

4.7 CULTURAL AND HISTORICAL RESOURCES

ENVIRONMENTAL SETTING

Current environmental review policies, in compliance with the Tahoe Regional Planning Agency's (TRPA) mandates under Code of Ordinances, Chapter 29, Historic Resource Protection, and Washoe County Comprehensive Plan (Tahoe Area Plan, Conservation Element) require that cultural and historical resources be considered as part of the environmental documentation process. Following submission of the initial Cultural Resources Study and Evaluations Report for the Tahoe Biltmore Resort and Casino, Boulder Bay Resort Project (dated December 2008), comments from the Nevada State Office of Historic Preservation (SHPO) and TRPA have been incorporated in the revised report dated May 2009. The following sections briefly summarize the revised report (Appendix V), and the reader is referred to that document for more comprehensive setting information.

Prehistory

The prehistory of the northern Sierra Nevada region, including the Tahoe Basin, has been addressed in several publications, including Heizer and Elsasser (1953), Hester (1973), Elston, Davis, Leventhal, and Covington (1977), Elston, Stornetta, Dugas, and Mires (1994), Heizer and Hester (1978a, 1978b), Thomas (1981), and Davis (1982). A summary of this prehistory and its chronological components is presented in Elston (1986) and Elston, Stornetta, Dugas, and Mires (1994), and the reader is referred to those reports for a more detailed discussion. The following brief description of the area's prehistory is based on Elston's 1986 and Elston, Stornetta, Dugas, and Mires' 1994 works.

Prehistoric land use patterns, derived from protohistoric Washoe ethnography, are generally consistent with interpretations derived from numerous archaeological investigations within the Tahoe Sierra. In general, the archaeological record indicates a shift from hunting-based societies in earlier times to populations with increasing reliance on plant foods by the time of historic contact. Some of the oldest archaeological finds reported for the Tahoe Sierra have been found in the Truckee River Canyon near Squaw Valley and along Donner Creek near Truckee, suggesting human occupation of the area by about 9,000 years ago. The most intensive period of occupation in the region may have occurred at varying intervals between 4,000 and 1,500 years ago and between 1,500 and 500 years ago. Occupation by the protohistoric (period between pre-history and history) ancestors of the Washoe people may date roughly from 500 years ago to historic contact (Elston, Stornetta, Dugas, and Mires 1994:13). No evidence of prehistoric artifact remains were discovered in the Project area.

Ethnography

The project area lies entirely within the territory of the Hokan-speaking Washoe people. While they were an informal and flexible political collectivity, Washoe ethnography hints at a level of technological specialization and social complexity for Washoe groups, non-characteristic of their surrounding neighbors in the Great Basin. Semisedentism and higher population densities, concepts of private property, and communal labor and ownership were reported and may have developed in conjunction with their residential and subsistence resource stability (d'Azevedo 1986:473-476).

Lake Tahoe was both the spiritual and physical center of the Washoe world. The Washoe lived along its shores, and the locations of several Washoe encampments in the Lake Tahoe Basin have been reported. The project vicinity is near two important Washoe fishing campsites, *ImgiwO'tha* and *MathOcahuwo'tha* (d'Azevedo 1986:473-476).

Currently, the Washoe are a recognized tribe by the U.S. Government and have maintained an established land base. Its 1,200 tribal members are governed by a tribal council that consists of members of the Carson, Dresslerville, Woodfords, and Reno-Sparks Indian groups, as well as members from non-reservation areas (Inter-Tribal Council of Nevada 1995).

