

16 CULTURAL RESOURCES

16.1 INTRODUCTION

This chapter analyzes and evaluates the potential impacts of the project on known and unknown cultural resources (also known as heritage resources). Cultural resources include districts, sites, buildings, structures, or objects generally older than 50 years and considered to be important to a culture, subculture, or community for scientific, traditional, religious, or other reasons. Cultural resources generally include a broad array of artifacts that contribute to a collective history of peoples or places, including historic resources, archaeological sites, transportation and trail corridors, heritage areas, cultural landscapes, and public works. They are categorized as historic resources, archaeological resources, and tribal resources. Archaeological resources are artifacts and locations where human activity has left deposits of prehistoric or historic-era physical remains (e.g., stone tools, shell fragments, bottles, pottery shards). Historical (or architectural) resources include standing buildings (e.g., houses, barns, outbuildings, cabins), intact structures (e.g., dams, bridges), and remnants of these structures. Tribal resources include site features, places, cultural landscapes, sacred places or objects, which are of cultural or ethnic value to a tribe. Communication with the Washoe Tribe of Nevada and California has been undertaken as part of the environmental analysis (see below).

No comment letters were received during scoping that pertain to cultural resources.

16.2 REGULATORY SETTING

16.2.1 Federal

Section 106 of National Historic Preservation Act

Federal protection of cultural resources is governed by the National Historic Preservation Act (NHPA) of 1966 and the Archaeological Resources Protection Act of 1979, as administered by the Advisory Council on Historic 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). Federal and federally-sponsored programs and projects are reviewed pursuant to Section 106 of the NHPA. Section 106 requires federal agencies to consider the effects of proposed federal undertakings on historic properties. While NEPA calls for the federal government to invite the participation of any affected Native American tribes in the environmental review process, NHPA enhanced tribal roles in historic preservation and created the Tribal Historic Preservation Officer program. Federal agencies are obligated to consult with federally-listed Native American tribal governments under Section 106 of NHPA. NHPA requires federal agencies to initiate consultation with the State Historic Preservation Officer (SHPO) as part of the Section 106 review process.

Section 106 of the NHPA and accompanying regulations (36 Code of Federal Regulations [CFR] Part 800) constitutes the main federal regulatory framework guiding cultural resources investigations and requires consideration of effects on properties that are listed in, or may be eligible for, listing in the NRHP. Listing in the NRHP provides formal recognition of a property's historical, architectural, or archeological significance based on national standards used by every state. It is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, and cultural resources that are considered significant at the national, state, or local level.

National Register Criteria

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

1. The property is at least 50 years old (although properties under 50 years of age that are of exceptional importance or are contributors to a district can also be listed);
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); or
 - D. Has yielded, or may be likely to yield, information important to prehistory or history (information potential).

16.2.2 Tahoe Regional Planning Agency

Article V(c)(3) of the Tahoe Regional Planning Compact (Public Law 96-551) required the development of a conservation plan for the preservation, development, utilization and management of scenic and other natural resources within the Tahoe Basin, including historic resources. The Tahoe Regional Planning Agency (TRPA) accomplishes historic resource protection through implementation of its goals and policies and code provisions as described below.

THRESHOLDS

TRPA has not established any environmental threshold carrying capacities related to cultural resources.

LAKE TAHOE REGIONAL PLAN

TRPA regulates growth and development in the Lake Tahoe Region through the Regional Plan, which includes the Goals and Policies document, Code of Ordinances, and other guidance documents.

Goals and Policies

The Goals and Policies document establishes guiding policies for each resource element. The Conservation Element (Chapter 4) of the Goals and Policies document (TRPA 2012) includes a Cultural Sub-element, with applicable goals as follows:

GOAL C-1: Identify and preserve sites of historical, cultural, and architectural significance within the region.

- ▲ **Policy C-1.1:** Historical or culturally-significant landmarks in the region shall be identified and protected from indiscriminate damage or alteration.
- ▲ **Policy C-2.1:** 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 TRPA Code is a compilation of the rules, regulations, and standards to implement the Regional Plan Goals and Policies. Chapter 67, “Historic Resource Protection,” provides for the identification, recognition, protection, and preservation of the region’s significant cultural resources. Resources are evaluated for significance prior to a project or activity that could cause an adverse impact to that resource. To be designated as a historic resource or determined eligible, the resource must meet at least one of the criteria summarized below (TRPA 2011). Chapter 67 also provides for consultation with the California and Nevada SHPOs as well as the Washoe Tribe.

- ▲ **Resources Associated with Historically-Significant Events and Sites.** Such resources shall meet one or more of the following: (a) association with an important community function in the past, (b) association with a memorable happening in the past, or (c) contain outstanding qualities reminiscent of an early stage of development in the region.
- ▲ **Resources Associated with Significant Persons.** Such resources include: (a) buildings or structures associated with a locally, regionally, or nationally known person; (b) notable example or best surviving works or a pioneer architect, designer, or master builder; or (c) structures associated with the life or work of significant persons.
- ▲ **Resources Embodying Distinctive Characteristics.** Resources that embody the distinctive characteristics of a type, period, or method of construction that possess high artistic values or that represent a significant and distinguishable entity but whose components may lack individual distinction. Works of a master builder, designer, or architect also are eligible. Resources may be classified as significant if they are a prototype of, or a representative example of, a period style, architectural movement, or method of construction unique in the region, the states, or the nation.
- ▲ **State and Federal Guidelines.** Archeological or paleontological resources protected or eligible for protection under state or federal guidelines.
- ▲ **Prehistoric Sites.** Sites where prehistoric archaeological or paleontological resources that may contribute to the basic understanding of early cultural or biological development in the region.

