

3.8 CULTURAL RESOURCES

This section 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. They include pre-historic resources, historic-era resources, and “tribal cultural resources” (the latter as defined by AB 52, Statutes of 2014, in Public Resources Code [PRC] Section 21074).

Archaeological resources are locations where human activity has altered the earth or left deposits of prehistoric or historic-era physical remains (e.g., stone tools, bottles, former roads, house foundations). Historical (or architectural) resources include standing buildings (e.g., houses, barns, outbuildings, cabins) and intact structures (e.g., dams, bridges).

Tribal cultural resources were added as a resource subject to review under CEQA, effective January 1, 2015 under AB 52. This is a new category of resources under CEQA for which tribes are experts. While NEPA and Section 106 have historically required consultation with Federally-recognized tribes, this statute is the first time CEQA has required consultation with California Native American tribes, upon written request from the tribe. Because the NOP for the US 50/South Shore Community Revitalization Project was issued in 2011, before the effective date of the consultation provisions of AB 52, the procedural prescriptions of the statute do not apply to this project. Nonetheless, communication with the Washoe Tribe of California and Nevada has been undertaken as part of the environmental analysis (see below).

The term “cultural resources” as used in this document refers to all “built environment” resources (e.g., structures, bridges, railroads, water conveyance systems, etc.), culturally important resources, and archaeological resources (both prehistoric and historic), and culturally important places, regardless of significance.

No comment letters were received on the Notice of Preparation (NOP)/Notice of Intent (NOI) that pertain to cultural resources.

Technical reports prepared for the US 50/South Shore Community Revitalization Project that were used to prepare this section include the *Archaeological Survey Report for the California Portion of the US 50/South Shore Community Revitalization Project* (California Department of Transportation [Caltrans] 2015a), *Historical Resources Evaluation Report for the California Portion of the US 50/South Shore Community Revitalization Project* (Caltrans 2015b), *Archaeological Survey Report for the Nevada Portion of the US 50/South Shore Community Revitalization Project* (Nevada Department of Transportation [NDOT] 2015a), and *Architectural Inventory Report for the Nevada Portion of the US 50/South Shore Community Revitalization Project* (NDOT 2015b).

Unique ethnic values or existing religious or sacred uses can be affected by projects, generally through changes to sites, structures, and areas that have religious or sacred significance. These can be permanent changes that alter or remove important features, or temporary changes that involve restriction of access to sacred sites during construction. During consultation, Darrel Cruz of the Washoe Tribe of Nevada and California responded to requests for information or concerns regarding cultural resources in the study area. Mr. Cruz stated that the project site has been disturbed by urban improvements and that he does not know of any cultural resources in the project area, including unique ethnic values or religious or sacred uses. Because no areas that have religious or sacred significance or other cultural significance to the Washoe people have been identified during conversations with tribal representatives and the area has been highly disturbed by urbanization, there would be no impact and this topic is not discussed further in the EIR/EIS/EIS.

Paleontological resources are addressed in Section 4.1, “Effects Found Not to be Significant,” of this EIR/EIS/EIS and are not discussed further in this section.

3.8.1 Regulatory Setting

FEDERAL

Section 106 of the 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 (ACHP). 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 of the NHPA 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 (THPO) 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. FHWA has initiated informal consultation with SHPO for the project. The Final EIR/EIS/EIS will disclose the results of the consultation. The results of the SHPO consultation may warrant additional analysis, avoidance, and mitigation.

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. The NRHP is the nation's master inventory of known historic resources. 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).

National Register Criteria Considerations

Ordinarily, cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved

significance within the past 50 years shall not be considered eligible for the NRHP. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within any of the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- b. A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life;
- d. A cemetery which derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

Advisory Council on Historic Preservation

Under federal law, the Criteria of Adverse Effect are set forth by the ACHP in its implementing regulations, 36 CFR Part 800. As codified in 36 CFR Part 800.4(d)(2), if historic properties may be affected by a federal undertaking, the agency official shall assess adverse effects, if any, in accordance with the Criteria of Adverse Effect.

The Criteria of Adverse Effect (36 CFR 800.5 [a][1]) read:

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the [NRHP] in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the [NRHP]. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

36 CFR 800.5 (a)(2) reads:

Adverse effects on historic properties include, but are not limited to:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the [Secretary of the Interior's] Standards for the Treatment of Historic Properties (the Standards) (36 CFR part 68) and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

- (v) Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- (vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

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. TRPA accomplishes historic resource protection through implementation of its Goals and Policies and Code provisions as described below.

Environmental Threshold Carrying Capacities

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, Code of Ordinances, and other guidance documents. Please see Section 3.2, "Land Use," for an analysis of the project's consistency with Regional Plan policies.

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 includes a Cultural Subelement, with a goal to "[i]dentify and preserve sites of historical, cultural, and architectural significance within the Region" (Goal C-1). This goal is to be accomplished by identifying and protecting historical or culturally significant landmarks from damage or alteration (Policy C-1.1) and by establishing incentives for designating sites and structures as historically, culturally, or archaeologically significant (Policy C-1.2). The full text of these goals and policies, along with a discussion of the project's consistency with the goals and policies, is included in Appendix E, "Goals and Policies Consistency Analysis."

Code of Ordinances

The Code is a compilation of the rules, regulations, and standards to implement the Regional Plan Goals and Policies. TRPA recognizes sites, objects, structures, districts or other resources, eligible for designation as resources of historical, cultural, archaeological paleontological, or architectural significance locally, regionally, state-wide, or nationally. Those resources must meet at least one of the criteria summarized below. 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.

- ▲ **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 state 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.

Area Plans

There are no Area Plans that contain cultural resources policies that apply to the US 50/South Shore Community Revitalization Project.

Plan Area Statements

There are no Plan Area Statements that contain cultural resources policies that apply to the US 50/South Shore Community Revitalization Project.

STATE

California

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is a listing of California 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 historical 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:

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 the 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.

California Environmental Quality Act

CEQA requires public agencies to consider the effects of their actions on “historical resources,” “unique archaeological resources,” and “tribal cultural resources.” Pursuant to 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. Sections 21083.3.1 and 21083.3.2 require evaluation of potential significant effects on “tribal cultural resources.”

Historical Resources

“Historical resource” is a term with a defined statutory meaning (PRC Section 21084.1; determining significant impacts on 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 (PRC Section 5024.1).
2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g), 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 CRHR (PRC 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 PRC Section 5020.1(k)), or identified in a historical resources survey (meeting the criteria in PRC Section 5024.1(g)) 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. PRC 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; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Tribal Cultural Resources

Assembly Bill (AB) 52, signed by the California Governor in September of 2014, establishes a new class of resources under CEQA: “tribal cultural resources.” It 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 NOP of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration.