History

The first recorded sighting of Lake Tahoe by Euroamericans was by John C. Frémont and Charles Preuss in February 1844 (Gudde 1969:328). Frémont named the body of water “Lake Bonpland” in honor of Aimé Bonpland, the French botanist who had accompanied Humboldt on his exploration of South America. In 1853, however, the official mapmaker of the State of California gave the lake the name of “Bigler” after John Bigler, the third governor of California, and this official designation remained for many years. During the American Civil War, the Union sentiment objected to this name because Bigler was an outspoken secessionist, and a movement was started to restore to the lake its original Washoe appellation, understood to be “Tahoe” and to mean ‘big water’ (Lindström 1994:10). Dr. Henry De Groot had explored the mountains in 1859 and suggested the Indian name of the lake, and William Henry Knight placed the name Lake Tahoe on Bancroft’s map of the Pacific States in 1862 (Gudde 1969:329). The California State Legislature, oblivious to the popular acceptance of the name “Tahoe,” inexplicably legalized “Bigler” in 1870, and this act was not repealed until 1945 (Hoover et. al. 1990:257).

Later in the 1800s, lumbering to fulfill the urgent demand for fuel wood and building needs of the Comstock mines as well as the growing settlements of the basin became “big business.” Four major lumber companies operated within the Tahoe Basin, each developing networks of sawmills, railroads, tramways, flumes, and rafting operations (Lindström 1994:15). By the mid-1890s, the lower Lake Valley was stripped of its timber and large-scale logging in the region was over, although small independent logging did continue (Scott 1957:186).

At the turn of the 19th century, the Tahoe Basin began to attract more tourists, and various resorts along the lakeshore were developed. In recent years, recreation has assumed an increasingly important role in the economy of the Tahoe Basin.

Crystal Bay

(except as noted, abstracted from Woodward Architectural Group 1993:45-50)

It is unknown exactly how Crystal Bay was named, as some accounts note that it was named for its crystal clear waters, or for the rock crystals found in the area, but it appears more likely that it was named for George Iweis Crystal, the first property owner (Cal-Vada Lodge Hotel NRHP Registration Form 1994). It was identified as Crystal Bay on maps of the area as early as the 1870s (Wheeler 1876).

By the 1920s the California side of Lake Tahoe area was developed with resorts and summer residences, while the Nevada side remained primarily undeveloped, outside of the south shore near Zephyr Cove. The area between Crystal Bay and Zephyr Cove was largely undeveloped, except for the Bliss family holdings at Glenbrook and those of W.S. Hobart of Sand Harbor. The

advent of the automobile and the opening of the Brockway Highway, however, facilitated the development of Nevada's north shore.

In the summer of 1927 Norman Henry Blitz arrived at Crystal Bay to promote and sell property owned by wealthy San Franciscan Robert Sherman. Using a Fresno scraper pulled by a team of draft horses, Blitz carved roads to his various subdivisions. As a contractor, he built Crystal Bay Lodge and Cal Neva. Sherman and his partners, Spencer Grant and Harry Comstock, developed the Tahoe Vista, Kings Beach, and Brockway areas, while Sherman is credited with the founding of Cal Neva Lodge (Lindström and Waechter 1995).

The Boulder Bay Project area is situated on land recorded by the Nevada Vista Corporation in 1928. The 1928 recording was an Addition to the existing Nevada Vista Subdivision, located northwest of the previously recorded subdivision. It was only the second plat in the Crystal Bay area. The subdivision, platted by Jerome E. Barlieu, was generally bounded by Crystal Drive to the south, Reservoir Drive to the north, State Line Road to the west, and Somers Drive to the east, straddling the state highway. Encompassing the present Tahoe Biltmore complex, the subdivision included four irregular shaped blocks, with seven to seventeen lots in each.

In 1927 Lawrence McKelvey of Truckee had purchased major portions of the subdivision, constructing the La Vada Lodge that same year. With two lodges at Crystal Bay, and the 1931 passage of the law that legalized gambling in Nevada, the stage was set for the casino development of the area. Another impetus for development was the passage of laws that reduced the necessary residence requirements for obtaining a divorce in Nevada to three months. Undoubtedly, many of those seeking a divorce spent time in the resort and gaming communities in the state.