Additionally, Sections 32.3.1 “[Paved Road] Waiver”, 33.3, “Grading Standards,” 33.4.1 “Subsurface Investigations and Reports”, 61.1.6 “Minimum Standards for Tree Removal”, 66.3.1 “Applicability” for Scenic Quality Review in the Shoreland addresses the discovery and/or treatment of cultural resources.

16.2.3 California

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is a listing of resources that are significant within the context of California’s history. The CRHR is a statewide program of similar scope and with similar criteria for inclusion as those used for the NRHP. All properties listed in or formally-determined eligible for listing in the NRHP are eligible for the CRHR. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR.

A historic resource must be significant at the local, state, or national level under one or more of the criteria defined in the California Code of Regulations (CCR) Title 15, Chapter 11.5, Section 4850. The CRHR criteria are similar to the NRHP criteria and are tied to CEQA because any resource that meets the criteria below is considered a historic resource under CEQA. As noted above, all resources listed in or formally-determined eligible for the NRHP are automatically listed in the CRHR.

The CRHR uses four evaluation criteria to determine eligibility. A resource may be eligible for listing in the CRHR if it:

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

Similar to NRHP, a resource must meet one of the above criteria and retain integrity. The CRHR uses the same seven aspects of integrity as the NRHP.

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

16.2.4 Nevada

Nevada State Register of Historic Places

Created in 1979 by the Nevada Legislature, the Nevada State Register of Historic Places (NVSHP) is an official list kept by the Nevada SHPO of places and resources worthy of preservation. These resources reflect history, architecture, archaeology, and culture that are important to Nevadans. The NVSRHP recognizes those places in the state that have significance to the past in a local, state, or national context, and possess good physical integrity to the period during which they were important. To be eligible, a resource can be a building, structure, site, or object. They can also be a larger landscape, or a collection of resources known as an historic district.

For a property to be eligible for listing in the NVSRHP, the property must demonstrate historical or cultural significance under one or more of the following five criteria:

- A. Associated with events contributing to the broad patterns of the state's history and culture.
- B. Associated with historically important people.
- C. Embodies distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master.
- D. Has the potential for yielding important information in Nevada's history or prehistory.
- E. Property reflects cultural traditions important to historic or pre-historic peoples of Nevada.

The Nevada SHPO keeps the NVSRHP inventory 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 Geographic Information System (GIS) database services that contain recorded archaeological and architectural resources and inventories for the state.

As a service to state and local agencies, Nevada SHPO reviews projects for potential impacts on historic properties. The Nevada SHPO plays an advisory role to TRPA during project review of structures 50 years old or older. TRPA staff may 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.

16.3 AFFECTED ENVIRONMENT

ENVIRONMENT

The primary sources of information used in describing existing prehistoric, ethnographic, and historic resources within the plan area include the following documents from the Tahoe Regional Planning Agency: the Tahoe Regional Planning Agency Regional Plan (2012), and the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project EIR/EIS (2016).

The plan area encompasses the shorezone, consisting of the nearshore, foreshore, and backshore, of Lake Tahoe in the Sierra Nevada. Geologically, the plan area is situated on Holocene (10,000 years before present [B.P.] to present) alluvial and lacustrine sediments near perennial streams and ponds following the recession of glaciers approximately 10,000 years ago.

PREHISTORY

Archaeological research in the Sierra Nevada over the last 50 years has resulted in the accumulation of a substantial body of knowledge. Investigations that began in the 1950s revolved around examining sites throughout the Lake Tahoe vicinity, including the Lake shoreline, and the high Sierra crest east of the Lake. These investigations led to the identification of the Martis and Kings Beach complexes. More recent investigations have led to important modifications of earlier archaeological sequences. For the purposes of this project, the following cultural sequence is used; a summary of each of these periods is provided below:

Late Kings Beach—Washoe	700 B.P. to historic times
Early Kings Beach	1,300 - 700 B.P.
Martis	7,000 - 1,300 B.P.
Early Holocene	10,500 - 7,000 B.P.
Paleo-Indian	> 10,500 B.P.

Paleo-Indian Period (>10,500 B.P.)

The Paleo-Indian period marks the earliest occupation of the north-central Sierra Nevada and is represented by Clovis-like projectile points and basally-thinned concave base variants. Clovis-like fluted and basally-thinned concave base points have been found in a variety of contexts in northeastern California and the western Great Basin, but not specifically in the Lake Tahoe Basin. Their occurrence, however, in surrounding areas, including upland zones of the north-central Sierra Nevada, suggest it is only a matter of time before such evidence of Paleo-Indian occupation is documented in the Lake Tahoe Region.

Early Holocene Period (10,500–7,000 B.P.)

