3.15 CULTURAL RESOURCES

3.15.1 INTRODUCTION

Cultural resources include archaeological and historical resources. Although implementation of the Regional Plan Update would not result in any project-specific approvals that could disturb or otherwise affect cultural resources, it would provide guidance as to levels, locations, and types of new development in the Tahoe Region over the plan period. This section addresses the potential for indirect effects of the Regional Plan Update alternatives on cultural resources. TRPA, federal, state, and local regulations related to cultural resources are summarized; potential impacts of the proposed alternatives are assessed; and mitigation measures are provided for those impacts determined to be significant.

3.15.2 REGULATORY BACKGROUND

Cultural resources are regulated at the TRPA, federal, state, and local levels. Applicable plans, ordinances, and guidelines related to cultural resources are described below.

TAHOE REGIONAL PLANNING AGENCY

REGIONAL PLAN

TRPA regulates growth and development through the Regional Plan, which includes the Goals and Policies, Code of Ordinances (Code), and other components. The Conservation Element (Chapter IV) of the Goals and Policies includes a Cultural Subelement, with the following goal:

▲ Goal 1: Identify and preserve sites of historical, cultural, and architectural significance within the Region.

The Tahoe Region has a heritage that should be recognized and appropriately protected. Due to the harsh weather conditions, changing development standards, and changing uses of the Region, many structures that had significant historical or architectural value have been destroyed or lost.

Policies:
1. Historical or culturally significant landmarks in the Basin shall be identified and protected from indiscriminate damage or alteration; and
2. Sites and structures designated as historically, culturally, or archaeologically significant shall be given special incentives and exemptions to promote the preservation and restoration of such structures and sites.

Code of Ordinances

The Code is a compilation of the rules, regulations, and standards to implement the Regional Plan Goals and Policies. Adopted standards in the Code must be met by projects. Chapter 67 of the Code includes standards to protect significant cultural, historical, archaeological, and paleontological resources. Regulations include protection of such resources in project areas in which they are known or suspected. Chapter 67 also provides for consultation with state historical agencies as well as the Washoe Tribe. Additionally, Standard 33.3.7 in Chapter 33 (Grading and Construction, Section 33.3, Grading Standards) addresses discovery of historical resources.
FEDERAL

SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT AND NATIONAL REGISTER OF HISTORIC PLACES

Federal protection of resources is legislated by (a) the National Historic Preservation Act (NHPA) of 1966 as amended by 16 U.S. Code 470, (b) the Archaeological Resource Protection Act of 1979, and (c) the Advisory Council on Historical Preservation. These laws and organizations maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP).

Section 106 of the NHPA constitutes the main federal regulatory framework guiding cultural resources investigations and requires considerations of effects on properties that are listed in, or may be eligible for listing in the NRHP. The NRHP is the nation’s master inventory of known historic resources. It is administered by the National Park Service and includes buildings, structures, sites, objects, and historic, architectural, engineering, archaeological, and cultural districts that are considered significant at the national, state, or local level.

The formal criteria (36 CFR 60.4) for determining NRHP eligibility are as follows:

1. The property is at least 50 years old (however, properties less than 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);

2. It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and

3. It possesses at least one of the following characteristics:

   a. Association with events that have made a significant contribution to the broad patterns of history (events).

   b. Association with the lives of persons significant in the past (persons).

   c. Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction (architecture).

   d. Has yielded, or may be likely to yield, information important to prehistory or history (information potential).

U.S. FOREST SERVICE, LAKE TAHOE BASIN MANAGEMENT UNIT

Approximately 75 percent of the land within the Region is public land managed by the Lake Tahoe Basin Management Unit (LTBMU) (U.S. Forest Service [USFS] 2011a). In managing National Forest System land, LTBMU adheres to the NHPA and coordinates and consults with the Washoe Tribe, TRPA, the California Office of Historic Preservation, and the Nevada State Historic Preservation Office, as appropriate. The LTBMU Forest Plan provides guidelines for protection of historic and archaeological resources (USFS 2011b).
STATE

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Projects in California would be subject to environmental analysis pursuant to the California Environmental Quality Act (CEQA). CEQA requires public agencies to consider the effects of their actions on both “historical resources” and “unique archaeological resources.” Pursuant to Public Resources Code (PRC) Section 21084.1, a “project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

Historical Resources

“Historical resource” is a term with a defined statutory meaning (PRC, Section 21084.1; determining significant impacts to historical and archaeological resources is described in the State CEQA Guidelines, Sections 15064.5[a] and [b]). Under State CEQA Guidelines Section 15064.5(a), historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be historically significant if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1), including the following:

   a. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;

   b. Is associated with the lives of persons important in our past;

   c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

   d. Has yielded, or may be likely to yield, information important in prehistory or history.

4. The fact that a resource is not listed in or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Section 5020.1(j) or 5024.1.
**Unique Archaeological Resources**

CEQA also requires lead agencies to consider whether projects will impact unique archaeological resources. Public Resources Code Section 21083.2, subdivision (g), states that unique archaeological resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.