In the early 1930s McKelvey enlarged and remodeled his La Vada Lodge as a gambling club, renaming it the Cal Vada Lodge and constructing a collection of rental cabins. In 1935 he constructed the Cal Vada Lodge Hotel to house his increasing tourist and gaming clientele. By 1940, the Cal Vada Lodge was advertised as "The Monte Carlo of Lake Tahoe." The complex was sold to San Francisco businessman and band leader Tom Guerin and his partners in 1955, who changed the name to Bal Tabarin Corporation. In 1985 the complex was sold to the Tahoe Biltmore, Inc.

By the mid-1940s, four major resorts had been developed in Crystal Bay: the Cal Neva Lodge, La Vada Lodge, Ta-Neva-Ho (Crystal Bay Club), and the Tahoe Biltmore. The first of these, the Cal Neva Lodge, erected in 1927, was the first commercial and tourist development in the Crystal Bay area.

The last new casino to be erected at Stateline was Copy Rick's rustic Copy Rix's Lodge just north of the Tahoe Biltmore in 1948. Purchased by Jimmy Hume and partners the following year, it was renamed the Northshore Club. It was then sold to George Raymond Smith of Reno and others in 1970. At the end of the decade it was renamed the Tahoe Mariner and operated from 1979-1981, when it closed forever. Sitting forlorn and empty for 20 years, it was demolished in 2000 (Moe 2001:31, Scott 1993:126). The property is now included within the project area.

Tahoe Biltmore

Located in Block C of the Addition to Nevada Vista Subdivision and facing the Brockway Highway, Joseph Blumenfeld and his brother Nathan opened their Tahoe Biltmore hotel and casino in the summer of 1946. The Blumenfeld brothers were well-known San Francisco Bay

Area theatre owners. The building was designed by San Francisco theatre architect Bernard G. Nobler, who designed buildings in San Francisco and Hawaii, including the San Francisco Redevelopment Agency Diamond Heights Housing Project. The engineer for the Project was M.D. Perkins of San Francisco, and A.E. Erickson Construction Company erected the building (Nobler 1946, Van Etten 1986). When completed, it boasted 95 rooms and 15,000 square feet of gambling space. It was known as “the Class of Tahoe” for years, and its lodging facilities were a big draw (Moe 2001:31).

The original room configuration, however, was vastly different from today’s interior. The casino was located on the basement floor, with the foyer, lobby, cocktail lounge, and dining room on the first, and hotel rooms on the third. The casino entrance was at street level on the primary south elevation, with the hotel entry on the north elevation. There were no major entries on the east or west elevations (Nobler 1946).

The following history of the Tahoe Biltmore ownership is taken from Van Etten (1986):

Unfortunately for the Blumenfelds, the success of their north shore gaming venture fell short of expectations, and by August 1952 the defunct Biltmore had been acquired at auction by Sanford “Sandy” Adler, whose thriving Cal Neva club across the highway had doubtlessly been a factor in the Blumenfeld’s disappointing debut. Adler, who renamed his new enterprise the Cal Neva Biltmore, operated it successfully for half a decade, selling it in 1956 to a group composed of Eddie Hopple, Jackie Gonn and David Crow. This trio, formerly partners in a New York advertising agency, lasted only a year before selling out to Neta and Lincoln Fitzgerald (of Fitzgerald’s in Reno) in 1957.

Under the Fitzgerald’s ownership, the Biltmore became Nevada Lodge, and began to enjoy a period of expansion and development. With Carlton Konarske (Mrs. Fitzgerald’s brother) as general manager, Nevada Lodge soon became the center of North Shore civic affairs, hosting the annual Snow Ball and the North Tahoe Chamber of Commerce-sponsored Miss Sierra Snowflake Pageant, with such emcees as Regis Philbin and Soupy Sales, in the Nevada Room.. Also appearing onstage in the Nevada Room were such early –‘60s headliners as Phyllis Diller, Rowan and Martin, Helen O’Connell and Rudy Vallee.