Assemblages for the Early Holocene period are characterized by various large lanceolate and Great Basin stemmed projectile points, which typically occur in conjunction with a variety of heavy core tools, bifaces, patterned and unpatterned flake tools, and chipped-stone crescents around the former shores of pluvial lakes and other ancient landforms. Recent research indicates that Early Holocene period occupation of the Tahoe area may have been more intensive than was previously thought. It also now appears that Early Holocene assemblages are not an early manifestation of the “Martis” phenomenon, but represent a separate cultural group.

Martis Phase (7,000–1,300 B.P.)

The time between 7,000 to 1,300 B.P. is the Martis phase, a term that refers to the Early and Middle Archaic periods in the Tahoe Region. While this relatively long span of time has been previously broken into a variety of phases and sub-periods (e.g., Spooner; Early, Middle, and Late Martis), primarily on the basis of putative temporal differences between projectile point types, such distinctions have not been adequately established for the Tahoe Basin. Based on current evidence, the array of projectile points that represent this phase—corner-notched, side-notched, and contracting-stem darts, as well as certain concave base variants—all appear to have been manufactured throughout this period.

“Martis” times were probably not static. Middle Holocene climatic warming, commencing sometime after 8,000 B.P. and continuing to about 5,000 B.P., no doubt had a tremendous effect on Tahoe Basin hydrology, resource productivity, and human subsistence and settlement. During the latter part of the Martis period (5,000–1,300 B.P.), climates became more humid and population densities increased. It is at this time that we see the emergence of settlement hierarchies that include larger base camps and smaller logistical hunting, gathering, and fishing camps. During this time, basalt from Alder Hill, Watson Creek, and other upland quarries was being moved down the drainages that dissect the western slope of the Sierra Nevada into the foothills and Central Valley. It is possible that the movement of this basalt corresponded to the seasonal movements of people, and that there were connections and relationships between Martis and similarly dated foothill and Central Valley culture complexes.

Kings Beach Phase (1,300 B.P. to historic period)

The final period of prehistoric occupation in the Tahoe/Truckee region is referred to as the Kings Beach phase and has generally been equated to the Washoe Tribe who inhabited this area at the time of historical contact. Assemblage characteristics associated with Kings Beach include a preference for siliceous toolstones (e.g., chert) and obsidian over basalt; small, light-weight corner- and side-notched arrow points; bedrock mortars; hullers (two-handed flat stones used for cracking nuts); and an emphasis on fishing and seed use. The earlier part of the phase is marked by Rose Spring-series points, the latter half by Desert Side-notched forms. The almost-exclusive use of cherts and obsidian beginning with Kings Beach tool kits coincides with the end of quarry production at Alder Hill and other Sierran basalt source locations. Kings Beach settlement systems appear to have been more circumscribed, confined to the Lake Tahoe Region and surrounding uplands and the lower-lying, eastern flanks of the Sierra Nevada in Carson Valley, Washoe Valley, Truckee Meadows, and Long Valley.

ETHNOGRAPHY

Prior to historic contact in the early to mid-1800s, the shores of Lake Tahoe were part of the vast territory held by the Washoe people. Washoe territory extended north to Honey Lake and south to the headwaters of the Tuolumne River. To the east, the valleys at the base of the Sierra were also Washoe territory. The boundary to the west was more fluid, involving shared use of the upper and lower western slopes with the Nisenan and Miwok.

The primary sociopolitical group among the Washoe was the small extended family over which presided a family headman. Permanent villages were inhabited year-round, but most able-bodied adults and older children shifted their residence throughout the warmer seasons. A winter settlement would be home to several of these families, who shared a group identity but acted independently in most matters. While areas of settlement were rich in resources, they were relatively small oases within less-usable lands. This “patchiness” of the Washoe environment was best utilized by changing residence often to exploit resources in different zones as they became available, and by keeping populations sufficiently low to assure ample food for all members of the group.

The Washoe regularly convened throughout the year to participate in rabbit drives and large-scale fowling and fishing activities, as well as to maintain family contacts. The American River and Lake Tahoe were major year-round fisheries with good locations for villages and camps, and the Martis Valley was an important gathering place to obtain edible and medicinal roots, seeds, and marsh plants.

Washoe lifeways were not directly affected by the earliest historic-period activities in California and Nevada. However, by the 1850s and 1860s Washoe culture was affected by thousands of outsiders who had moved through their territory. Ranchers and other settlers restricted Washoe use of lands and resources. Although traditional settlement and subsistence practices were profoundly disrupted, many traditional customs persist among the Washoe people today.

HISTORY

Early History – Lake Tahoe

In 1844, John C. Frémont and his companion Charles Preuss recorded the first sighting of Lake Tahoe by Euro-Americans. Later that same year, members of the westward-bound Stevens-Murphy-Townsend party were likely the first Euro-Americans to venture onto the shore of the Lake. The California Gold Rush, centered mainly in the Sierra Nevada foothills, and the subsequent Comstock Lode silver rush that occurred a decade later in Nevada, drew thousands of miners and entrepreneurs through the Tahoe Sierra on their way to the mining locales. During this period, the Lake was known by various names, including Mountain Lake and Lake Bigler. It was officially designated Lake Tahoe by the California State Legislature in 1945.