AB 52 also requires consideration of the potential significant effects on tribal cultural resources as of January 1, 2015. To assist in this consideration, the law also required revision to CEQA Appendix G, the environmental checklist. This revision would create a new category in the checklist for “tribal cultural resources.”

The procedural element of AB 52 for consultation with California Native American tribes applies to those projects for which a lead agency has issued a NOP of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration on or after July 1, 2015. Because the NOP for the project was issued on November 2, 2011, the procedural consultation requirements of AB 52 do not apply. Nonetheless, tribal cultural resources are addressed as a category of cultural resources in this environmental document.

Tribal cultural resources are defined in PRC Section 21074. They consist of sites, features, places, cultural landscapes, sacred places, and objects with cultural values to a California Native American tribe that are either included in the California Register of Historic Places, eligible for the register, or included on a local register. PRC Section 21083.3 requires lead agencies to determine if a significant impact on tribal cultural resources may occur, and if so, that feasible mitigation measures and alternatives must be discussed.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both State and private lands. The Act requires that upon discovery of human remains, construction or excavation activity cease and the county coroner be notified. If the remains are of a Native American, the coroner must notify the Native American Heritage Commission (NAHC). The NAHC then notifies those persons most likely to be descended from the Native American’s remains. The Act stipulates the procedures the descendants may follow for treating or disposing of the remains and associated grave goods.

California Health and Safety Code

If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC), which will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact the Caltrans District 3 District Native American Coordinator so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Nevada

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 (NVCRIIS) 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

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 (Goal NCR-4). Policies to implement this goal include preservation of sites of historical, cultural, and architectural significance (Policy NCR-4.1); designating historic landmarks (Policy NCR-4.2); requiring archeological investigations for all applicable discretionary projects (Policy NCR-4.3); and specifying appropriate actions if human remains are discovered (Policy NCR-4.5). The full text of these goals and policies, along with a discussion of the project's consistency with the goals and policies, is included in Appendix E, "Goals and Policies Consistency Analysis."

Douglas County

The Historic Preservation Element (Chapter 10) of the 2011 Douglas County Master Plan (adopted March 1, 2012) 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 (Goal 1). Policies include preservation of the county's cultural heritage (Policy 1.1) and encouraging the development of historical preservation efforts (Policy 1.2). The full text of these goals and policies, along with a discussion of the project's consistency with the goals and policies, is included in Appendix E, "Goals and Policies Consistency Analysis."

3.8.2 Affected Environment

AREA OF POTENTIAL EFFECT

Consistent with general cultural resource practices, the archaeological area of potential effect (APE) follows the project footprint and all potential staging areas. It includes the total right-of-way (existing and required) throughout the project site. The APE for the built environment encompasses areas that might be either directly or indirectly affected by construction—that is, those areas within which the build alternatives could cause a change in character or use of historic properties (Exhibit 3.8-1). Exhibit 3.8-1 also shows the significant built-environment resources in the APE; these are discussed below under, "Significant Resources on the Project Site."



Exhibit 3.8-1

Area of Potential Effect

ENVIRONMENT

The project site is near the southeastern shore of Lake Tahoe at approximately 6,300 feet above sea level in the Sierra Nevada. Several perennial watercourses and a spring are in the vicinity of the project site. The project site is situated in the Yellow Pine belt, which consists of pines, firs, and cedars. Geologically, the project site 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 shore line, 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:

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 Lake Tahoe Region. 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 Lake 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 moister 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 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 improvement 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 US 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 project 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, the 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.

RECORDS SEARCH

NCIC Records Search

Two confidential records searches for the California portion of the APE were conducted at the North Central Information Center (NCIC) on May 20, 2009, and September 21, 2011 (NCIC File #ELD-08-38 and #ELD-11-64). The searches included a review of the following documents and sources:

- ▲ *Directory of Properties in the Historic Property Data File* (California Office of Historic Preservation February 5, 2009, and August 15, 2011). The directory includes the listings of the NRHP, National Historic Landmarks, and the CRHR;
- ▲ *California Historical Landmarks* (California Office of Historic Preservation 1996);
- ▲ *California Points of Historical Interest* (California Office of Historic Preservation 1992);
- ▲ *Five Views: An Ethnic Historic Site Survey for California* (California Office of Historic Preservation 1988); and
- ▲ *California Inventory of Historic Resources* (California Department of Parks and Recreation 1976).

Archaeological Records

The records search did not identify any prehistoric archaeological cultural resources in the California APE, but identified the following historic-period archaeological sites:

- ▲ P-09-3866 is the reported site of Lakeside House (or Lapham House), a historic-period hotel that was constructed circa 1859, destroyed by fire in 1876, and rebuilt in 1892.

Built Environment Records

The records search identified the following built-environment cultural resources in and adjacent to the California Architectural APE:

- ▲ Cecil's Market, a building formerly located on the corner of US 50 and Park Avenue.
- ▲ Swiss Village Motel, a building formerly located at the intersection of US 50 and Pioneer Trail.
- ▲ P-09-3257-H, Equestrian Complex in Van Sickle Bi-State Park, approximately 100 feet outside the APE.
- ▲ P-09-3258-H, an unpaved road and sawed-off utility poles in Van Sickle Bi-State Park. The portion of the road within the APE is now a modern, asphalt-paved road with recent landscaping and modern signs.
- ▲ P-09-809, a segment of the Pioneer Trail which does not appear eligible to the NRHP or CRHR due to alterations to its physical characteristics that have compromised its integrity.
- ▲ The portion of US 50 within the APE is coterminous with the Lincoln Highway. US 50 is a modern highway and no longer retains any elements of the historic Lincoln Highway.
- ▲ P-09-5091, NRHP-listed "Tahoe Meadows" planned community, adjacent to the APE.

Nevada Cultural Resources Information System

The background research for the Nevada portion of the APE included a records search of the online Nevada Cultural Resources Information System on December 28, 2011. The records search included the APE and a 500-foot buffer. On August 31, 2015, a supplementary records search was conducted, which included the APE and a 1-mile radius.

Archaeological Records

The following archaeological cultural resources have been recorded in or adjacent to the Nevada portion of the Archaeological APE:

- ▲ 26 Do 36 is a small lithic scatter.
- ▲ 26 Do 4 was a bedrock mortar site but was resurveyed in 1993 and found to be destroyed.
- ▲ USFS #5-19-434 and -435 are two bedrock mortar sites.