3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

**California Register of Historical Resources**

PRC Section 5024.1 established the CRHR in 1992. The CRHR is an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. A resource may be listed as an important resource if it meets any of the NRHP criteria stated above.

**California Public Resources Code Section 5024.5 and State-Owned Lands**

Historical and archaeological resources on state-owned lands are subject to the requirements of PRC Section 5024.5. These provisions are intended to protect significant historical and prehistoric features by requiring notification of the State Historic Preservation Officer (California SHPO) during the planning process. If the California SHPO determines that a proposed project would have an adverse effect on a listed historical resource, the California Department of Parks and Recreation (State Parks) and California SHPO adopt prudent and feasible measures that will eliminate or mitigate the adverse effects. State Parks maintains written documentation of the California SHPO’s concurrence with proposed projects that would have an effect on an historical resource on the master list.

**Nevada Office of Historic Preservation**

The Nevada State Historic Preservation Office (Nevada SHPO) is a state agency created by the NHPA. The agency’s responsibility is restricted to providing recommendations and comments on a federal agency’s determinations. As a service to state and local agencies, Nevada SHPO reviews projects for potential impacts on historic properties.

The Nevada SHPO keeps an inventory of the state’s cultural resources to assist federal, state, and local agencies in planning projects so as to avoid impacts to important cultural resources. The Nevada Cultural Resource Information System (NVCRIS) is a collection of online GIS database services that contain recorded archaeological and architectural resources and inventories for the state.

Additionally, the Nevada SHPO acts as a clearinghouse for nominations of sites and features to the NRHP. Nominations are first submitted for review by the Nevada SHPO and the History and Museum Board of Directors. With their approval, the nomination is forwarded to the Keeper of the National Register in Washington D.C.

The Nevada SHPO plays an advisory role to TRPA during project review of structures 50 years old or older. TRPA staff request comment in such circumstances and often coordinate with the Nevada SHPO on required studies.
and mitigation measures. Additionally, TRPA consults with the Nevada SHPO during the scoping process for all EISs and submits these documents for comment during the public comment period.

LOCAL

Six local jurisdictions are included in the Lake Tahoe Region. These jurisdictions have adopted various planning documents to guide development within their boundaries.

PLACER COUNTY

The Recreational and Cultural Resources Section (Section 5) of the Placer County General Plan (adopted August 16, 1994) includes a goal to “identify, protect, and enhance Placer County’s important historical, archaeological, paleontological, and cultural sites and their contributing environment.” This plan also includes policies to protect and enhance cultural resources through various means, including incentive programs for private property owners, public education, avoidance and mitigation of cultural resource impacts in discretionary development projects, coordination with the local Native American community and NAHC, and assisting private citizens seeking historic landmark designations for their property.

EL DORADO COUNTY

The Conservation and Open Space Element of the El Dorado County General Plan (adopted July 19, 2004, amended December 2009) includes a goal to ensure the preservation of the County’s important cultural resources. This goal involves several objectives (below), and numerous policies are provided to direct each of these objectives.

- Protection of cultural heritage through the creation of an identification and preservation program for the County’s cultural resources.
- Maintenance of the visual integrity of historic resources.
- Recognition of the value of the County’s prehistoric and historic resources to residents, tourists, and the economy of the County, and promotion of public access and enjoyment of prehistoric and historic resources where appropriate.
- Preservation and protection of existing cemeteries including access and parking.

CITY OF SOUTH LAKE TAHOE

The Natural and Cultural Resources Element of the City of South Lake Tahoe General Plan (adopted May 17, 2011) includes a goal to preserve and maintain sites and structures that serve as significant, visible connections to South Lake Tahoe’s social, cultural, and architectural history. This plan also includes policies to preserve sites of historical, cultural, and architectural significance; designate structures or sites as local historic landmarks; require archaeological investigations for applicable discretionary projects; require paleontological resources evaluations when fossils are discovered; and require projects to stop work if human remains are discovered.

DOUGLAS COUNTY

The Historic Preservation Element (Chapter 9) of the Douglas County Master Plan (adopted January 4, 2007) includes a goal 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. This plan also includes policies to support preservation of the County’s cultural heritage, including the establishment of historic districts; encourage the development of historic preservation efforts of the towns, the
Washoe Tribe, and other entities in the County; consider adoption of an ordinance for the designation and protection of historic properties; work with towns to preserve and enhance historic resources; coordinate with the Washoe Tribe in the identification and preservation of cultural resources; pursue incentives for preservation of historic resources; prepare educational materials for County residents; and include routes of historic trails in the County’s network of scenic resources.

**Washoe County**

The Conservation Element of the Washoe County Master Plan (amended September 2010) describes some of the prehistoric archaeological, architectural, and historical resources of the Tahoe Region within Washoe County and encourages the protection and enhancement of natural resources and existing views. This plan includes policies that direct building and landscaping design to blend with the natural environment and encourage attainment and maintenance of TRPA’s scenic quality threshold standards.