The proximity of the 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 in the region to provide materials to meet the demand of those areas.

Transportation

In 1854, a popular movement to open up California resulted in legislation creating a trans-Sierra highway, named the Placerville-Lake Tahoe Road. This road was graded to a width of 12 feet and was cleared of all brush and rocks. The public pledged \$50,000 to construct it and the road opened in 1858. One year later, the Comstock mining boom exploded in western Nevada and a rush of people and supplies to the mines near Virginia City resulted in a surge of wagon traffic from California into the Tahoe Basin. While the Carson Road over Carson Pass to the south was the most popular route, many traveled on the Placerville-Lake Tahoe Road. Determined unconstitutional by the California Supreme Court, the route was a series of private turnpikes, each maintained by its own toll operator who charged travelers for every person, wagon, and animal who passed over it. In 1863, 30,000 tons of freight and 56,500 people traveled the road. Given the challenging geography and heavy use, the road was expensive to maintain. In the higher elevations, toll companies spent up to \$5,000 per mile for improvements and up to \$3,000 for maintenance. Offsetting the high expense was the very lucrative revenue totaling over \$3 million in 1862. Once in the Tahoe Basin, many freighters, stagecoach drivers, and Pony Express riders preferred a side road south of the Lake closely following modern-day Pioneer Trail. This alternate route was easier on mules, horses, and oxen, as the road was less sandy than the Placerville-Lake Tahoe Road near Bijou along the lakeshore.

Maps from the 1860s through the 1940s depict Lake Tahoe Boulevard/US 50 and Pioneer Trail as major transportation routes. The Placerville-Lake Tahoe Road roughly paralleled modern-day U.S. 50. By 1950, the importance of US 50 as a major transportation route was established. With the end of the Comstock rush and subsequent economic depression in the 1870s, traffic on toll roads declined steadily to a point that most toll operators were gone by 1885. Due to general deterioration of the road and the economic necessity of a trans-Sierra route, El Dorado County assumed control of the road and designated the Placerville-Lake Tahoe Road a 65-mile section beginning at Smith's Flat three miles east of Placerville to the Nevada state line. Six years later, overwhelmed by the high costs of keeping the road passable, El Dorado County deeded the road to the state in perpetuity. The state balked at the high costs of maintenance and in 1907 appropriated just \$5,000 to complete the road and place milestones. These funds proved woefully inadequate.

With the advent of the automobile in the 20th century, the need for good roads became imperative. The passage of state road improvement bonds in 1910, 1916, and 1919 along with the Federal-Aid Road Act in 1916, provided the monetary means to finance a series of road improvement projects statewide, including

routes into the Tahoe Basin. Previously, due to the inadequacy of the roads in the Tahoe Basin, most travelers to lakeshore resorts and cabins arrived at their destinations via steamer or sailboat departing from the Lake Tahoe Railway and Transportation Company's depot at Tahoe Tavern. Finally, a road ringing Lake Tahoe, the Brockway Highway (State Route 28), was completed in 1931, enabling travelers to reach Nevada's north shore of the lake and providing momentum to the development of that region. During the mid-1930s, a branch route, the Pioneer Route or Sierra Nevada Southern Route of the Lincoln Highway (modern US 50 through the Plan area), became the major automobile access to the basin. As year-round recreational demands increased, all the roads connecting Lake Tahoe to Nevada and California had been paved by 1930, and by 1931, a passable auto route had been completed around the Lake.

Industry

Early development at the Lake was precipitated by the discovery of silver in 1859 at the Comstock Lode near Virginia City, Nevada. The rich forest reserves of the Lake Tahoe Basin were stripped to provide timber for the ever-deepening mine shafts around Virginia City and for the construction of homes and commercial enterprises in the surrounding communities. The rich placer diggings in the California gold country had been played out, and the area was experiencing a depression. Disillusioned gold miners seeking easy riches rushed to the Comstock strike, again passing by Lake Tahoe on their return route.

While the major timber companies were located on the Nevada side of the Lake (the Carson and Tahoe Lumber and Fluming Company [CTLFC] at Glenbrook and the Sierra Nevada Wood and Lumber Company at Crystal Bay), other small operations were developed along the lake during the boom period between 1860 and the 1890s. Each developed an impressive network of mills, railroads, trams, flumes, and ponds designed to convey milled lumber over the Carson Range and down into the nearly treeless areas surrounding the Washoe mines.

Along the South Shore, timber harvesting was marginal until 1880. Between Al Tahoe and Lapham's Lake House (Stateline) only a few shacks owned by commercial fishermen were built. Logging activity in this area picked up dramatically as the timber stands on the northern and eastern shores were thinning out. The CTLFC built a railroad terminus near modern day Bijou and soon stripped lower Lake Valley of its marketable timber. By 1900, the forests had been logged out, the mills were closed, and the rail lines were removed.

Settlement, Recreation, and Tourism

During the Comstock days, rest houses and small hotels sprang up along the Placerville-Lake Tahoe Road. These hostleries and roadside inns such as Lake House (the present-day Al Tahoe community) and Lapham's Hotel supported small farms and ranches in Lake Valley by supplying travelers with products such as fresh milk, eggs, beef, fish, and vegetables. Ranches supplied the hay, oats, and other fodder for horse and mule teams.