Built Environment Records

The following built-environment cultural resources are recorded within the Nevada Architectural APE:

- ▲ Friday's Station is a two-and-one-half story building constructed in 1860 as an inn and Pony Express Station. Friday's Station was listed on the NRHP in 1986.
- ▲ 26 Do 726/KBG-3 is a short segment of unimproved roadway that connected 26Do 451/KBG-4 with SR 207.
- ▲ 26 Do 743 is an unimproved road situated in Van Sickle Bi-State Park.
- ▲ 26 Do 451/KBG-4 is a short segment of the former Lake Tahoe Wagon Road and Lincoln Highway.
- ▲ Pony Express Rider statue and commemorative plaque outside Harrah's Lake Tahoe Casino Hotel appears eligible for the NRHP.

Native American Consultation

The NAHC was contacted to request a search of its sacred lands file, along with contact information for Native American representatives who might have details about cultural resources in the project area. In its response, dated March 12, 2012, the NAHC stated that its search of the sacred lands file had failed to identify any Native American cultural resources in the immediate project area. The NAHC also provided a list of Native American representatives, recommending that these individuals be contacted for information regarding cultural resources.

On March 29, 2012, letters describing the project with a map depicting the APE were sent to each of the Native American individuals and organizations on the contact list provided by the NAHC, requesting any information or concerns they might have regarding cultural resources in the APE. Follow-up telephone calls were placed on April 13, 2012, after no response to the letters had been received. Only one individual, Mr. Darrel Cruz, Tribal Historic Preservation Officer (THPO) of the Washoe Tribe of Nevada and California, was able to be contacted. During an April 16, 2012, telephone conversation, Mr. Cruz stated that the project area has been disturbed by urban improvements, that he does not know of any cultural resources in the project area, and that the areas along creeks to the north of the project area are archaeologically sensitive. Mr. Cruz requested that the tribe be “kept involved” as the project progresses and stated that the tribe is available to monitor if archaeological testing or construction excavation takes place.

Additional Research and Consultation

On February 22, 2012, letters describing the project with a map depicting the APE were sent to the North Lake Tahoe Historical Society in Tahoe City, the Lake Tahoe Historical Society in South Lake Tahoe, the Heritage Association of El Dorado County in Placerville, California, and the Douglas County Historical Society in Gardnerville, Nevada. The letters requested information or concerns regarding historical sites within the APE. No relevant information was obtained from these groups.

The following inventories, publications, and maps were also reviewed to provide background information and to identify cultural resources in the APE:

- ▲ *Handbook of North American Indians: Washoe,*
- ▲ *Handbook of the Indians of California,*
- ▲ *Historic Spots in California,*
- ▲ *California Place Names,*
- ▲ *Tahoe Place Names,*
- ▲ *Nevada Historical Markers,*
- ▲ *Nevada Historical Marker Guidebook,*
- ▲ *A Geographical Dictionary: Nevada Place Names,*
- ▲ *Historic Civil Engineering Landmarks of San Francisco and Northern California,*
- ▲ General Land Office plats, and
- ▲ *Washoe Habitation Sites in the Lake Tahoe Area.*

A map in *Washoe Habitation Sites in the Lake Tahoe Area* depicts a Washoe site (identified as Site #34) in or near the APE. Site #34 is described as a bedrock mortar.

ARCHAEOLOGICAL SURVEYS

Archaeologists conducted pedestrian surveys on August 31, 2011; November 22 and 23, 2013; and March 23, 2014. The undeveloped land east of US 50 and Lake Parkway was inspected using transects spaced 20 meters wide or less. Due to a lack of access, the Edgewood Tahoe Golf Course portion of the APE was surveyed from the fence along US 50 and the western segment of Lake Parkway. Ground visibility throughout the APE was limited to less than 10 percent due to grasses, landscaping, pavement, and, during the November survey, snow. Areas of bare soil were reviewed for indicators of archaeological deposits. Small areas of soil surface were periodically cleared of obstruction by trowel, and rodent holes, road cuts, and banks were examined for archaeological deposits.

No evidence of resources P-09-3866 (the site of the Lakeside/Lapham House) or 26 Do 36 (a small lithic scatter) was identified during field surveys. The pedestrian survey did not identify any previously unrecorded archaeological resources within the APE.

BUILT ENVIRONMENT SURVEYS

Architectural historians surveyed and recorded built-environment cultural resources in the APE on August 19 and 20, 2010; May 28 and 29, 2014; and July 8 and 9, 2015. As a result of the built-environment surveys in California, 87 resources were evaluated for eligibility for the NRHP and the CRHR and for TRPA compliance. As a result of the built environment survey in Nevada, nine resources were evaluated for NRHP eligibility and for TRPA compliance.

An additional resource identified in the APE is California Historical Landmark #728. The 3-foot tall, chrome-plated cylindrical monument is located on the south side of US 50 near the entrance to Harrah's Casino. It bears the message "Friday's Station – Overland Pony Express Route in California" and is situated where the former Pony Express route crossed the state line. Monuments and markers themselves are not eligible for NRHP listing, and the field review strongly suggests that the marker is less than 45 years. Therefore, the marker was not evaluated for NRHP eligibility and is not considered a resource for the purposes of CEQA, NEPA, or TRPA.

SIGNIFICANT RESOURCES ON THE PROJECT SITE

Friday's Station

Friday's Station is a two-and-one-half story building located in the Nevada portion of the Architectural APE. It was constructed in 1860 as an inn and Pony Express Station. Because Friday's Station is listed in the NRHP, it is historically significant for the purposes of NEPA and the TRPA Code for this project.

26 Do 451/KBG-4; Lincoln Highway/Lake Tahoe Wagon Road

This archaeological resource is located in the Nevada portion of the Architectural APE and consists of a short segment of the former Lake Tahoe Wagon Road and Lincoln Highway built in 1863, and later became a segment of the Carson Branch of the Lincoln Highway, the first transcontinental automobile route in the United States. In a 2006 report, the segment appears eligible for inclusion in the National Register under Criterion A for its strong association with the themes of communication and transportation, and Criterion C for its qualities of construction. Therefore, it is historically significant for the purposes of NEPA and the TRPA Code of Ordinances for this project.

Pony Express Rider Statue

In the Nevada portion of the Architectural APE, a bronze statue of a Pony Express Rider and commemorative plaque are located outside Harrah's Lake Tahoe Casino Hotel, dedicated April 4, 1963. The Pony Express Rider statue was evaluated for this study and appears eligible for the NRHP under Criterion C for its aesthetic design qualities and association with sculptor Avard Fairbanks. It also meets the requirements of Criteria Consideration F: Commemorative Properties. Therefore, this resource is historically significant for the purposes of NEPA and the TRPA Code of Ordinances for this project.

3.8.3 Environmental Consequences

METHODS AND ASSUMPTIONS

The impact analysis for cultural resources is based on the findings and recommendations provided in the project reports prepared by Caltrans and NDOT, as identified above. This section includes a joint NEPA/CEQA/TRPA analysis of impacts to cultural resources and evaluates impacts of the project alternatives

using NEPA, CEQA, and TRPA criteria. The analysis included records searches, archival research, and pedestrian surveys, as described above.