**Carson City**

Guiding Principle #5 of the Carson City Master Plan (adopted July 6, 2006) provides for “A Strong Diversified Economic Base.” This guiding principle includes a goal to promote tourism activities and amenities that highlight the city’s historic and cultural resources. This goal includes policies to support tourism activities associated with the major historic resources within the community and to encourage the development of historical opportunities, interpretive signage, and other amenities that complement and enhance the City’s historic resources.

### 3.15.3 AFFECTED ENVIRONMENT

**PREHISTORIC ARCHAEOLOGICAL CONTEXT**

The cultural chronology for the Lake Tahoe Region recognizes the following distinct phases, each of which can be defined in large part by the presence of specific resources found on archaeological sites. Phases are described from oldest to most recent:

- **Pre-Archaic / Tahoe Reach Phase (ca. 10,000–8000 years before present [B.P.]).**
- **Early Archaic / Spooner Phase (ca. 8000–5000 B.P.).**
- **Middle Archaic / Martis Phase (ca. 5000-1300B.P.**
  - **Early Martis Phase (ca. 5000–3000 B.P.).**
  - **Late Martis Phase (ca. 3000–1300 B.P.).**
- **Late Archaic / Kings Beach Phase (ca. 1300-150 B.P.).**
  - **Early Kings Beach Phase (ca. 1300–800 B.P.).**
  - **Late Kings Beach Phase (ca. 800–150 B.P.).**

**Pre-Archaic / Tahoe Reach Phase (10,000–8,000 B.P.).** This phase has not been well defined but is generally equated with small, highly mobile groups whose economy was focused on game hunting. Little evidence for sites of this phase has been found in the Sierra Nevada. Its presence in the region is postulated based on sites of this age at lower elevations.

**Early Archaic / Spooner Phase (8000–5000 B.P.).** This cultural phase has been characterized by the presence of projectile points of the Pinto (Gatecliff) Split Stem series and Humboldt series found predominantly in the Great Basin. Paleo-environmental conditions during this period reflect a widespread Middle Holocene warming and
drying trend. General cultural patterns attributed to the Early Archaic include small game hunting; increased milling of hard seeds; and a mixed-mode, forager-collector subsistence strategy.

**Middle Archaic / Martis Phase (ca. 5000–1300 Before Present [B.P.]).** Represented by the Early Martis (5000–3000 B.P.) and the Late Martis (3000–1300 B.P.) phases, this period was defined by a heavy reliance on flaked basalt implements and milling stones and slabs for the grinding of seed foods. The predominance of flaked and ground stone artifacts on archaeological sites of this time appears to reflect an economic focus on hunting and seed gathering. During this time, conditions became cooler and wetter, similar to the climate experienced today. Human populations increased and diversified, although they remained small enough to prevent resource overexploitation.

**Late Archaic / Kings Beach Phase (ca. 1300–150 B.P.).** This phase is represented by the Early Kings Beach Phase (1300–700 B.P.) and Late Kings Beach Phase (700–150 B.P.). In contrast with the Middle Archaic / Martis Phase, technology during this time was characterized by chert and obsidian toolstone, bedrock mortars, smaller projectile points (presumably arrow points), and an economic emphasis on fishing and seed gathering. The Kings Beach Complex is usually attributed to the late prehistoric Washoe. Environmental conditions continued to be temperate during the Late Archaic, although periodic warm, dry intervals appear to have resulted in substantial and prolonged droughts. Socio-economic and technological changes likely resulted from population increases and “demographic packing” and consequent “interspersed” settlement patterns. Innovations attributed to the Late Archaic include the bow and arrow, the increased use of bedrock mortars for pinyon pine exploitation, and an increase in the use of simple flake tools. The inclination toward basalt and other coarse-grained material for tool manufacture decreased during this time (California State Parks et al. 2010).

**ETHNOGRAPHIC CONTEXT**

The Washoe Tribe inhabited the Tahoe Region at the time of Euro-American contact in the early 1840s. The largest Washoe settlements were found in the larger valleys on and along the eastern slope of the Sierra Nevada between Honey Lake to the north and Little Antelope Valley to the south. Although most Washoe resided in long-term or “winter” settlements in the lowland valleys east of the Sierra crest, Lake Tahoe was the spiritual and geographic center of the Washoe world. The Washoe, members of the widespread Hokan linguistic group, are the only Great Basin group to speak a non-Numic language. Although the evidence is far from conclusive, it has been postulated that an early relationship existed (more than 4,500 years ago) between the Hokan-speaking Washoe and other Hokan speakers in California (California State Parks et al. 2010).