After the logging operations diminished, the recreationists began to arrive. Beginning in the early 1860s, resorts had been established at Lake Tahoe as fashionable summer retreats for the well-to-do. Some of the earliest resorts on the California side of the Lake include the Lake House at Al Tahoe, Rubicon Point Lodge, Grand Hotel at Tahoe City, and the Bellevue Hotel at Sugar Pine Point. The first permanent settlements were at the mouth of McKinney Creek, Ward Creek, Glenbrook, and Tahoe City, where the Tahoe House was erected in 1864. When the Central Pacific Railroad reached Truckee, a wagon road was constructed to the Lake and the tourism boom began.

In 1899, Duane L. Bliss built the Lake Tahoe Railway and Transportation Company, a 15-mile narrow gauge railroad connecting the Central Pacific's Truckee depot with the Bliss family's Tahoe Tavern and lake side resort. This access also benefited south shore resorts and developers as steamers from the Tahoe Tavern crossed the Lake. As a result, tourism further grew and additional resorts were constructed. Several of the other South Shore area resorts, like Bijou Park, Lapham's, Row and Lake House, and Al Tahoe, boasted excellent swimming, clean beaches, horseback riding, hiking, and dancing to potential investors. Development continued at a moderate pace through the 1920s and slowed during the Great Depression.

World War II brought residential development to a near standstill as materials, men, and resources were redirected to the war effort.

After the war, the Region was readily accessible to a public clamoring to camp, build vacation cabins, and enjoy various recreation opportunities along the lakeshore. Two studies by the California Department of Public Health noted a 160 percent increase in summer visitors and a 90 percent increase in permanent residents between 1949 and 1959. Accompanying this increase in visitation, speculators, developers, and builders flocked to the Tahoe Basin at an unprecedented rate to meet the feverish demand for residential and associated commercial construction. A rapid growth in motel/hotel development also occurred during this time, reflecting trends elsewhere of these motels/hotels becoming part of the retreat and resort-like atmosphere. These architectural expressions of the automobile age steadily eroded the patronage of many of the earlier, pre-war lodges. Due to geographical constraints, there was a limited amount of space for a traditional stand-alone residential development. Faced with significant population growth as a result of Harvey's and Harrah's expansion and the growing number of service sector employees to staff them, area builders were compelled to construct more multi-unit apartment housing.

The Tahoe Basin has seen increasing use during the winter months, especially since the development for the 1960 Winter Olympic Games and the subsequent boom in ski resort construction. The history of skiing in the basin began mildly in the 1920s when the Tahoe National Forest (TNF) partnered with developers to build small snow-parks and small ski resorts. Later in the 1930s, TNF and the Sierra Club created trails for cross-country skiers. Following World War II, studies were completed to develop recreational amenities for snow sports. Soon more than 50 snow sports facilities, some on lands leased from the Forest Service, were open and serving skiers and other snow recreational activities at new resorts at Donner Summit, Squaw Valley, Alpine Meadows, Sugar Bowl, Mount Rose, and, later, Heavenly Valley. Ski resort development was later curtailed by concerns over water pollution from increased muddy runoff emptying into the lake from logging to clear ski runs, resort-driven urbanization, construction of multi-unit housing for resort workers, and year-round automobile traffic in the basin. Advancements in road clearing technology kept roads open longer and minimized severe weather delays, resulting in more traffic. Small, family-oriented, rustic cabins gave way to year-round subdivisions and timeshares, wholesale remodeling, and demolition, as present-day residents increased the size and changed the use of their properties.

Casinos

Gambling in the Tahoe Basin dates to the early Comstock period as miners wagered their earnings in games of chance. Officially outlawed in California and mildly restricted in Nevada, gambling was nevertheless common on both sides of the border. Hotels and saloons offered games of chance to tourists, miners, and residents with little regard for punishment. This would change in 1958 with the election of San Francisco District Attorney Edmund G. "Pat" Brown to the California Governorship. Governor Brown took a hard line against gambling and began aggressively enforcing anti-gambling statutes. The anti-gambling position was adopted by subsequent governors and only began to soften in 1984 with the passage of the California State Lottery Act, which intended to raise money for schools without raising taxes.

The rise of major casino developments such as Harvey's and Harrah's created a casino core which by 1990 employed one-third of the workers who lived in the City of South Lake Tahoe. Due to high land values and an aversion to high-density development, multi-unit apartments to house low-wage resort workers are limited in the City of South Lake Tahoe and Douglas County. As a result, many workers commute in from Carson City, Minden, and other outlying areas.

KNOWN CULTURAL RESOURCES

Federal, state, and regional regulatory agencies maintain inventories of historic and archaeological resources in the basin. As described above, the NRHP and the CRHR are comprehensive inventories of cultural resources. Additionally, the Lake Tahoe Basin Management Unit, TRPA, California SHPO, and the Nevada SHPO keep inventories of cultural resources. The Nevada SHPO administers the NVCRIS, which contains recorded archaeological and architectural resources and inventories for the state. The California

Historical Resources Information System includes the State Historic Resources Inventory as defined in California Public Resources Code § 5020.1(p), and a large number of resource records and research reports managed by the nine Information Centers located throughout the State.