Friday's Station, the Pony Express Rider statue, and site 26 Do 451 are Section 4(f) resources but no use of these resources would occur, which is documented in Appendix D, "Resources Evaluated Relative to the Requirements of Section 4(f) and Proposed *De Minimis* Determination."

SIGNIFICANCE CRITERIA

NEPA Criteria

An environmental document prepared to comply with NEPA must consider the context and intensity of the environmental effects that would be caused by or result from the locally preferred action. Under NEPA, the significance of an effect is used solely to determine whether an EIS must be prepared. The factors that are taken into account under NEPA to determine the significance of an action in terms of the context and the intensity of its effects are encompassed by the CEQA criteria used for this analysis. No specific factors related to cultural resources are contained in NEPA, CEQ Regulations Implementing NEPA, or FHWA NEPA regulations in 23 CFR 771 et seq.

TRPA Criteria

The "Archaeological/Historical" criteria from the TRPA Initial Environmental Checklist were used to evaluate the impacts of the alternatives for TRPA compliance. Impacts from the project would be significant if:

- ▲ the proposal results in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object, or building;
- ▲ the project is located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records;
- ▲ the property is associated with any historically significant events and/or sites or persons; or
- ▲ the proposal has the potential to cause a physical change which would affect unique ethnic cultural values.

CEQA Criteria

To determine whether environmental impacts to cultural resources are significant environmental effects, Appendix G of the State CEQA Guidelines asks whether a project would do any of the following:

- ▲ cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines;
- ▲ cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines;
- ▲ disturb any human remains, including those interred outside of formal cemeteries; or
- ▲ result in a substantial adverse change to tribal cultural resources.

ENVIRONMENTAL EFFECTS OF THE PROJECT ALTERNATIVES

Impact 3.8-1: Change in the significance of historical resources

The build alternatives would not affect the NRHP-listed Friday's Station, NRHP-eligible Pony Express Rider statue, or NRHP-eligible site 26 Do 451/KBG-4. The build alternatives would not physically alter the resources, change the properties' uses or physical features, or otherwise diminish those aspects of integrity that enable the resources to convey their historical significance.

NEPA Environmental Consequences: No Adverse Effect for Alternatives B, C, D, and E; No Effect for Alternative A

CEQA/TRPA Impact Determinations: Less than Significant for Alternatives B, C, D, and E; No Impact for Alternative A

Alternative A: No Build (No Project)

Under the No Build Alternative, because no improvements would be made to US 50 there would be **no impact** on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, Alternative A would have **no effect** on historical resources.

Alternative B: Triangle (Locally Preferred Action)

Transportation Improvements

Alternative B transportation improvements would involve realignment of US 50 to the south of existing US 50 from just west of the Pioneer Trail intersection in California to Lake Parkway in Nevada. The new alignment would begin at a new Pioneer Trail intersection located to the west of the existing intersection, and proceed south along existing Moss Road. The new US 50 alignment would have four 11-foot-wide travel lanes and turn pockets at major intersections and driveways. Additionally, Stateline Avenue would be widened to one lane each direction with a two-way left-turn lane and sidewalks between existing US and Pine Boulevard. A pedestrian bridge would be constructed over the new US 50 alignment near the California/Nevada State Line connecting the Van Sickle Bi-State Park to the Stateline area. These elements would involve excavation, construction, grading, and paving.

The cultural resources reports prepared for the US 50/South Shore Community Revitalization Project identified three resources (Friday's Station, Pony Express Rider statue, and site 26 Do 451) as being eligible for or already listed in the NRHP. The project would not cause the physical destruction, alteration, or removal of these resources and would not change the character of the properties or cause their neglect, transfer, lease, or sale. With regard to criterion v of ACHP's Criteria of Adverse Effect 36 CFR 800.5 (a)(2), the US 50/South Shore Community Revitalization Project would introduce new visual elements (the construction of a new pedestrian bridge and transportation improvements); however, these project elements would not substantially degrade the existing visual, atmospheric, or auditory setting and would not diminish those aspects of integrity that enable the resources to convey their significance. In addition, Friday's Station is visually separated from the project by a dense stand of trees and site 26 Do 451 (Lincoln Highway/Lake Tahoe Wagon Road) is visually separated from project improvements by a chain-link fence, boulders, vegetation, and trees. Alternative B transportation improvements would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative B transportation improvements would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative B would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. As discussed for Alternative B transportation improvements, the mixed-use development, including replacement housing, for Alternative B would not cause the physical destruction, alteration, or removal of the identified resources and would not change the character of the properties or cause their neglect, transfer, lease, or sale. Alternative B mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative B mixed-use development, including replacement housing, would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential effects on historical resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on historical resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative B transportation improvements and mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources.

For the purposes of NEPA, taken as a whole, the design features of the transportation improvements and mixed-use development, including replacement housing, as part of Alternative B would minimize the environmental consequences related to historical resources such that Alternative B would have **no adverse effect** on historical resources and no additional mitigation measures are needed or feasible to implement.

Alternative C: Triangle One-Way**Transportation Improvements**

Alternative C transportation improvements includes the project components described above under Alternative B, except that it would split eastbound and westbound directions on US 50 from the Pioneer Trail/US 50 intersection in California to the Lake Parkway/US 50 intersection in Nevada. Eastbound US 50 would remain in place as under Alternative A, while westbound US 50 would be realigned as described for Alternative B. The same resources described for Alternative B are present in the APE for Alternative C, and the effects of project activities would be the same as described above. Alternative C transportation improvements would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative C transportation improvements would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative C would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same resources described for Alternative B are present in the APE for Alternative C, and the effects of project activities would be the same as described above. Alternative C mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative C mixed-use development, including replacement housing, would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential effects on historical resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on historical resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative C transportation improvements and mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources.

For the purposes of NEPA, taken as a whole, the design features of the transportation improvements and mixed-use development, including replacement housing, as part of Alternative C would minimize the environmental consequences related to historical resources such that Alternative C would have **no adverse effect** on historical resources and no additional mitigation measures are needed or feasible to implement.

Alternative D: Project Study Report Alternative 2

Transportation Improvements

Alternative D transportation improvements includes the project components described above under Alternative B; however, the new US 50 alignment would proceed east on a new roadway between existing Echo Road and Fern Road, instead of the existing Moss Road. The same resources described for Alternative B are present in the APE for Alternative D, and the effects of project activities would be the same as described above. Alternative D transportation improvements would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative D transportation improvements would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative D would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct

replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same resources described for Alternative B are present in the APE for Alternative D, and the effects of project activities would be the same as described above. Alternative D mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative D mixed-use development, including replacement housing, would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential effects on historical resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on historical resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative D transportation improvements and mixed-use development, including replacement housing, would result in a **less-than-significant** impact on historical resources.

