Chapter 13
ARCHAEOLOGICAL, HISTORICAL, AND CULTURAL RESOURCES

13.1 INTRODUCTION

This chapter identifies the potential environmental impacts on archaeological, historical, and cultural resources that could result from implementation of Alternative 6. The existing archaeological, historical, and cultural resource conditions and trends in the project area and the current regulatory considerations are described in Sections 13.1 and 13.2 of the DEIS and are not repeated here. Please refer to the DEIS.

Cultural resources include prehistoric resources (before written history), Native American resources (associated with ancestors of living Native Americans), and historic resources (after European contact and settlement). Prehistoric resources are physical properties resulting from human activities that predate written records and are generally identified as isolated finds or sites. Prehistoric resources can include village sites, temporary camps, lithic scatters (stone tools), roasting pits/hearths, milling features, petroglyphs (rock art), rock features, and burials. Native American resources are sites, areas, and materials important to living Native Americans for religious, spiritual, or traditional reasons. Historic resources can include archaeological remains and architectural structures. Submerged cultural resources (historical and cultural resources in the marine environment) may include prehistoric remains, inundated cities, harbors, shore installations, and ship and aircraft wrecks.

13.2 EXISTING ARCHAEOLOGICAL, HISTORICAL, AND CULTURAL RESOURCE CONDITIONS AND TRENDS

Existing archaeological, historical, and cultural resource conditions for Alternative 6 and cultural resource trends for Lake Tahoe are the same as presented in Section 13.2 of the DEIS for the other alternatives. Refer to Section 13.2 of the DEIS.

13.3 SUMMARY OF PROJECT ALTERNATIVES – ALTERNATIVE 6

As discussed in Chapter 2 of the DEIS, the different alternatives would have varied effects on Shorezone development at Lake Tahoe. Section 13.3 of the DEIS and Section 2.2 of the Supplemental DEIS contain a summary of the five originally proposed alternatives. Alternative 6 is summarized below.
ALTERNATIVE 6 – DENSITY-BASED, 230-PIER ALTERNATIVE

Alternative 6 implements a new approach to the authorization of pier construction, based on planned density of piers within specified shoreline types and a limited annual approval rate leading to no more than 220 private and 10 public (230 total) piers within the timeframe of the PATHWAY 2007 Regional Plan update (2027). Up to 10 new private piers may be approved each year. Under this alternative, all private parcels that do not have an existing pier or deed restrictions related to access to a multi-use pier would be potentially eligible for a pier. Eligibility criteria also require that existing shoreland structures achieve a scenic contrast rating score of 25 or better and that current Best Management Practices (BMPs) are in place, among other provisions. Also, only multi-use piers could be approved in shoreline travel units that have not attained scenic thresholds. Owners of eligible parcels may apply for a new single or multi-use pier, the approval of which would be determined by the length of shoreline retired by the approval (i.e., approval of a pier would retire the parcel or parcels with access to the pier from future eligibility and first priority would be assigned to applications with the greatest length of retired shoreline). All piers must comply with design standards adopted by TRPA to ensure that scenic code requirements and thresholds are met.

Up to two buoys would be allowed on every private littoral parcel, as long as they could meet adjacent property setback, shoreline distance, and separation standards. All buoys must be set back at least 25 feet from the adjacent property line, as measured from the line extended into the water. They must be located no more than 350 feet from the high water shoreline, or within the shorezone area defined by the 6,219-foot contour line on the lakebed where shallow water makes achievement of the 350-foot distance from the high water shoreline impossible. The minimum separation distance between buoys must be 50 feet.

At public marinas, in common areas controlled by homeowners associations (or similar entities), or on public properties where piers are allowed, the buoys must be located within the area defined by the side property setback and shoreline distance standards. The maximum number of buoys would be determined by these dimensions and the minimum separation distance of 50 feet. Also, buoy fields controlled by homeowners associations may not contain more buoys than the number of participating homes in the association.

Only public boat launching ramps could be constructed under Alternative 6. Therefore, they would only be added where public street access to the shoreline is present with shoreland area that is suitable for the launch ramp use and other mitigation (e.g., sewer and water connection).

13.4 STANDARDS OF SIGNIFICANCE

The scientific and analytical basis for the evaluation of the archaeological, historical, and cultural resource impacts of Alternative 6 is the same as that used for other alternatives and is not repeated here. Refer to Section 13.4 of the DEIS.
13.5 POTENTIAL IMPACTS AND REQUIRED MITIGATION MEASURES

ALTERNATIVE 6 – DENSITY-BASED, 230-PIER ALTERNATIVE

Alternative 6 implements a new approach to the approval and placement of a limited number of new piers, buoys, and boat ramps in association with the timeframe of the PATHWAY 2007 Regional Plan. The approval of new piers would be directed by parcel eligibility and density criteria and would be implemented using a limited annual approval rate of up to 10 new private piers per year. Up to six new public boat ramps and 1,862 new buoys would be constructed. All new facilities would be required to comply with TRPA-adopted design standards to help ensure compliance with code and threshold requirements.

The evaluation criteria described in Section 13.4 of the DEIS provide the basis for determining the significance of impacts to historic resource preservation. The following impacts have been determined to be significant when evaluated against the specific criteria described.