The Washoe were economically and socially organized into basic household or extended family units residing in multifamily communities. Groups maintained ties with each other and with neighboring Penutian-speaking groups, including the Maidu, Miwok, and Paiute. The territory of ethnographic Washoe, like the territories of most native California groups, was fluid; it was also utilized by non-Washoe neighboring groups, particularly when resources were abundant, or as a trade/travel corridor. Such joint land use was usually accommodated by negotiation (California State Parks et al. 2010).

With a relatively abundant environment and some of the highest pre-contact population densities in the region, the Washoe pursued an “intensive subsistence strategy and a demographically packed settlement pattern.” This pattern of land use involved high seasonal mobility, mixed strategies of foraging and collecting, and intensive exploitation of resources. Areas such as the upper Truckee River watershed include several types of microenvironments—meadows, marshes, and riparian corridors—and each supported a diverse range of floral and faunal species available for use by the Washoe (California State Parks et al. 2010).

In general, Washoe lifeways remained largely unchanged for centuries until the middle decades of the 19th century. Would-be miners, loggers, ranchers, and Euro-American settlers began to flood the region following the
gold strikes in the Sierra Nevada foothills and the silver discoveries in the nearby Nevada Comstock Lode. Like many Native American groups in California and Nevada, the Washoe suffered greatly from the loss of their traditional territory and lifeways, and their population decreased dramatically and soon became marginalized (California State Parks et al. 2010).

Today, however, the Washoe people constitute a thriving native community that is reinvesting in its heritage and culture through newfound political, economic, and social influence throughout the Tahoe Region and the surrounding area. Currently, the Washoe are a tribe recognized by the U.S. Government and have maintained an established land base. Its 1,200 tribal members are governed by a tribal council that consists of members of the Carson, Dresserville, Woodfords, and Reno-Sparks Indian groups, as well as members from non-reservation areas (TRPA 2009).

HISTORIC CONTEXT

Although the earliest documented Euro-American presence in the Lake Valley area occurred in the late 1840s and the early to mid-1850s as travelers and surveyors passed through the area, it was the Comstock mining boom in Nevada starting in 1859 that led to rapid development of the Tahoe Region. The surge in freight and passenger traffic through the Sierra Nevada quickly led to the creation of improved transportation routes, the harvesting of vast stands of timber, and the eventual development of ranching, all of which have played important roles in the economic and social history of the Lake Valley area (California State Parks et al. 2010).

TRANSPORTATION

A prominent historic-era transportation feature in the Region is present-day US 50, which has largely followed the existing roadway alignment since at least the 1860s. Formerly known as the Johnson Pass Road, the Placerville–Lake Tahoe Road, the Lake Bigler Toll Road, and the Lincoln Highway, US 50 was originally part of a series of routes informally referred to in the 19th century as the Bonanza Road System in reference to its connection with the rich Comstock Lode mines, located just over the Sierra crest in Nevada (California State Parks et al. 2010).

LUMBERING

Logging in the Tahoe Region generally began in support of the Nevada Comstock Lode mines in 1859 and expanded to support the rapid economic and population growth in Carson City, Reno, and Northern California. By the early 1880s, timber production was the single most important regional industry, substantially outpacing the economic output of ranching and agriculture in the Region (California State Parks et al. 2010).

RANCHING AND DAIRY FARMING

In the 1800s, the ranching and dairy farming industries were established in the Lake Valley area. The prominence of this endeavor is reflected in the 1870 California Products of Agriculture census, which shows production of 228 tons of hay and 500 tons of butter in Lake Valley alone.

With the rise in timber production, dairy farming and ranching in Lake Valley decreased during the latter decades of the 19th century. By the turn of the century, when most of the profitable stands of timber had been cut in the Region, dairy farming expanded once again, revived in part by the increased pasturage made available by the lack of dense stands of timber (California State Parks et al. 2010).
RESORT, CASINO AND RECREATIONAL DEVELOPMENT

By the late 19th century, Lake Tahoe had become a popular vacation location for affluent San Francisco residents. The Tahoe House, Tahoe Tavern, Glenbrook Inn, Tallac House, and Brockway Springs Hotel were some of the first retreats developed. Guests staying at these resorts could take a Southern Pacific train from San Francisco all the way to Truckee. The Lake Tahoe Railway would then take them into Tahoe City, where they either settled down into one of the nearby lodging options or climbed aboard a steamship that could deliver them to several spots around the Lake. For many early visitors, Tahoe’s prime attractions were the casinos that opened up on the North Shore after the turn of the 20th century. In 1927 the Ta-Neva-Ho (present-day Cal-Neva Resort) opened as Crystal Bay’s first casino; The Tahoe Biltmore, among others, soon followed (North Lake Tahoe Visitors Bureau 2011).

