 05-19-298	26Do481
--------	Heizer and Elsasser (1953); Davis (1993)	----------	26Do4

An intensive survey by the U.S. Forest Service of the Nevada Beach Campground directly north of the project site and bordering Lake Tahoe resulted in the location of a hole-in-top tin, one dark green and sun-colored amethyst glass fragment, and one white porcelain fragment (Kraushaar 1984). A small project associated with upgrades to the Nevada Beach Pump Station also resulted in the location of two isolated finds: a bottle and metal strap (Casale 1990). Field investigations conducted for the Burke Creek Rediversion/Restoration Project immediately north of the project site, failed to identify archaeological resources (Rucks 1991). Survey for the enhancement and reconstruction of an existing informal recreational trail through riparian and dry meadows environments within Rabe Meadow relocated site 26Do481, which appears to be the ethnographic locale of *lamwO'tha* identified by Freed (1966). The site consists of 19 milling features containing milling slicks and mortars, and flaked stone tools and projectile points. In 1953 Heizer and Elsasser documented three milling features and a light distribution of flakes stone artifacts approximately one-quarter mile south of the project site, on property which is now the Edgewood Golf Course (Davis 1993). Investigators failed to locate the site; based upon interviews with grounds keepers, they concluded that the milling features were most likely buried during golf course construction activities.

Native American Consultation

On August 5, 2004, a representative of the Washoe Tribe of Nevada and California met with project representatives to discuss potential concerns related to project planning and activities. In a letter dated August 26,

2004 (Appendix G), the Washoe Tribe expressed concern regarding the potential for buried prehistoric cultural deposits which may be encountered during project-related ground disturbing activities, given the proximity of the project to the ethnographic village *Lom Wata (lamwO'tha)*. Because of this potential, the Washoe Tribe requested that a Native American monitor be present during all project-related ground disturbing activities.

Field Techniques

Field survey methods were consistent with the *Secretary of the Interior's Standards and Guidelines for Identification of Cultural Resources* (48CFR 44720-23) and recordation of resources followed the guidelines outlined in Intermountain Antiquities Computer System (IMACS 2001).

Cultural Resource Inventory

A pedestrian survey of the project site was conducted by an EDAW archaeologist on May 2, 2006. The project site is occupied by the existing Tahoe Shores Mobile Home Park; therefore, the survey was hampered by extremely low surface visibility resulting from the presence of mobile homes, asphalt roadways, asphalt parking areas, and a large grass covered area near the west edge of the site. The area along the northern edge of the project site, adjacent to Burke Creek is also heavily vegetated with grasses and riparian vegetation, which impeded an inspection of the ground surface. Surface visibility along the lake shore area was excellent with no restrictions.

An inspection of the existing pier was also conducted on May 2, 2006. Structural elements consist of wood planking and steel circular supports which indicate that the structure was erected either at the same time as the trailer park or shortly thereafter (mid to late 1960s).

Widely distributed basalt materials were observed within the sandy matrix of the beach. All of this material exhibited acute angles, lacking feather terminations indicative of culturally modified flaked stone, and appeared to be gravel-like material that may have been present in fill imported to this location during construction of the Sky Harbor Airport, and/or the existing mobile home park.

While no cultural resources were observed, because of the proximity of the project site to the ethnographic location of *Lom Wata,* there is the potential for the presence of intact prehistoric cultural remains in subsurface contexts, a concern that has also been expressed by the Washoe Tribe (Appendix G). Therefore, because of this potential, and in response to Washoe tribal concerns, a Native American monitor shall be present on site during all ground disturbing activities.

5.11.3 Environmental Consequences and Recommended Mitigation Measures

Criteria of Significance

TRPA Criteria

The Goals and Policies of TRPA's Regional Plan for the Lake Tahoe Basin (TRPA 1986) provide for the identification and preservation of culturally and historically significant sites in the Basin. Section 29.5 of the TRPA Code of Ordinances codifies these goals, providing regulations for the recognition, protection, and preservation of the region's significant historical, archaeological, and paleontological resources, and setting standards for resource protection, discovery, evaluation, and management. Section 29.2 of the Code prohibits demolition, disturbance, removal, or significant alteration of designated historic resources, unless TRPA has approved a resource protection plan for the resources. Section 64.8 of the Code also provides measures to protect historic resources discovered during grading activities.

Significance Thresholds

Based upon the goals and policies of the TRPA and the *Draft 2006 Douglas County Master Plan*, implementation of the Beach Club on Lake Tahoe would have a significant effect if it would:

- cause a substantial adverse change in the significance of a historical resource;
- cause a substantial adverse change in the significance of an archaeological resource;
- directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- disturb any human remains, including those interred outside of formal cemeteries.

In addition, an adverse change to a historical resource or important archaeological resource is considered to be significant if the project would result in physical demolition, destruction, relocation, or alteration of a historic resource or its immediate surroundings such that the significance of the resource would be materially altered or otherwise impaired.