For the purposes of NEPA, taken as a whole, the design features of the transportation improvements and mixed-use development, including replacement housing, as part of Alternative D would minimize the environmental consequences related to historical resources such that Alternative D would have **no adverse effect** on historical resources and no additional mitigation measures are needed or feasible to implement.

Alternative E: Skywalk

Alternative E would involve construction of a concrete bridge over the entire width and length of the existing US 50 ROW between Stateline Avenue and the northern end of the Montbleu Resort that would serve pedestrians as a “skywalk” walkway along the tourist core near the resort-casinos. The skywalk would be accessible by escalators on both ends of the structure and elevators positioned at access points along the structure. Additionally, Stateline Avenue would be widened to include one lane each direction with a two-way left-turn lane and sidewalks between existing US 50 and Pine Boulevard. The same resources described for Alternative B are present in the APE for Alternative E, and the effects of project activities would be the same as described for Alternative B. Alternative E would result in a **less-than-significant** impact on historical resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, the design features of Alternative E would avoid or minimize the environmental consequences related to historical resources such that there would be **no adverse effect** on historical resources.

Impact 3.8-2: Disturb unique archaeological resources

Construction and excavation activities associated with the build alternatives could result in sediment disturbance and removal, which can adversely affect archaeological resources. There are no known archaeological resources that would be damaged or destroyed by the build alternatives (Alternatives B, C, D, and E).

Because Alternatives B, C, D, and E would include excavation and other ground-disturbing activities, these alternatives could result in adverse physical effects on unknown archaeological resources.

NEPA Environmental Consequences: Mitigation Measures 3.8-2a, 3.8-2b, and 3.8-2c have been incorporated into Alternatives B, C, D, and E to further reduce to the extent feasible the environmental consequences related to unknown archaeological resources such that there would be No Adverse Effect on unknown archaeological resources; The design features of Alternatives B, C, D, and E would avoid or minimize the environmental consequences related to known archaeological resources such that there would be No Effect on known archaeological resources; No Effect for Alternative A

CEQA/TRPA Impact Determinations: Less than Significant for Alternatives B, C, D, and E after implementation of Mitigation Measures 3.8-2a, 3.8-2b, and 3.8-2c; No Impact for Alternative A

Alternative A: No Build (No Project)

Under the No Build Alternative, no improvements would be made to US 50; therefore, there would be **no impact** on unique archaeological resources for the purposes of CEQA and TRPA.

For the purposes of NEPA, Alternative A would have **no effect** on archaeological resources.

Alternative B: Triangle (Locally Preferred Action)

Transportation Improvements

Alternative B transportation improvements would involve realignment of US 50 to the south of existing US 50 from just west of the Pioneer Trail intersection in California to Lake Parkway in Nevada. The new US 50 alignment would involve excavation, construction, grading, and paving.

The records search prepared for the US 50/South Shore Community Revitalization Project identified four archaeological resources located within the APE, one of which had been recorded as destroyed in 1993. An additional site was identified on a Washoe habitation site map. None of these sites had previously been determined eligible for listing in the NRHP or the CRHR. The pedestrian survey was unable to relocate the sites and did not identify any previously unrecorded archaeological resources within the APE. Ground-disturbing activities that would occur as part of Alternative B transportation improvements would not damage or destroy any known, unique archaeological resources and, thus, would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for purposes of CEQA and TRPA.

The cultural resources reports prepared for the US 50/South Shore Community Revitalization Project determined that the sensitivity of the APE for buried prehistoric archaeological deposits is low, given the extensive ground disturbance associated with urbanization that has taken place. Project construction activities 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. Because all of the elements in Alternative B transportation improvements would involve some level of ground-disturbing activities, unknown, unique

archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative B to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative B would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. There are no known, unique archaeological resources that would be disturbed by ground-disturbing activities as part of Alternative B mixed-use development, including replacement housing. This alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for purposes of CEQA and TRPA.

As discussed for Alternative B transportation improvements, the mixed-use development, including replacement housing, construction could encounter previously undiscovered or unrecorded archaeological sites and materials during project-related pre-construction or construction-related ground-disturbing activities. These activities could damage or destroy these archaeological resources. Because all of the elements in Alternative B mixed-use development, including replacement housing, would involve some level of ground-disturbing activities, unknown, unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative B mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects on known and unknown archaeological resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on known and unknown archaeological resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative B transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact on unknown archaeological resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into Alternative B transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Alternative C: Triangle One-Way

Transportation Improvements

Alternative C transportation improvements includes the project components described above under Alternative B, except that it would split eastbound and westbound directions on US 50 from the Pioneer Trail/US 50 intersection in California to the Lake Parkway/US 50 intersection in Nevada. Eastbound US 50 would remain in place as under Alternative A, while westbound US 50 would be realigned as described for Alternative B. Construction activities would occur at the same locations as under Alternative B; therefore, the same types and magnitude of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for purposes of CEQA and TRPA.

Because all of the elements in Alternative C transportation improvements would involve some level of ground-disturbing activities, unknown, unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative C transportation improvements to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative C would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, "Proposed Project and Project Alternatives"). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. For the same reasons described above for Alternative B, this alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for purposes of CEQA and TRPA.

Because all of the elements in Alternative C mixed-use development, including replacement housing, would involve some level of ground-disturbing activities, unknown, unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative C mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects on known and unknown archaeological resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on known and unknown archaeological resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative C transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact on unknown archaeological resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into Alternative C transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Alternative D: Project Study Report Alternative 2

Transportation Improvements

Alternative D transportation improvements includes the project components described above for Alternative B; however, the new US 50 alignment would proceed east on a new roadway between existing Echo Road and Fern Road, instead of the existing Moss Road. Construction activities would occur at the same locations as under Alternative B but on different local roads in the neighborhood west of the Heavenly Village shopping center; therefore, the same types and magnitude of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for the purposes of CEQA and TRPA.

Because all of the elements in Alternative D transportation improvements would involve some level of ground-disturbing activities, unknown, unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative D transportation improvements to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative D would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, "Proposed Project and Project Alternatives"). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. For the same reasons described above for Alternative B, this alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for the purposes of CEQA and TRPA.