Regionally, TRPA maintains a Historic Resources Map that identifies TRPA-designated historic sites and GIS layers of known historic resources determined eligible. Designated historic and cultural resources appearing on the Historic Resources Map were first recognized by TRPA and the USDA Forest Service for significance in 1971 and approved by the TRPA Governing Board for designation in 1984. Since that time, resources are evaluated and identified as part of a project or activity that could potentially cause an adverse impact to a cultural resource greater than 50 years of age. Resources determined eligible as historic or culturally significant are included in TRPA historic resource GIS layers. Currently, TRPA recognizes 112 sites of historical significance. These sites are categorized by two physical types: linear features and nonlinear features. Linear features account for 33 of the recognized sites and nonlinear features account for 79 of the sites.

- ▲ **Linear features include:** roads, grades, passes, railroads, trestles, flumes, trails, etc.
- ▲ **Nonlinear 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 sites, springs, bays, harbors, etc.

These sites are also categorized as either historical or archaeological sites. All of the linear features are categorized as historic features. The nonlinear features are comprised of 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:

- ▲ **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 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. Located on the South Shore of Lake Tahoe
- ▲ **Mouth of Truckee River:** The 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 (SR 89) and Tahoe's north shore (SR 28)

In addition to linear and nonlinear features documented by TRPA, there are many small sites around the Lake where a variety of artifacts have been discovered. As described above, under the prehistoric archaeological context and ethnographic context in Section 16.3, "Affected Environment," evidence of human settlements appears throughout the area. 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 smaller 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.

16.4 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

16.4.1 Methods and Assumptions

This analysis identifies the potential impacts of implementation of the Shoreline Plan and associated alternatives on archaeological and historical resources and unique ethnic cultural values within the plan area. The impact analysis considers the known archaeological and historical resource environmental setting in the plan area, as well as the potential for previously undocumented resources and physical effects (i.e., disturbance, dredging, demolition) to known and previously undocumented cultural resources that could result from implementation of the Shoreline Plan. The analysis is also informed by the provisions and requirements of TRPA regulations that apply to cultural resources.

As described in Chapter 3, “Approach to the Environmental Analysis,” this EIS evaluates the Shoreline Plan at a programmatic level. Because of the programmatic nature of the Shoreline Plan analysis, neither an archaeological nor built-environment survey were conducted for the entire Shoreline Plan area. Future projects implemented under the Plan would be subject to subsequent project-level environmental review and surveys.

16.4.2 Significance Criteria

Significance criteria related to cultural resources are summarized below. The cultural resources criteria from the TRPA Initial Environmental Checklist and other relevant information were considered in the development of the significance criteria. An impact on cultural resources would be considered significant if it:

- ▲ causes alteration of or adversely affect archaeological or historical sites, structures, objects or buildings determined eligible or recognized as designated historic or cultural resources;
- ▲ causes physical change that would affect unique ethnic cultural values; or
- ▲ restricts historic or prehistoric religious or sacred uses within the region.

16.4.3 Environmental Effects of the Project Alternatives

Impact 16-1: Cause the alteration of, or adversely affect a historical site, structure, object, or building

Implementation of the four Shoreline Plan alternatives would result in development on properties that could contain known or unknown historic resources, are 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 alternative would result in some new construction, each has the potential to disturb, disrupt, or destroy historic resources through implementation. Therefore, implementation of the Shoreline Plan under Alternatives 1, 2, 3, and 4 would result in a **potentially significant** impact.

Alternative 1: Proposed Shoreline Plan

Alternative 1 would implement the proposed Shoreline Plan as described in Chapter 2, “Description of the Proposed Project and Alternatives”. The Shoreline Plan would meter out new private and public development over time. At buildout, it would allow for a total of up to 6,316 total moorings (new and existing), 138 new piers (public and private), and two new public boat ramps.

Historical resources include standing buildings (e.g., houses, barns, outbuildings, cabins), intact structures (e.g., dams, bridges), and remnants of these features. Because this is a programmatic document and the

locations of development under the proposed Shoreline Plan are not known, site-specific surveys were not conducted for this analysis; however, the Lake Tahoe area contains various historic resources, including federal, state, and locally-recognized resources. The majority of known resources are located along the shore of the lake in areas that overlap with or are near the shorezone. The demolition, alteration, or disturbance of existing sites, buildings, and structures that are designated historic resources, eligible for listing as historic resources, or that have not yet been evaluated, could result in the change in its historical significance. Therefore, the impact to historical resources would be **potentially significant**.

Alternative 2: Maintain Existing TRPA Shorezone Regulations (No Project)

Alternative 2 would retain the existing Shorezone Subelement of the Regional Plan Goals and Policies and the existing TRPA Code provisions related to the shorezone. This alternative would not cap the number of new shorezone structures but would prohibit new structures within TRPA-designated prime fish habitat. Alternative 2 would allow for up to 476 new piers in addition to 6,936 new moorings, six additional boat ramps, and marinas as allowed under a master plan.