Modern recreational skiing in the Sierra dates back to 1938, when Sugar Bowl officially opened. The resort would go on to build the first ski lift in California. Meanwhile, the Lake Tahoe Ski Club had already established the North Shore as an important winter recreation area, having hosted the 1931 Winter Olympic Tryouts, as well as the 1932 National Jumping and Cross-Country competitions. This all took place at present-day Granlibakken, then known as Olympic Hill, which was owned by the Tahoe Tavern. In 1960, Tahoe’s reputation for winter sports gained international recognition when Squaw Valley hosted the Winter Olympics. These were the first Olympic Games to be televised. Many of the resorts, motels, restaurants, and ski lifts built to accommodate the influx of Olympians and fans still host guests today (North Lake Tahoe Visitors Bureau 2011).

KNOWN CULTURAL RESOURCES IN THE REGION

Federal, state, and regional regulatory agencies maintain inventories of historic and archaeological resources in the Region. As described above, the NRHP and the CRHR are comprehensive inventories of cultural resources. Additionally, LTBMU and the Nevada SHPO both keep inventories of cultural resources. The Nevada SHPO runs NVCRIS, which contains recorded archaeological and architectural resources and inventories for the state.

Regionally, TRPA maintains a Historic Resources Map that identifies known archaeological, ethnographic, and historical sites. Geographic Information System (GIS) data is currently used by TRPA to map known resources. Recognized sites are shown graphically on Exhibit 3.15-1. Currently, TRPA recognizes 112 sites of historical or archaeological significance. These sites are categorized by physical types as linear features and non-linear features. Linear features account for 33 of the recognized sites and non-linear features account for the remaining 79 sites.

- **Linear features** include roads, grades, passes, railroads, trestles, flumes, and trails.
- **Non-linear features** include houses, lodges, chapels, ranger stations, ranches, toll houses, sawmills, bridges, dairies, historic districts, logging/lumber camps, railroad tunnels, cabins, taverns, mansions/estates, piers, hotels, resorts, beaches, points, creek/river mouths, marshes, Native American function sites, springs, bays, and harbors.

These 112 features are also categorized as either historical or archaeological sites. All 33 of the linear features are categorized as historic features. The non-linear features comprise 55 historic features, 20 archaeological features, and four features that are listed as both an historic and archaeological feature. A few examples of these types of sites include the following:

- **Cave Rock Tunnels**: A large rock located on the East Shore of Lake Tahoe in Douglas County. Cave Rock is a place of historic legend and of cultural and spiritual significance to the Washoe people.
- **Vikingsholm**: A Scandinavian architectural–style mansion built in 1929 and located on an island in Emerald Bay.
**Camp Richardson Historic Resort**: A recreational resort built in the 1920s that is still in operation today on the South Shore of Lake Tahoe.

**Mouth of Truckee River**: Truckee River is the sole outlet of Lake Tahoe and drains into Pyramid Lake.

**Emigrant Road**: Constructed in 1852, this road traversed the Truckee River Canyon (State Route [SR] 89) and Tahoe’s north shore (SR 28).

In addition to linear and non-linear features shown on the Historic Resources Map, many small sites are known around the Lake where a variety of artifacts have been discovered. As described above, groups have inhabited the area extensively and left evidence of settlements behind. Artifacts discovered at various sites include flaked basalt implements and milling stones, slabs for the grinding of seed foods, chert and obsidian toolstone, bedrock mortars, and small projectile points. Because historic and archaeological resources are site specific, these resources are inventoried on a case-by-case basis for individual projects within the Region.

### 3.15.4 ENVIRONMENTAL CONSEQUENCES AND RECOMMENDED MITIGATION MEASURES

#### METHODS AND ASSUMPTIONS

Because of the geographic scale of the Tahoe Region and the policy-oriented nature of the Regional Plan Update, this impact analysis is intended as a preliminary assessment of potential impacts on important cultural resources that could occur as a result of future projects through which the Regional Plan would be implemented. Therefore, impacts on specific cultural resources that could result from individual projects are not addressed in this document, but would be assessed through additional analyses as projects are defined and proposed.

#### SIGNIFICANCE CRITERIA

The following significance criteria are taken from the TRPA Initial Environmental Checklist. For the purposes of this environmental analysis, implementation of the Regional Plan Update would be considered to result in significant cultural resources impacts if it would:

- cause alteration of or adversely affect significant archaeological or historical sites, structures, objects or buildings;
- cause physical change that would affect unique ethnic cultural values; or
- restrict historic or prehistoric religious or sacred uses within the Region.
**IMPACT ANALYSIS AND MITIGATION MEASURES**

**Impact 3.15-1 Historical Resources.** Implementation of the Regional Plan Update would authorize new development, which could occur on properties that contain known historical resources, be associated with historically significant events or individuals, or result in adverse physical or aesthetic effects to a significant historical site, structure, object, or building. Because each Regional Plan Update alternative would result in some new construction over the planning period (ranging from very low levels of new development and redevelopment under Alternative 1 to highest levels under Alternative 5), each has the potential to disturb, disrupt, or destroy historical resources through implementation of specific projects. However, federal and state regulations and TRPA Code address protection of historical resources and provide processes to avoid or minimize impacts to these resources. Therefore, this would be a less-than-significant impact for all alternatives.