Because all of the elements in Alternative D with mixed-use development would involve some level of ground-disturbing activities, unknown, unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative D mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects on known and unknown archaeological resources as described for the

mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential effects on known and unknown archaeological resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative D transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact on unknown archaeological resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into Alternative D transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Alternative E: Skywalk

Alternative E would involve construction of a concrete bridge over the entire width and length of existing US 50 between Stateline Avenue and the northern end of the Montbleu Resort that would serve pedestrians as a “skywalk” walkway along the tourist core. Construction activities would be limited to these areas in the same locations as under Alternative B; therefore, the same types of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no effect** on known unique archaeological resources, for the purposes of NEPA, and **no impact** on known unique archaeological resources for purposes of CEQA and TRPA.

With implementation of Alternative E, unknown unique archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the Alternative E transportation improvements to further reduce to the extent feasible the environmental consequences to unknown archaeological resources such that there would be **no adverse effect**.

Impact 3.8-3: Accidental discovery of human remains

Construction and excavation activities associated with development activities may result in sediment disturbance and removal, which can unearth human remains if they are present. Because the project would allow excavation and other ground-disturbing activities, adverse physical effects on undiscovered or unrecorded human remains could occur.

NEPA Environmental Consequences: Mitigation Measure 3.8-3 has been incorporated into Alternatives B, C, D, and E to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains; No Impact for Alternative A

CEQA/TRPA Impact Determinations: Less than Significant for Alternatives B, C, D, and E after implementation of Mitigation Measure 3.8-3; No Impact for Alternative A

Alternative A: No Build (No Project)

Because no improvements would occur under the No Build Alternative, there would be no construction-related ground disturbance and, therefore, **no impact** on undiscovered or unrecorded human remains for the purposes of NEPA, CEQA, and TRPA.

Alternative B: Triangle (Locally Preferred Action)

Transportation Improvements

Alternative B transportation improvements would result in realignment of US 50 to the south of existing US 50 from just west of the Pioneer Trail intersection in California to Lake Parkway in Nevada. The new US 50 alignment would involve large amounts of excavation, construction, grading, and paving.

Based on documentary research, no evidence suggests that any prehistoric or historic-era marked or unmarked human interments are present within or in the immediate vicinity of the APE. However, there is a possibility that unmarked, previously unknown Native American or other graves could be present within the APE and could be uncovered by project-related construction activities. The location of grave sites and Native American remains can occur outside of identified cemeteries or burial sites. As with archaeological resources, disturbance of human remains is more likely to occur in previously undisturbed and undeveloped areas where excavation and ground-disturbing activities have not already resulted in discovery. However, human remains may be discovered in developed and disturbed areas, as well, and may also be of recent origin. Because all of the elements in Alternative B transportation improvements would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative B to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative B would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, including replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. As discussed under Alternative B transportation improvements, construction activities for Alternative B mixed-use development, including replacement housing, could encounter previously undiscovered or unrecorded human remains during project-related pre-construction or construction-related ground-disturbing activities. These activities could damage or destroy these remains. Because all of the elements in Alternative B mixed-use development, including replacement housing, would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative B to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of undiscovered or unrecorded human remains as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on undiscovered or unrecorded human remains would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative B transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of undiscovered or unrecorded human remains.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative B transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Alternative C: Triangle One-Way

Transportation Improvements

Alternative C transportation improvements includes the project components described for Alternative B, except that it would split eastbound and westbound directions on US 50 from the Pioneer Trail/US 50 intersection in California to the Lake Parkway/US 50 intersection in Nevada. Eastbound US 50 would remain in place as under Alternative A, while westbound US 50 would be realigned onto a new alignment. Construction activities would occur at the same locations as under Alternative B; therefore, the same types and magnitude of physical activities and ground disturbance would occur. Because all of the elements in Alternative C transportation improvements would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative C to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative C would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. Because all of the elements in Alternative C mixed-use development, including replacement housing, would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative C to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of undiscovered or unrecorded human remains as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on undiscovered or unrecorded human remains would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative C transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of undiscovered or unrecorded human remains.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative C transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Alternative D: Project Study Report Alternative 2

Transportation Improvements

Alternative D transportation improvements includes the project components described above under Alternative B; however, the new US 50 alignment would proceed east on a new roadway between existing Echo Road and Fern Road, instead of the existing Moss Road. Construction activities would occur at similar locations as under Alternative B; therefore, the same types and magnitude of physical activities and ground disturbance would occur. Because all of the elements in Alternative D transportation improvements would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative D to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative D would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, "Proposed Project and Project Alternatives"). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. Because all of the elements in Alternative D mixed-use development, including replacement housing, would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative D to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of undiscovered or unrecorded human remains as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on undiscovered or unrecorded human remains would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative D transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of undiscovered or unrecorded human remains.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative D transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Alternative E: Skywalk

Alternative E would involve construction of a concrete bridge over the entire width and length of the existing US 50 ROW between Stateline Avenue and the northern end of the Montbleu Resort that would serve pedestrians as a “skywalk” walkway along the tourist core near the resort-casinos. Construction activities would be limited to these areas and in the same locations as under Alternative B; therefore, the same types of physical activities and ground disturbance would occur. Because all of the elements in Alternative E would involve some level of ground disturbing activities, human remains could be damaged or destroyed. This impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative E to further reduce to the extent feasible the environmental consequences related to disturbance of undiscovered or unrecorded human remains.

Impact 3.8-4: Disturb tribal cultural resources

Construction and excavation activities associated with the build alternatives could result in sediment disturbance and removal, which can adversely affect archaeological resources, including tribal cultural resources. There are no known tribal cultural resources that would be damaged or destroyed by Alternatives B, C, D, and E.

Because Alternatives B, C, D, and E would include excavation and other ground-disturbing activities, these alternatives could result in adverse physical effects on unknown tribal cultural resources.

NEPA Environmental Consequences: Mitigation Measures 3.8-4a and 3.8-4b have been incorporated into Alternatives B, C, D, and E to further reduce to the extent feasible environmental consequences related to unknown tribal cultural resources; The design features of Alternatives B, C, D, and E would avoid or minimize environmental consequences related to known tribal cultural resources; No Impact for Alternative A

CEQA/TRPA Impact Determinations: Less than Significant for Alternatives B, C, D, and E after implementation of Mitigation Measures 3.8-4a and 3.8-4b; No Impact for Alternative A

Alternative A: No Build (No Project)

Under the No Build Alternative, no improvements would be made to US 50; therefore, there would be **no impact** on tribal cultural resources for the purposes of NEPA, CEQA, and TRPA.

Alternative B: Triangle (Locally Preferred Action)

Transportation Improvements

Alternative B transportation improvements would involve realignment of US 50 to the south of existing US 50 from just west of the Pioneer Trail intersection in California to Lake Parkway in Nevada. The new US 50 alignment would involve excavation, construction, grading, and paving.