Alternative 6 establishes maximum pier density criteria based on shoreline scenic character classes. In Natural-dominated Shoreline, defined as natural-appearing landscapes or historical/traditional locations in highly scenic locations, no new piers would be permitted. Except for remnants from Washoe Indian fishing campsites that include bedrock mortars, and remnants from the Comstock Era and from the 1900s to 1950s that include historical docks and pilings, all other historical sites shown in Figure 13-1 of the DEIS are located near the Shorezone in upland areas around Lake Tahoe.

Analysis of this alternative compares all significant historical resources located in or near the Shorezone of Lake Tahoe to the parcels eligible for new or expanded Shorezone development through the life of the basin plan in 2027. Approximately 14 parcels around the Lake potentially would be affected by new pier and boat ramp construction. Up to 54 structures would be constructed within 100 meters of a known site, affecting up to approximately 14 historic sites. It is important to note that more than one parcel may be associated with several individual sites.

Although impacts from all other Shorezone activities and associated upland development are not quantified here, the impacts explained above would still occur at documented sites as well as at sites that are potentially significant but have not been included here for analysis purposes.

Alternative 6 includes amendments to Chapter 29, Historic Resource Protection, of the TRPA Code. These amendments include:

- A program for signage, when and where appropriate, alerting recreationists to sensitive sites to avoid inadvertent damage shall be installed.
- Establishing setbacks from known Washoe sites, or other Washoe sites that are discovered during construction and determined to be significant.
Significant Archaeological, Historical, and Cultural Impacts

Impact 13.6.1: Alternative 6 could result in a loss of any known or unknown historic, cultural, or archaeological sites from modifications to existing structures.

Indiscriminate damage, alteration, demolition, disturbance, and removal of a site, or known or unknown resources from a site due to the expansion, relocation, or modification of a pier, boat ramp, buoy, or floating dock/platform, would be in direct conflict with TRPA plans and policies. Loss of resources would create significant impacts on archaeological, historical, and cultural resources.

To mitigate impacts on archaeological, historical, and cultural resources the following mitigation measures, which are included as Mitigation Measures 13.1.1a through 13.1.1c in the DEIS, shall be implemented.

Mitigation Measure 13.6.1a: TRPA shall implement a mitigation fee for Shorezone structures that will be used to increase public awareness of historical resources in the Tahoe Region. This shall include awareness of the types of resources potentially present and the types of activities that create potential adverse impacts. Groups to be targeted include subject property owners, designers, and contractors.

Mitigation Measure 13.6.1.b: TRPA shall establish setbacks from existing Washoe sites, or other Washoe sites that are discovered and determined to be potentially significant. The setbacks shall apply to structures, uses and certain activities in the Shorezone, which are determined by TRPA, or a qualified archaeologist, and/or the Washoe tribe as posing a threat to the resource.

Mitigation Measure 13.6.1.c: At documented Archaeological (Washoe) sites, TRPA in coordination with the appropriate body (e.g., Washoe Tribe, Placer County Museums, or other group) send educational materials to property owners geared toward encouraging sensitivity and responsibility in protecting resources associated with these sites. Additionally, TRPA shall include information pertaining to the legal ramifications of removing, destroying or otherwise altering the condition and location of such sites and their contents.

Implementation of these mitigation measures would reduce this potential significant impact to a level that is less than significant.

Impact 13.6.2: Alternative 6 could result in the disturbance, demolition or removal of any known resource from a site.

This alternative would allow the construction of new structures, public and private, as set forth in the TRPA Code, Chapter 52. New construction would create potential for degradation, demolition or removal of a known site or resource in direct conflict with the TRPA plans and policies. Existing Code provisions offer procedures for identification, evaluation and protection of resources. Loss of historic resources is a significant impact on archaeological, historical, and cultural resources.

To mitigate impacts on archaeological, historical, and cultural resources, Mitigation Measures 13.6.1.a through 13.6.1.c (presented above for Impact 13.6.1) and Mitigation Measure 13.6.2a shall be implemented.
Mitigation Measure 13.6.2.a: TRPA shall, when deemed appropriate, require that signs be placed in or around documented historical sites in conjunction with project approval and construction (not including Washoe sites) to educate the general public about the importance of the resources and their sensitivity to disturbance.

Implementation of these mitigation measures would reduce this impact to less than significant.

Impact 13.6.3: Alternative 6 could result in the disturbance, demolition or removal of any unknown or unearthed resource from a site.

This alternative allows recreational use of the Shorezone, including Shorezone parcels that contain unknown or unearthed sensitive historic resources. Increased use would lead to indiscriminate and unintentional damage in many cases. Loss of historical resources is in violation of TRPA policies noted previously and would create a significant impact on archaeological, historical, and cultural resources.

In order to mitigate this potentially significant impact, Mitigation Measures 13.6.1.a through 13.6.1.c and 13.6.2.a (presented above for Impacts 13.6.1 and 13.6.2) shall be implemented.

Implementation of these mitigation measures would reduce this potential significant impact to a level that is less than significant.

Beneficial Archaeological, Historical, and Cultural Impacts

There would be no beneficial impacts on archaeological, historical, and cultural resources with Alternative 6.