This alternative would result in the development of the same type of shorezone structures as Alternative 1 but would also include implementation of up to two marinas. Marinas would involve a higher intensity of development than other types of shorezone structures, but overall the potential impacts on cultural resources would be the same as described under Alternative 1. Therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 3: Limit New Development

Alternative 3 would authorize fewer structures than Alternatives 1 and 2 but would still allow up to 365 new public buoys or slips, five new public piers, and one new public boat ramp. This alternative would also authorize 86 new private, multiple-use piers.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 4: Expand Public Access and Reduce Existing Development

Alternative 4 would allow 15 new public piers and no other new shorezone structures. This alternative would include transfer ratios that would allow for some private shorezone structures to be removed and rebuilt in different locations if the project resulted in a 2:1 reduction in the number of structures.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Mitigation Measures

Mitigation 16-1: Avoid potential effects on historic resources

Consistent with TRPA Policy C-1.1, the following mitigation measure shall be required for Alternatives 1, 2, 3, and 4.

Once the exact location of the new piers, boat ramps, and any other land-based development has been determined and before commencement of earth-disturbing activities for construction, applicants shall identify and evaluate all historic-age (over 45-years in age) buildings and structures that are proposed to be removed and/or modified as part of a historic determination application with TRPA or applicable local jurisdiction. This may include preparation of an historic resource assessment and evaluation of resources to determine their eligibility for recognition under state, federal, or local criteria. If required, the assessment shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. If resources are eligible for inclusion in the NRHP, CRHR, or a local register are identified, an assessment of impacts on these resources shall be included in the report, as well as detailed mitigation measures to avoid impacts.

Significance after Mitigation

Implementation of Mitigation Measure 16-1 would reduce potentially significant impacts to historic resources because mitigation would avoid, move, record, or otherwise treat a discovered resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of historic resources, this impact would be reduced to a **less-than-significant** level.

Impact 16-2: Cause the alteration of, or adversely affect an archaeological resource

Implementation of the Shoreline Plan alternatives would result in development that could take place on properties that contain, be associated with, or result in adverse effects to known or unknown archaeological resources. Because each alternative would result in some new construction over the planning period, each has the potential to disturb, disrupt, or destroy archaeological resources through implementation of specific projects. Therefore, implementation of the Shoreline Plan under Alternatives 1, 2, 3, and 4 would be **potentially significant**.

Alternative 1: Proposed Shoreline Plan

Alternative 1 would implement the proposed Shoreline Plan as described in Chapter 2, "Description of the Proposed Project and Alternatives". The Shoreline Plan would meter out new private and public development over time. At buildout, it would allow for a total of up to 6,316 total buoys (new and existing), 138 new piers, and two new public boat ramps.

Because this is a programmatic document and the locations of new development is not known, site-specific surveys were not conducted; however, the Lake Tahoe area contains various archaeological resources, including federal, state, and locally-recognized resources. Most known resources are located along the lake shore or near creek beds. The demolition, alteration, or disturbance of existing sites, either known or as yet undiscovered, could result in changes to the cultural significance or destruction of archaeological resources.

Project construction could encounter previously undiscovered or unrecorded archaeological sites and materials during project-related preconstruction or construction-related ground-disturbing activities. These activities could damage or destroy these archaeological resources. This would result in a **potentially significant** impact.

Alternative 2: Maintain Existing TRPA Shorezone Regulations (No Project)

Alternative 2 would retain the existing Shorezone Subelement of the Regional Plan Goals and Policies and the existing TRPA Shorezone Code. This alternative would not cap the number of new shorezone structures but would prohibit new structures within TRPA-designated prime fish habitat. Alternative 2 would allow for up to 476 new piers in addition to 6,936 new moorings, six new boat ramps, and marinas as allowed under a master plan.

This alternative would result in the development of the same type of shorezone structures as Alternative 1 but would also include implementation of up to two marinas. Marinas would involve a higher intensity of development than other types of shorezone structures, but overall the potential impacts on historical resources would be the same as described under Alternative 1. Therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 3: Limit New Development

Alternative 3 would authorize fewer structures than Alternatives 1 and 2, but would still allow up to 365 new public buoys or slips, five new public piers, and one new public boat ramp. This alternative would authorize 86 new private, multiple-use piers.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 4: Expand Public Access and Reduce Existing Development

Alternative 4 would allow 15 new public piers and no other new shorezone structures. This alternative would include transfer ratios that would allow for some private shorezone structures to be removed and rebuilt in different locations if the project would create a 2:1 reduction in the number of structures.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Mitigation Measures

Mitigation 16-2: Avoid potential effects on archaeological resources

Consistent with TRPA Policy C-1.1, TRPA Code Sections 33.3.7, "Discovery of Historic Resources," 33.4.1., "Subsurface Investigations and Reports," and 61.1.6-J "Historic Resource Protection" the following mitigation measure would be required for Alternatives 1, 2, 3, and 4.