Tribal cultural resources can include objects with cultural values to a California Native American tribe that are either included in the California Register of Historic Places, eligible for the register, or included on a local register. The records search prepared for the US 50/South Shore Community Revitalization Project identified four archaeological resources located within the APE, one of which had been recorded as destroyed in 1993. An additional site was identified on a Washoe habitation site map. None of these sites had previously been determined eligible for listing in the NRHP or the CRHR. The pedestrian survey was unable to relocate the sites and did not identify any previously unrecorded archaeological resources within the APE. Tribal cultural resources can also include sites, features, places, cultural landscapes, and sacred places with cultural values to a California Native American tribe. As discussed above, in consultation with the Washoe Tribe of Nevada and California, no cultural resources, including unique ethnic values or religious or sacred uses, are located in the project site. Furthermore, the project site has been highly disturbed by urbanization. For these reasons, ground-disturbing activities that would occur as part of Alternative B transportation improvements would not damage or destroy any known tribal cultural resources and, thus, would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

The cultural resources reports prepared for the US 50/South Shore Community Revitalization Project determined that the sensitivity of the APE for buried prehistoric archaeological deposits is low, given the extensive ground disturbance associated with urbanization that has taken place. Because tribal cultural resources can include archaeological resources, the results of the cultural resources reports also indicate a low likelihood for the presence of tribal cultural resources. Project construction activities could encounter previously undiscovered or unrecorded tribal cultural resources during project-related preconstruction or construction-related ground disturbing activities. These activities could damage or destroy these tribal cultural resources. Because all of the elements in Alternative B transportation improvements would involve some level of ground-disturbing activities, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative B to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative B would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, "Proposed Project and Project Alternatives"). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. There are no known tribal cultural resources that would be disturbed by ground-disturbing activities as part of Alternative B mixed-use development, including replacement housing. This alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

As discussed for Alternative B transportation improvements, the mixed-use development, including replacement housing, construction could encounter previously undiscovered or unrecorded tribal cultural sites and materials during project-related pre-construction or construction-related ground-disturbing activities. These activities could damage or destroy these tribal cultural resources. Because all of the elements in Alternative B mixed-use development, including replacement housing, would involve some level of ground-disturbing activities, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative B to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of unknown tribal cultural resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on known and unknown tribal cultural resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative B transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of unknown tribal cultural resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative B transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Alternative C: Triangle One-Way

Transportation Improvements

Alternative C transportation improvements includes the project components described above under Alternative B, except that it would split eastbound and westbound directions on US 50 from the Pioneer Trail/US 50 intersection in California to the Lake Parkway/US 50 intersection in Nevada. Eastbound US 50 would remain in place as under Alternative A, while westbound US 50 would be realigned as described for Alternative B. Construction activities would occur at the same locations as under Alternative B; therefore, the same types and magnitude of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

Because all of the elements in Alternative C transportation improvements would involve some level of ground-disturbing activities, unknown tribal cultural archaeological resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative C to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative C would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. For the same reasons described above for Alternative B, this alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

Because all of the elements in Alternative C with mixed-use development would involve some level of ground-disturbing activities, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative C to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of unknown tribal cultural resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on known and unknown tribal cultural resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative C transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of unknown tribal cultural resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative C transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Alternative D: Project Study Report Alternative 2

Transportation Improvements

Alternative D transportation improvements includes the project components described above for Alternative B; however, the new US 50 alignment would proceed east on a new roadway between existing Echo Road and Fern Road, instead of the existing Moss Road. Construction activities would occur at the same locations as under Alternative B but on different local roads in the neighborhood west of the Heavenly Village shopping center; therefore, the same types and magnitude of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

Because all of the elements in Alternative D transportation improvements would involve some level of ground-disturbing activities, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the transportation improvements included in Alternative D to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Mixed-Use Development including Replacement Housing

Prior to displacing existing residents, Alternative D would construct replacement housing along with supporting commercial uses that could be located at one or more of three mixed-use development sites identified within the project site (see Exhibits 2-9 and 2-11 in Chapter 2, “Proposed Project and Project Alternatives”). If replacement housing is not constructed at any of these sites, then TTD would construct replacement housing at another location in the South Shore area to be determined prior to displacing any residents. This alternative includes the option for three mixed-use redevelopment sites, which could include replacement housing for displaced residents as well as other commercial uses (e.g., retail, restaurant). Use of one or more of these three sites, or at another location in the South Shore area for replacement housing, would require additional parcel acquisitions beyond that required for the transportation improvements. The same type and magnitude of project elements would be constructed as described under Alternative B. For the same reasons described above for Alternative B, this alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

Because all of the elements in Alternative D with mixed-use development would involve some level of ground-disturbing activities, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into the mixed-use development, including replacement housing, for Alternative D to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Construction of replacement housing at a location other than the three mixed-use development sites could result in similar potential for effects related to disturbance of unknown tribal cultural resources as described for the mixed-use development sites. However, because the location of replacement housing elsewhere is unknown, analysis of the potential impacts on known and unknown tribal cultural resources would be speculative at this time. Full, project-level environmental review of replacement housing somewhere other than the mixed-use development sites would be required prior to construction of replacement housing and displacement of existing residents.

Conclusion

For the purposes of CEQA and TRPA, taken as a whole, the Alternative D transportation improvements and mixed-use development, including replacement housing, at one or more of the mixed-use development sites would result in a **potentially significant** impact related to disturbance of unknown tribal cultural resources.

For the purposes of NEPA, additional mitigation measures have been incorporated into construction of the Alternative D transportation improvements and mixed-use development, including replacement housing, to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

Alternative E: Skywalk

Alternative E would involve construction of a concrete bridge over the entire width and length of existing US 50 between Stateline Avenue and the northern end of the Montbleu Resort that would serve pedestrians as a “skywalk” walkway along the tourist core near the resort-casinos. Construction activities would be limited to these areas in the same locations as under Alternative B; therefore, the same types of physical activities and ground disturbance would occur. For the same reasons described above for Alternative B, this alternative would have **no impact** on known tribal cultural resources for purposes of NEPA, CEQA, and TRPA.

With implementation of Alternative E, unknown tribal cultural resources could be damaged or destroyed and this impact would be **potentially significant** for the purposes of CEQA and TRPA.

For the purposes of NEPA, additional mitigation measures have been incorporated into Alternative E to further reduce to the extent feasible the environmental consequences related to disturbance of unknown tribal cultural resources.