ENVIRONMENTAL CONSEQUENCES

ALTERNATIVE A – PROPOSED PROJECT

IMPACT 5.11.A-1 Effects on Known Cultural Resources. *No cultural resources have been identified on the project site. Therefore, no portion of Alternative A would adversely affect any known significant cultural resources. This impact is* ***less than significant****.*

No cultural resources were inventoried during this study. All available potentially significant information has been recovered with the completion of the cultural inventory report (Appendix G). Alternative A would have no effect on any known significant cultural site, feature, or artifact. This impact is **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.11.A-2 Effects on Previously Undiscovered Cultural Resources. *Although the archaeological survey and literature search did not identify any significant historic resources on the project site, it is possible that buried or concealed cultural resources could be present and detected during ground-disturbing activities. If previously undiscovered, significant cultural resources are disturbed during construction, this could be a* ***significant*** *impact.*

The record search and the field survey conducted on the project site identified no historic cultural resources on the project site. However, because of the proximity of the project site to the ethnographic location of *Lom Wata*, there is the potential for the presence of intact prehistoric cultural remains in subsurface contexts and the potential for unknown cultural resources or human remains to be unearthed during construction. If significant archaeological resources were disturbed by construction, this would be a **significant** impact.

Mitigation Measure 5.11.A-2. Previously Undiscovered Cultural Resources. Because the project site is in a high-probability area for previously undiscovered prehistoric cultural resources, Washoe tribal members shall be notified at least 2 weeks in advance of ground-disturbing activities and invited to conduct archaeological monitoring during such activities. If previously unknown archaeological resources are discovered during any ground-disturbing activities, construction shall immediately cease in the vicinity of the resource. A qualified archaeologist approved by TRPA shall be consulted to evaluate the resource in accordance with TRPA guidelines. If the discovered resource is determined to be significant, a mitigation plan consistent with the TRPA Code of Ordinances shall be drafted and submitted for approval by TRPA and the Nevada State Historic Preservation Office (SHPO). Such a plan may include recovery and recordation of the resource, additional monitoring, or other

activities required by TRPA and the Nevada SHPO. Any necessary archaeological excavation and monitoring activities shall be conducted in accordance with prevailing professional standards and, shall be implemented before commencement of construction in the area of the resource.

If human remains are discovered, the Douglas County Coroner shall be contacted and also the Nevada Office of Historic Preservation if the remains are determined to be those of Native American in accordance with Section 383.170 of the Nevada State Revised Statutes. Section 383.170 directs the SHPO to consult immediately with the Nevada Indian Commission and notify the appropriate Indian tribe. This section also authorizes the Indian tribe, with the permission of the landowner, to inspect the site and recommend an appropriate means for the treatment and disposition of the site and all associated artifacts and human remains.

Implementing Mitigation Measure 5.11.A-2 would reduce the impact to a **less-than-significant** level.

IMPACT 5.11.A-3 Effects on Paleontological Resources. *The project site is located within Holocene (10,000 years ago to present) and Pleistocene (1.8 million to 10,000 years ago) geologic formations. Because an object must be 10,000 years old to be considered a fossil, project activities in the Holocene formations would have no impact on paleontological resources. Although Pleistocene deposits could contain fossils, the project site has been graded and filled for past development and proposed excavations would not exceed 8 feet. Therefore, project activities in the Pleistocene formations would also have no impact on paleontological resources.*

The Geologic Map of the Lake Tahoe Basin, California and Nevada (California Department of Conservation California Geological Survey 2005) indicates that the project site is located on three geologic map units. A portion of the site is located on Holocene (10,000 years ago to present) deposits. These deposits include beach deposits (Qb) of moderately sorted fine- to very coarse-grained to gravelly arkosic sand located along the project site's shoreline and flood-plain deposits (Qfp) of gravelly to silty sand and sandy to clayey silt located inland of the beach. The more easterly portion of the project site is located on Pleistocene era (1.8 million to 10,000 years ago) lacustrine terrace deposits (Qlt), which are poorly to moderately sorted silt, sand and gravel forming low terraces 5–10 meters above lake level.

An object must be more than 10,000 years old to be considered a fossil. Therefore, project activities in the Holocene rock formations would have no impact on paleontological resources. The Pleistocene alluvium formation could, however, contain paleontological resources. However, the project site has been heavily disturbed over the last 60 years, including grading and filling for an airstrip and a mobile home park. In addition, excavation activities for the foundations of the proposed beach and swim club, residential buildings, and associated structures would reach a depth of approximately 5 feet, with the deepest excavations, associated with building footing design, potentially reaching a maximum depth of approximately seven to 8 feet below ground surface (Appendix B) (Kleinfelder, 2003). Because of the shallow estimated depth of project-related excavation (no more than 8 feet) and the previous disturbance of the project site, project activities in the Pleistocene rock formations would also have **no impact** on paleontological resources.