- ▲ Once the exact location of the new piers, boat ramps, dredging, or any other ground-disturbing development (excluding buoys) has been determined and before commencement of earth-disturbing activities for construction, applicants shall retain a qualified archaeologist to conduct archaeological surveys of the site as part of a historic determination application with TRPA or applicable local jurisdiction. To ensure that new or expanded facilities and uses do not adversely affect potentially buried archaeological deposits, an underwater archaeological survey shall also be conducted to identify, evaluate, and protect significant submerged cultural resources prior to activities that would disturb the lakebed.
- ▲ The applicant shall follow recommendations identified in the survey, which may include activities such as subsurface testing, designing, and implementing a Worker Environmental Awareness Program, construction monitoring by a qualified archaeologist, avoidance of sites, or preservation in place.
- ▲ All projects shall include the following requirements as a condition of approval: If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted and the appropriate jurisdiction and TRPA shall be notified immediately. A qualified archaeologist shall be retained to assess the significance of the find. If the find is a prehistoric archaeological site, the appropriate Native American group shall be notified. If the archaeologist determines that the find does not meet NRHP, NVSRHP, or CRHR standards of significance, as applicable, for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan shall be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the project applicant to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics, and other factors, follow accepted professional standards in recording any find including submittal of the recordation forms required by the applicable SHPO and location information to the appropriate information center.

Significance after Mitigation

Implementation of Mitigation Measure 16-2 would reduce potentially significant impacts to archaeological resources because mitigation would avoid, move, record, or otherwise treat a discovered resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a **less-than-significant** level.

Impact 16-3: Degrade ethnic and cultural values

Because the project could result in physical changes to historic and prehistoric sites, unique ethnic cultural values could be affected, and historic or prehistoric religious or sacred uses within the Plan area could be restricted. Consultation with the Washoe Tribe is required by TRPA regulations; however, project activities could still uncover or destroy historic or archaeological resources as identified in Impact 16-1 (historic) and Impact 16-2 (archaeological). For these reasons, this impact is considered **potentially significant**.

Alternative 1: Proposed Shoreline Plan

Alternative 1 would implement the proposed Shoreline Plan as described in Chapter 2, “Project Description.” The Shoreline Plan would meter out new private and public development over time. At buildout, it would allow for a total of up to 6,316 total buoys (new and existing), 138 new piers (private and public), and two new public boat ramps.

Alternative 1 could result in physical changes to sites, structures, and areas that have religious or sacred significance. These could be permanent changes that alter or remove features or temporary changes that involve restriction of access to sites during construction activities for projects. These changes could infringe on sacred sites or uses that are adjacent to or within the boundaries of projects. For example, the development of new piers or boat ramps could bifurcate existing sacred sites, reducing intactness.

Tribal outreach occurred during the scoping period and the Washoe Tribe was notified of the Shoreline Plan environmental review on July 10, 2017, and during the scoping period. No comments were received. Because this is a programmatic level document, additional outreach would occur upon site-specific projects. Assembly Bill (AB) 52, signed by Governor Edmund G. Brown, Jr., in September of 2014, establishes a new class of resources (ethnic and cultural values) under CEQA: “tribal cultural resources” (TCRs). TCRs include site features, places, cultural landscapes, and sacred places or objects, which are of cultural value to a tribe. AB 52 requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation once the lead agency determines that the application for the project is complete, prior to the issuance of a notice of preparation of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration. Subsequent discretionary projects located in the California side of the Shoreline Plan may be required to prepare site-specific project-level analysis to fulfill CEQA requirements, which may include additional AB 52 consultation that could lead to the identification of TCRs.

Because construction-related activities, both ground-disturbing and staging access, could encounter previously undiscovered or unrecorded resources or restrict access to known resources, this alternative could result in physical changes to sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people. Therefore, this impact would be **potentially significant**.

Alternative 2: Maintain Existing TRPA Shorezone Regulations (No Project)

Alternative 2 would retain the existing Shorezone Subelement of the Regional Plan Goals and Policies and the existing TRPA Shorezone Code. This alternative would not cap the number of new shorezone structures but would prohibit new structures within TRPA-designated prime fish habitat. Alternative 2 would allow for up to 476 new piers in addition to new moorings, boat ramps, and marinas.

This alternative would result in the development of the same type of shorezone structures as Alternative 1 but would also include implementation of up to two marinas. Marinas would involve a higher intensity of development than other types of shorezone structures, but overall the potential impacts on sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people would be the same as described under Alternative 1. Therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 3: Limit New Development

Alternative 3 would authorize fewer structures than Alternatives 1 and 2, but would still allow up to 365 new public buoys or slips, five new public piers, and one new public boat ramp. This alternative would authorize 86 new private, multiple-use piers.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Alternative 4: Expand Public Access and Reduce Existing Development

Alternative 4 would allow 15 new public piers and no other new shorezone structures. This alternative would include transfer ratios that would allow for some private shorezone structures to be removed and rebuilt in different locations if the project resulted in a 2:1 reduction in the number of structures.

This alternative would result in the development of the same type of shorezone structures as Alternative 1; therefore, for the same reasons discussed under Alternative 1, this impact would be **potentially significant**.

Mitigation Measures**Mitigation Measure 16-3: Avoid degradation of ethnic and cultural values**

The following mitigation measure would be required for Alternatives 1, 2, 3, and 4.

Implement Mitigation Measures 16-1 and 16-2.

Significance after Mitigation

Implementation of Mitigation Measures 16-1 and 16-2 would reduce potentially significant impacts to historic resources because mitigation would avoid, move, record, or otherwise treat a discovered resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people, this impact would be reduced to a **less-than-significant** level.