3.8.4 Avoidance, Minimization, and/or Mitigation Measures

Mitigation Measure 3.8-2a: Install an Environmentally Sensitive Area fence

The following mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

An Environmentally Sensitive Area (ESA) fence shall be installed to protect the unevaluated portion of the Johnson’s Cut-Off/Pony Express Trail/Lincoln Highway alignment north of the project area. The fence shall be installed from the entrance to Friday’s Station on US 50 to a point 400 feet east of the Johnson’s Cut-Off/Pony Express Trail/Lincoln Highway segment. A sign shall be installed at the east end of the fence to exclude construction personnel access from the area behind the fence. The fence shall be installed in coordination with

a qualified archaeologist prior to ground-disturbing activities and shall remain in place until after the project has been completed. The condition of the fence shall be monitored periodically during the course of construction by the archaeologist who supervised its installation.

Mitigation Measure 3.8-2b: Conduct archaeological monitoring

The following mitigation was included in the RTP/SCS EIR/EIS, which included the US 50/South Shore Community Revitalization Project as one of the TTD Capital Improvement Program projects in the RTP. This mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

In accordance with existing regulations, for ground-disturbing activities that have the potential to impact archaeological remains and that will occur in an area that has been determined by a qualified archaeologist to be sensitive (locations where previous disturbance has not occurred) for the presence of buried archaeological remains, the project proponent (e.g., TTD, local county, Caltrans, NDOT) shall require the construction contractor to retain a qualified archaeologist to monitor those activities. Archaeological monitoring shall be conducted in areas where there is likelihood that archaeological remains may be discovered but where those remains are not visible on the surface. Monitoring will not be considered a substitute for efforts to identify and evaluate cultural resources prior to project initiation. Where necessary, the project proponent shall seek Native American input and consultation.

Mitigation Measure 3.8-2c: Stop work in the event of an archaeological discovery

The following mitigation was included in the RTP/SCS EIR/EIS, which included the US 50/South Shore Community Revitalization Project as one of the TTD Capital Improvement Program projects in the RTP. This mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

If potentially significant cultural resources are discovered during ground-disturbing activities associated with individual project preparation, construction, or completion, the project proponent shall require the construction contractor to stop work in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with TRPA and other appropriate agencies and interested parties. A qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the California Historical Resources Information Center office (North Central Information Center) for California projects. The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (PRC Section 5024.1; Title 14 CCR Section 4852) for California projects. Consultation with the Nevada State Historic Preservation Officer shall be undertaken for Nevada projects.

If the archaeologist determines that the find does not meet the TRPA standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the lead agency shall be notified and a data recovery plan shall be prepared.

Significance after Mitigation

Implementation of Mitigation Measures 3.8-2a, 3.8-2b, and 3.8-2c would reduce potentially significant impacts on archaeological resources because mitigation would be developed and implemented in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, Impact 3.8-2 would be reduced to a **less-than-significant** level for all build alternatives for the purposes of CEQA and TRPA.

Because of the reasons stated above, for the purposes of NEPA, the environmental consequences of implementing the build alternatives with Mitigation Measures 3.8-2a, 3.8-2b, and 3.8-2c **would not be adverse**.

Mitigation Measure 3.8-3: Stop work if human remains are discovered

The following mitigation was included in the RTP/SCS EIR/EIS, which included the U.S. 50/South Shore Community Revitalization Project as one of the TTD Capital Improvement Program projects in the RTP. This mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

In accordance with existing regulations, if any human remains are discovered or recognized in any location on an individual project site, the project proponent will ensure that there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- a) The applicable County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- b) If the remains are of Native American origin,
 - 1. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - 2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.
 - 3. The site shall be flagged and avoided during construction.
- c) If human remains, grave goods, or items of cultural patrimony (as defined in the Native American Graves Protection and Repatriation Act [NAGPRA]) are discovered during ground-disturbing activities on Federal Property, work will cease until the provisions of NAGPRA are met.

Significance after Mitigation

Implementation of Mitigation Measure 3.8-3 would reduce potentially significant impacts on human remains because mitigation would be developed in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, excavate, or otherwise treat the remains appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of human remains, Impact 3.8-3 would be reduced to a **less-than-significant** level for all build alternatives for the purposes of CEQA and TRPA.

Because of the reasons stated above, for the purposes of NEPA, the environmental consequences of implementing the build alternatives with Mitigation Measure 3.8-3 **would not be adverse**.

Mitigation Measure 3.8-4a: Conduct tribal cultural resources monitoring

This mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

In accordance with existing regulations, for ground-disturbing activities that have the potential to impact tribal cultural resources, such as archaeological remains, and that will occur in an area that has been determined by a qualified archaeologist to be sensitive (locations where previous disturbance has not occurred) for the presence of buried tribal cultural resource remains, the project proponent (e.g., TTD, local county, Caltrans, NDOT) shall require the construction contractor to retain a qualified archaeologist to monitor those activities. Archaeological monitoring shall be conducted in areas where there is likelihood that tribal cultural resources, such as archaeological remains, may be discovered but where those remains are not visible on the surface. Monitoring will not be considered a substitute for efforts to identify and evaluate tribal cultural resources prior to project initiation. Where necessary, the project proponent shall seek Native American input and consultation.

Mitigation Measure 3.8-4b: Stop work in the event of a tribal cultural resource discovery

This mitigation would apply to transportation improvements and mixed-use development, including replacement housing, for Alternatives B, C, and D, and Alternative E for the purposes of NEPA, CEQA, and TRPA.

If potentially significant tribal cultural resources are discovered during ground-disturbing activities associated with individual project preparation, construction, or completion, the project proponent shall require the construction contractor to stop work in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with TRPA and other appropriate agencies and interested parties. A qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard DPR Primary Record forms (Form DPR 523) and location information to the California Historical Resources Information Center office (North Central Information Center) for California projects. The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (PRC Section 5024.1; Title 14 CCR Section 4852). Consultation with the Nevada State Historic Preservation Officer and the Washoe Tribe of Nevada and California shall be undertaken for the portions of the project within Nevada. Consultation with the California Native American Heritage Commission and the Washoe Tribe of Nevada and California shall be undertaken for the portions of the project in California.

If the archaeologist, in consultation with the Nevada State Historic Preservation Officer, California Native American Heritage Commission, and Washoe Tribe of Nevada and California, determines that the find does not meet the PRC Section 21074 definition for tribal cultural resources, then construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the lead agency shall be notified and a data recovery plan shall be prepared.

Significance after Mitigation

Implementation of Mitigation Measures 3.8-4a and 3.8-4b would reduce potentially significant impacts on tribal cultural resources because mitigation would be developed and implemented in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of tribal cultural resources, Impact 3.8-4 would be reduced to a **less-than-significant** level for all build alternatives for the purposes of CEQA and TRPA.

Because of the reasons stated above, for the purposes of NEPA, the environmental consequences of implementing the build alternatives with Mitigation Measures 3.8-4a and 3.8-4b **would not be adverse**.