Historical resources are physical manifestations of cultural activity. As such, they constitute an important non-renewable resource that has the potential to increase our understanding of history. The Lake Tahoe Region contains numerous identified historical resources and known historic uses, as described in Section 3.15.3, Affected Environment.

**ALTERNATIVE 1: NO PROJECT**

Alternative 1 would include allocations remaining from the 1987 Regional Plan but would not authorize any new allocations. Therefore, Alternative 1 would result in a very low level of new development and redevelopment and would be anticipated to result in the lowest potential for adverse effects to historical resources. Such effects are site- and resource-specific, and future projects allowed under Alternative 1 could result in demolition or alteration of historical resources if resources are present within future project sites. However, federal and state regulations and TRPA Code are in place to address protection of these resources, as described below.

The TRPA Code of Ordinances standards also provide protection for these resources. In the Grading Standards section (33.3), it is required that cessation of grading and consultation with government agencies occur whenever historical, pre-historical, or paleontological materials appearing to be 50 years or older are discovered during grading activity (Code Standard 33.3.7). The Historic Resource Protection chapter (67) includes standards which require evaluation by a qualified archaeologist of any potential archaeological, cultural, or historical resources discovered during project construction (Code Standard 67.3.1). TRPA also requires that projects in areas with known or newly discovered sites of cultural or historic significance include a site survey (performed by a qualified archaeologist) prior to TRPA approval (Code Standard 67.3.2). This standard also requires consultation with the Washoe Tribe on all site surveys in order to determine if tribally significant sites are present. If resources are discovered and deemed significant, then a resource protection plan is required. Such a plan shall be prepared by a qualified professional and may provide for surface or subsurface recovery of data and artifacts and recordation of structural and other data (Code Standard 67.3.3). Additionally, grading, operation of equipment, or other soil disturbance is prohibited in areas where a designated historic resource is present, or could be damaged, except in accordance with a TRPA-approved resource protection plan (Code Standard 67.3.4). Finally, upon discovery of a previously unknown site, object, district, structure or other resource, potentially meeting criteria designating it as a historic resource (as outlined in Code Standard 67.6) TRPA shall consult with the applicable state historic preservation officer (SHPO), and with the Washoe Tribe if it is a Washoe site.

At the federal level, Section 106 of the NHPA guides cultural resources investigations by federal agencies and requires considerations of effects on properties that are listed in, or may be eligible for listing in, the NRHP. The
LTBMU adheres to the NHPA in managing the public land under its jurisdiction (approximately 75 percent of the land within the Tahoe Region). The LTBMU consults with the Washoe Tribe, TRPA, the California Office of Historic Preservation and Nevada SHPO, as appropriate. Additionally, the LTBMU Forest Plan provides guidelines for historic and archaeological resource protection.

At the state level, both California and Nevada have processes in place to protect and avoid historical resources. CEQA requires public agencies to consider the effects of their actions on both “historical resources” and “unique archaeological resources.” The CRHR identifies historic resources and indicates which properties are to be protected. On state-owned lands, historical and archaeological resources are subject to the requirements of PRC Section 5024.5, which requires notification of the California SHPO during the planning process. If the SHPO determines that a proposed action would have an adverse effect on a listed historical resource, State Parks and the California SHPO must adopt prudent and feasible measures that will eliminate or mitigate the adverse effects.

In Nevada, the Nevada SHPO reviews projects for potential impacts upon historic properties. The Nevada SHPO keeps an inventory of the state’s cultural resources to assist federal, state, and local agencies in planning projects so as to avoid impacts to important cultural resources; the agency also acts as a clearinghouse for nominations of sites and features to the NRHP. Additionally, the Nevada SHPO plays an advisory role to TRPA during project review of structures 50 years old or older. TRPA staff request comment in such circumstances and often coordinate with the Nevada SHPO on required study and mitigation measures. TRPA consults with the Nevada SHPO during the scoping process for all EISs and submits these documents for comment during the public comment period.

Impacts to known and unknown historical resources would be avoided and minimized through these federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 2: LOW DEVELOPMENT, INCREASED REGULATION**

Alternative 2 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. Therefore, Alternative 2 would result in a relatively low level of new development and redevelopment, greater than Alternative 1 but lower than Alternatives 3, 4, and 5. Because of the low level of new allocations, new construction would be anticipated to result in a lower potential for adverse effects to historical resources than Alternatives 3, 4, and 5. Construction of any new project, however, could include demolition or alteration of historical resources. As described above for Alternative 1, impacts to known and unknown historical resources would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 3: LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT**

Alternative 3 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. New allocations would be higher than Alternative 2, and the redevelopment incentives of Alternative 3 could result in a higher level of construction activity over the planning period, resulting in the potential for more new development and redevelopment. Construction of any new project could include demolition or alteration of historical resources. For the same reasons identified for Alternative 2 above, however, this impact is considered less than significant.
**ALTERNATIVE 4: REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT**

Alternative 4 would include allocations remaining from the 1987 Regional Plan and would authorize new allocations, more than Alternatives 1, 2, and 3 but less than Alternative 5. Because of the higher level of new allocations, new development and redevelopment could result in a relatively higher potential for adverse effects to historical resources than Alternatives 1, 2, and 3. Construction of any new project could include demolition or alteration of historical resources. For the same reasons identified for Alternative 2 above, this impact is considered less than significant.