So successful was the Fitzgerald’s operation that in 1959, they were able to absorb their smaller next-door-neighbor to the west, Joby’s Monte Carlo. This diminutive club, founded by Joby Lewis in the early 1950s, provided adjacent square footage for expansion of the Nevada Lodge’s thriving operations.

In 1964, the Fitzgeralds opened a second showroom – the Topaz Room –for the staging of a French revue named “Vive Les Girls” – the likes of which the North Shore had never seen. The novelty of its spectacular choreography – or perhaps its lineup of bare female torsos – helped sustain the act as a popular North Shore attraction for five years.

In 1959 Fitzgerald purchased the nearby Bal Tabarin complex, operating it for one season before permanently closing it. During that period he remodeled two of its cabins for personal use, and others for maid’s quarters and employee housing. In the late 1950s and early 1960s he also purchased two buildings at Wassou and Reservoir roads, located on Lot 7 of Block D of the Addition to Nevada Vista Subdivision, from Mary Gallerani, both evidently built as summer homes in the 1920s. After his purchase Fitzgerald remodeled and converted them for use as Nevada Lodge employee housing. At about the same time Fitzgerald moved the Horse Book Building, built about 1940, from its original site west of the Monte Carlo Casino (Lots 1 or 3,

Block C of the addition to Nevada Vista Subdivision) to its present location. Since about 1970 it has been used as a storage building (Woodward Architectural Group 1993:5, 10, 13).

Field Methods

The archaeological and architectural surveys were conducted on November 20, 2008; the evaluation report (Appendix V) was completed on December 3, 2008, and revised in May and September 2009 after consultation with the Nevada State Historic Preservation Office. The complete archaeological and architectural survey context, methods, and conclusions are described in Appendix V.

Archaeological Field Survey

Overall, project topography prior to hotel-casino development appears to have been steep, judging by the slope of the current cut banks. For the most part, the entire ground surface has been radically disturbed by grading or removed as cut bank or obscured by asphalt covering and building footprints, so that archaeological coverage can only be considered cursory. Nearly 100 percent of the southern half of the project area is covered by asphalt parking and building improvements that comprise the Tahoe Biltmore complex. With the exception of a narrow strip of steeply sloping ground along the east side of Wassou Road, the northern half of the project area has been completely re-contoured by construction of the former Tahoe Mariner complex. Ground in the northernmost part of the project area contains spoils from grading the Tahoe Mariner complex that are marked by high mounds of decomposed granite and rock that are traversed by a series of dirt roads. These mounds support a growth of young Jeffrey pines and white fir, along with manzanita, huckleberry oak, rabbit brush, and an assortment of grasses. Attempts have been made to revegetate the site of the Tahoe Mariner site with raised beds containing irrigated shrubs and trees.

Architectural Field Survey

On November 20 and 21, 2008, the site was visited by Judith Marvin and Terry Brejla of Foothill Resources, Ltd. The Tahoe Biltmore Resort and Casino, constructed in 1946; the Tahoe Biltmore sign, erected in 1962; and six cottage units constructed in 1952 were recorded and photographed on the Historic Properties Inventory Forms of the Nevada State Historic Preservation Office. The 1956 Crystal Bay Motel was later added to the project design, and Ms. Marvin returned on 8 May 2009 to record that building.

Survey Results

Archaeological Survey

Crystal Bay Reservoirs Pipeline

Parallel segments of a four-inch and six-inch pipeline were found trending roughly west-southwest on a steep and eroding decomposed granite cut bank along the north corner of the upper parking lot of the Tahoe Biltmore. The pipeline segments likely date from the construction of the Biltmore and Little reservoirs ca. 1946-1953. The lines were abandoned ca. 1983 when the North Tahoe Public Utility District closed them in response to the Safe Drinking Water Act. Although these lines may be over 50 years old, they were determined to be ineligible for the National Register.