ALTERNATIVE B – TWO-LOT ALTERNATIVE, SINGLE-FAMILY ESTATES

IMPACT 5.11.B-1 Effects on Known Cultural Resources. *This impact is the same as Impact 5.11.A-1 described above for Alternative A. No cultural resources have been identified on the project site. Therefore, no portion of Alternative B would adversely affect any known significant cultural resources. This impact is less than significant.*

No cultural resources were inventoried during this study. All available potentially significant information has been recovered with the completion of the cultural inventory report (Appendix G). Alternative B would have no effect on any known significant cultural site, feature, or artifact. This impact is **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.11.B-2 Effects on Previously Undiscovered Cultural Resources. *This impact is the same as Impact 5.11.A-2 described above for Alternative A. Although the archaeological survey and literature search did not identify any significant historic resources on the project site, it is possible that buried or concealed cultural resources could be present and detected during ground-disturbing activities. If previously undiscovered, significant cultural resources are disturbed during construction, this could be a* ***significant*** *impact.*

The record search and the field survey conducted on the project site identified no historic cultural resources on the project site. However, because of the proximity of the project site to the ethnographic location of *Lom Wata*, there is the potential for the presence of intact prehistoric cultural remains in subsurface contexts and the potential for unknown cultural resources or human remains to be unearthed during construction. If significant archaeological resources were disturbed by construction, this would be a **significant** impact.

Mitigation Measure 5.11.B-2. Previously Undiscovered Cultural Resources. See Mitigation Measure 5.11.A-2 described above for Alternative A. The same mitigation would apply.

Implementing Mitigation Measure 5.11.B-2 would reduce the impact to a **less-than-significant** level.

IMPACT 5.11.B-3 Effects on Paleontological Resources. *This impact is the same as Impact 5.11.A-3 described above for Alternative A. The project site is located within Holocene (10,000 years ago to present) and Pleistocene (1.8 million to 10,000 years ago) geologic formations. Because an object must be 10,000 years old to be considered a fossil, project activities in the Holocene formations would have no impact on paleontological resources. In addition, although Pleistocene deposits could contain fossils, the project site has been graded and filled for past development and proposed excavations would not exceed 8 feet. Therefore, project activities in the Pleistocene formations would also have* ***no impact*** *on paleontological resources.*

Mitigation Measures

No mitigation is required.

ALTERNATIVE C – TWO-LOT ALTERNATIVE, MULTIFAMILY RESIDENTIAL

IMPACT 5.11.C-1 Effects on Known Cultural Resources. *This impact is the same as Impact 5.11.A-1 described above for Alternative A. No cultural resources have been identified on the project site. Therefore, no portion of Alternative C would adversely affect any known significant cultural resources. This impact is* ***less than significant****.*

No cultural resources were inventoried during this study. All available potentially significant information has been recovered with the completion of the cultural inventory report (Appendix G). Alternative C would have no effect on any known significant cultural site, feature, or artifact. This impact is **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.11.C-2 Effects on Previously Undiscovered Cultural Resources. *This impact is the same as Impact 5.11.A-2 described above for Alternative A. Although the archaeological survey and literature search did not identify any significant historic resources on the project site, it is possible that buried or concealed cultural resources could be present and detected during ground-disturbing activities. If previously undiscovered, significant cultural resources are disturbed during construction, this could be a* ***significant*** *impact.*

The record search and the field survey conducted on the project site identified no historic cultural resources on the project site. However, because of the proximity of the project site to the ethnographic location of *Lom Wata*, there is the potential for the presence of intact prehistoric cultural remains in subsurface contexts and the potential for unknown cultural resources or human remains to be unearthed during construction. If significant archaeological resources were disturbed by construction, this would be a **significant** impact.

Mitigation Measure 5.11.C-2. Previously Undiscovered Cultural Resources. See Mitigation Measure 5.11.A-2 described above for Alternative A. The same mitigation discussion would apply.

IMPACT 5.11.C-3 Effects on Paleontological Resources. *This impact is the same as Impact 5.11.A-3 described above for Alternative A. The project site is located within Holocene (10,000 years ago to present) and Pleistocene (1.8 million to 10,000 years ago) geologic formations. Because an object must be 10,000 years old to be considered a fossil, project activities in the Holocene formations would have no impact on paleontological resources. In addition, although Pleistocene deposits could contain fossils, the project site has been graded and filled for past development and proposed excavations would not exceed 8 feet. Therefore, project activities in the Pleistocene formations would also have* ***no impact*** *on paleontological resources.*

Mitigation Measures

No mitigation is required.

ALTERNATIVE D – NO PROJECT – JERE WILLIAMS PLAN

Under this no project alternative, the Tahoe Shores Mobile Home Park would remain in operation and existing site conditions would remain the same, with minor maintenance and improvements implemented as needed. Because there would be no ground disturbance at the project site under Alternative D, there would be no potential disturbance of unknown cultural resources.

ALTERNATIVE E – NO PROJECT – MANUFACTURED HOUSING

Under this no project alternative, the Tahoe Shores Mobile Home Park would remain in operation and existing site conditions would remain the same. Under Alternative E, the site would be temporarily closed, the existing mobile homes would be cleared, and basic site improvements would be completed. These basic BMPs and utility improvements would not require extensive grading or ground disturbance. Therefore, there would be no potential disturbance of unknown cultural resources.