**ALTERNATIVE 5: SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN**

Alternative 5 would include allocations remaining from the 1987 Regional Plan and would authorize the highest number of new allocations. Therefore, new development and redevelopment under Alternative 5 could result in the highest potential for adverse effects to historical resources as compared to the other alternatives. Construction of any new project could include demolition or alteration of historical resources. For the same reasons identified for Alternative 2 above, this impact is considered less than significant.

**MITIGATION MEASURES**

No mitigation is required for any of the alternatives.

| Impact 3.15-2 | Archaeological Resources. Implementation of the Regional Plan Update would authorize new development, which could occur on properties that contain known or unknown archaeological resources or result in adverse physical effects to significant archaeological sites or features. Because each Regional Plan Update alternative would result in some new construction over the planning period (ranging from very low levels of new development and redevelopment under Alternative 1 to highest levels under Alternative 5), each has the potential to disturb, disrupt, or destroy archeological resources through implementation of specific projects. However, federal and state regulations and TRPA Code address protection of archaeological resources and provide processes to avoid or minimize impacts to these resources. Therefore, this would be a less-than-significant impact for all alternatives. |

As with historical resources, archaeological resources are physical manifestations of cultural activity that constitute important non-renewable resources and have the potential to increase our understanding of history and pre-history. Archaeological sites may consist of both surface and subsurface components, often with more extensive evidence below ground than what is visible at the surface. As noted above, people have inhabited the Tahoe Basin for approximately 10,000 years and archaeological artifacts and sites have been found throughout the Region. Additional, unknown archaeological resources are likely to exist, given that archaeological sites tend to be located in environments desirable for human settlement. Construction and excavation associated with development activities could result in disturbance and removal of earth materials, which have the potential to adversely affect archaeological resources. Impacts to archaeological resources are more likely to occur in previously undeveloped areas (rather than urban cores) where excavation and ground-disturbing activities have not previously occurred.

**ALTERNATIVE 1: NO PROJECT**

Alternative 1 would include allocations remaining from the 1987 Regional Plan but would not authorize any new allocations. Therefore, Alternative 1 would result in a very low level of new development and redevelopment
and would be anticipated to result in the lowest potential for adverse effects to archaeological resources. Such effects are site- and resource-specific, and future projects allowed under Alternative 1 could result in disturbance, disruption, or destruction of above- or below-ground archaeological resources, if resources are present within future project sites. However, as described in full under Impact 3.15-1 for Alternative 1, federal and state regulations and TRPA Code are in place to address protection of these resources.

Impacts to known and unknown archaeological resources would be avoided and minimized through these federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 2: LOW DEVELOPMENT, INCREASED REGULATION**

Alternative 2 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. Therefore, Alternative 2 would result in a relatively low level of new development and redevelopment, greater than Alternative 1 but lower than Alternatives 3, 4, and 5. Because of the low level of new allocations, new construction would be anticipated to result in a lower potential for adverse effects to archaeological resources than Alternatives 3, 4, and 5. Construction of any new project associated with Alternative 2, however, could include development, redevelopment, and restoration projects, which could result in disturbance, disruption, or destruction of archaeological resources. However, as described above for Alternative 1, impacts to known and unknown archaeological resources would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 3: LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT**

Alternative 3 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. New allocations would be higher than Alternative 2, and the redevelopment incentives of Alternative 3 could result in a higher level of construction activity over the planning period, resulting in the potential for more new development and redevelopment. Construction of any new project could include demolition or alteration of archaeological resources. However, as described above for Alternative 1, impacts to known and unknown archaeological resources would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 4: REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT**

Alternative 4 would include allocations remaining from the 1987 Regional Plan and would authorize new allocations, more than Alternatives 1, 2, and 3 but less than Alternative 5. Because of the higher level of new allocations, new development and redevelopment could result in a relatively higher potential for adverse effects to archaeological resources than Alternatives 1, 2, and 3. Construction of any new project could include demolition or alteration of archaeological resources. However, as described above for Alternative 1, impacts to known and unknown archaeological resources would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.
ALTERNATIVE 5: SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN

Alternative 5 would include allocations remaining from the 1987 Regional Plan and would authorize the highest number of new allocations. Therefore, new development and redevelopment under Alternative 5 could result in the highest potential for adverse effects to archaeological resources as compared to the other alternatives. Construction of any new project could include demolition or alteration of archaeological resources. However, as described above for Alternative 1, impacts to known and unknown archaeological resources would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be **less than significant.**