Since these linear features do not meet National Register criteria, the effects of the Project on these resources are not considered to be a significant effect on the environment. It is sufficient that both the resource and the effect are noted in this environmental document (see Appendix V - Archaeological Site Record, Appendix A).

Architectural Survey

A pedestrian survey of the project area and visual inspection of the architectural resources at the Biltmore Resort and Casino resulted in the inventory and recordation of the hotel and casino, built in 1946 and remodeled in 1962, and again in 1993; six cottage units constructed in 1952; the Gallerani houses built in the 1920s, and the 1940 Horsebook Building. The Gallerani homes (Tony Gallarini was an operator of the Sierra Lodge in the early 1950s) and the Horsebook Building were previously formally recorded and evaluated as ineligible for listing in the National Register (Woodward Architectural Group 1993). With agreement from the Nevada State Historic Preservation Office, Foothill Resources concurred with that evaluation and no further work is recommended for those resources.

In addition, the Nevada Department of Transportation conducted an Architectural Survey Report for the Crystal Bay Beautification Project on State Highway 28 in 1998. None of the properties recorded for that project area, which included the Tahoe Biltmore property but excluded the Biltmore Hotel and Casino building, were evaluated as potentially eligible for listing on the National Register (Snyder 1998). One of the buildings within the Boulder Bay Project area, the Crystal Bay Motel, constructed in 1956 during the expansion of the Crystal Bay Club Casino, was previously evaluated as ineligible for listing on the National or Nevada registers (Snyder 1998). The Nevada Office of Historic Preservation required an updated record to be prepared because the Crystal Bay Motel was recorded more than ten years ago. Foothill Resources updated the record for the motel in May 2008, concurring with the previous evaluation and no further work was recommended; the Nevada State Historic Preservation Office agreed.

Architectural Description

Biltmore Resort and Casino

This architectural resource consists of a three-story reinforced concrete hotel building with a semi-subterranean basement casino (the floors of the building are described as they were depicted in the 1946 plans). The original portion of the building has intersecting hipped roofs, with a semi-circular conical roof on the southeast corner. The roofs are covered in wood shakes, and feature shed roofed dormers with multi-light metal sash windows. The walls are clad in concrete stucco, with modern stone facing on the east facing first floor and semi-circular bay.

According to the original plans (Nobler 1946) and historical photographs in the Tahoe Biltmore, the building has been significantly altered from its original appearance. The three-story hotel and basement casino core with hipped roofs and rotunda has undergone major alterations. These alternations include the flat-roofed dining area, bar, and kitchen addition to the north and west elevations built in 1962, the 1993 café addition to the west and porte cochere on the east, and numerous other alterations including the installation of mortared stone to the building's exterior. The survey and evaluation report (Appendix V) offers a complete description of the building's original configuration, appearance, and subsequent alterations.

The two exterior free-standing signs for the Biltmore are important in their own right. The "Free Parking, Courtesy Tahoe Biltmore" neon sign appears to date to the 1946 construction, while the

three-story circular “Tahoe Biltmore” sign (built 1962) is a nice example of the “Googie” architectural style, popular in the 1960s.

According to assessor’s records, the six cottage room buildings were all constructed in 1952 and are each similar in design and materials. Three buildings, A, B, and E, are single story, contain four rooms each, and appear to have had no exterior alterations except for the replacement of the wood stoops, steps, and railings, and the replacement of the original mechanical door locks with electronic key systems. Buildings D and F are two stories with a total of twelve rooms and appear to be unaltered except for the electronic door locks. Building C is two stories with four rooms on each story and has been recently remodeled with electronic door locks, modern vinyl single-hung windows, and sliders replacing the original metal frame casement windows. The cottage buildings were recorded from the exterior only.

REGULATORY SETTING

National Register of Historic Places

The significance of cultural resources is evaluated under the criteria for listing in the National Register of Historic Places (NRHP), authorized under the National Historic Preservation Act of 1966, as amended. The criteria defined in 36 CFR 60.4 are as follows:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, association, and

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded, or may be likely to yield, information important to prehistory or history.