MITIGATION MEASURES

No mitigation is required for any of the alternatives.

| Impact | Ethnic and Cultural Values. Implementation of the Regional Plan Update would authorize new development that has the potential to cause physical changes that would affect unique ethnic cultural values or restrict historic or prehistoric religious or sacred uses within the region. Because each Regional Plan Update alternative would result in some new construction over the planning period (ranging from very low levels of new development and redevelopment under Alternative 1 to highest levels under Alternative 5), each has the potential to disturb, disrupt, or restrict ethnic and cultural uses and values through implementation of specific projects. However, federal and state regulations and TRPA Code address protection of tribal resources and provide processes to avoid or minimize impacts to these resources, which could result in impacts to ethnic and cultural values. Therefore, this would be a **less-than-significant** impact for all alternatives. |

Development in the Region has the potential to result in physical changes to sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people. These could be permanent changes that alter, remove, or modernize features or temporary changes such as restriction of access due to construction. An example of a site with unique ethnic value is Cave Rock, located on the east shore of Lake Tahoe in Douglas County. Cave Rock is a place of historic legend and cultural and spiritual significance to the Washoe people. Other religious and sacred sites or structures in the Region may be in use by current residents and visitors or be of intrinsic value due to their prehistoric or historic significance for the Washoe people and others.

ALTERNATIVE 1: NO PROJECT

Alternative 1 would include allocations remaining from the 1987 Regional Plan but would not authorize any new allocations. Alternative 1 would result in a very low level of new development and redevelopment and potentially result in the lowest potential for adverse effects to ethnic and cultural values. Such effects are site- and resource-specific, and future projects allowed under Alternative 1 could result in physical changes that would affect unique ethnic cultural values or restrict historic or prehistoric religious or sacred uses within the Region, if these types of resources or uses are located within future project sites. However, as described in full under Impact 3.15-1 for Alternative 1, federal and state regulations and TRPA Code are in place to address protection of these resources.
In addition, Section 7050.5(b) of the California Health and Safety Code specifies protocol when human remains are discovered. The code includes requirements that, if human remains are discovered, work cease within the immediate area; the County Coroner be notified; and, if the remains are determined to be of Native American origin, a qualified archaeologist work with the Coroner’s Office to identify the Most Likely Descendant, who will assist in making a decision about further treatment of the remains as required in PRC Section 5097.98. Similarly, NRS Chapter 383, Historic Preservation and Archaeology, provides protection of Indian burial sites discovered in Nevada. NRS requires, among other things, immediate consultation with the appropriate tribal authorities upon discovery of a native burial site.

Impacts to ethnic and cultural values would be avoided and minimized through these federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Codes, this impact would be less than significant.

**ALTERNATIVE 2: LOW DEVELOPMENT, INCREASED REGULATION**

Alternative 2 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. Therefore, Alternative 2 would result in a relatively low level of new development and redevelopment, greater than Alternative 1 but lower than Alternatives 3, 4, and 5. Because of the low level of new allocations, new construction would be anticipated to result in a lower potential for adverse effects to ethnic or cultural values than Alternatives 3, 4, and 5. As described above for Alternative 1, impacts to ethnic and cultural values would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 3: LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT**

Alternative 3 would include allocations remaining from the 1987 Regional Plan and would authorize a limited number of new allocations. New allocations would be higher than Alternative 2, and the redevelopment incentives of Alternative 3 could result in a higher level of construction activity over the planning period, resulting in the potential for more new development and redevelopment. Construction of any new project could include impacts on ethnic or cultural values. However, as described above for Alternative 1, impacts to ethnic and cultural values would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**ALTERNATIVE 4: REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT**

Alternative 4 would include allocations remaining from the 1987 Regional Plan and would authorize a moderate number of new allocations, more than Alternatives 1, 2, and 3 but less than Alternative 5. Because of the higher level of new allocations, new development and redevelopment could result in a relatively higher potential for adverse effects to ethnic or cultural values than Alternatives 1, 2, and 3. Construction of any new project could include impacts on ethnic or cultural values. However, as described above for Alternative 1, impacts to ethnic and cultural values would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.
**ALTERNATIVE 5: SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN**

Alternative 5 would include allocations remaining from the 1987 Regional Plan and would authorize the highest number of new allocations of all the alternatives. Therefore, new development and redevelopment under Alternative 5 could result in the highest potential for adverse effects to archaeological resources as compared to the other alternatives. Construction of any new project could include impacts on ethnic or cultural values. However, as described above for Alternative 1, impacts to ethnic and cultural values would be avoided and minimized through federal and state regulations and TRPA Code standards. Because projects associated with build-out of the Regional Plan would be required to comply with these federal and state regulations and TRPA Code, this impact would be less than significant.

**MITIGATION MEASURES**

No mitigation is required for any of the alternatives.
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