Historic sites less than 50 years old, unless of exceptional importance, are not eligible for listing in the NRHP.

An integral part of assessing cultural resource significance, aside from applying the above criteria, is the physical integrity of the resource. Prior to assessing a resource’s potential for listing in the NRHP, it is important to understand the four measures of integrity described above. According to National Register Bulletin 15 (1984), *How to Apply the National Register Criteria for Evaluation*, the types of integrity are defined as follow:

- Location is the place where the historic property was constructed or the place where the historic event occurred;

- Design is the combination of elements that create the form, plan, space, structure, and style of a property;
- Setting is the physical environment of a historic property;
- Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
- Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
- Feeling is a property's expression of the aesthetic or historic sense of a particular period of time; and
- Association is the direct link between an important historic event or person and a historic property.

To qualify for listing in the NRHP, a property must be significant; that is, it must represent a significant part of the history, architecture, archeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past.

All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics to be eligible for the NRHP. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both why a property is significant and when it was significant. A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or persons. A property important for association with an event, historical pattern, or person ideally might retain some feature of all seven aspects of integrity. A basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today (National Park Service 1984:6, 46, 48).

Tahoe Regional Planning Agency Code of Ordinances, Chapter 29

The TRPA Code of Ordinances, Chapter 29 addresses historic resource protection. TRPA Code Sections 29.1 and 29.2 require that structures designated as historic resources be identified and protected. Code Section 29.3 stipulates that the appropriate state historic preservation officer be consulted. The Cultural Resources Study and Evaluations for the Tahoe Biltmore Resort and Casino, Boulder Bay Resort Project was completed by Foothill Resources, Ltd. and Susan Lindström, Ph.D., Consulting Archaeologist, in December 2008 and revised in May and September 2009 after consultation with the Nevada State Historic Preservation Office. Chapter 29 has statutes that basically parallel the requirements outlined above for the NRHP, but on a more local/regional level. Chapter 29 states:

29.5 Eligibility as a Historic Resource: Sites, objects, structures, districts or other resources eligible for designation as resources of historical, cultural, archeological, paleontological, or architectural significance locally, regionally, statewide or nationally shall meet at least one of the following criteria:

29.5.A Resources Associated With Historically Significant Events and Sites: Resources shall exemplify the broad cultural, political, economic, social, civic, or military history of the Region, states, or the nation, or be associated with events that have made a significant contribution to the broad patterns of history, including regional history. Such resources shall meet one or more of the following criteria:

- (1) Association with an important community function in the past;
- (2) Association with a memorable happening in the past; or
- (3) Contain outstanding qualities reminiscent of an early stage of development of the Region.

29.5.B Resources Associated With Significant Persons: Resources that are associated with the lives of persons significant in history, including regional history, such as:

- (1) Buildings or structures associated with a locally, regionally, or nationally known person;
- (2) Notable examples, or best surviving works, of a pioneer architect, designer or builder; or
- (3) Structures associated with the life or work of significant persons.

29.5.C 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 or distinguishable entity but whose components may lack individual distinction, are eligible. 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.

29.5.D State and Federal Guidelines: Archaeological or Paleontological resources protected, or eligible for protection, under state or federal guidelines are eligible.

29.5.E Prehistoric Sites: Sites where prehistoric archaeological or paleontological resources, which may contribute to the basic understanding of early cultural or biological development in the Region are eligible.

Code Section 29.6, Projects Relating to Historic Resources, establishes standards for projects and activities affecting designated historic resources, including additions, repairs, reconstruction or maintenance, and demolition. Demolition of historic structures or resources is not permitted unless certain findings included in Code Section 29.6.C (see below) are made. Where an alternative proposes demolition, the required findings are addressed in the impact analysis discussion.

29.6.C Demolition: Historic resources shall not be demolished, disturbed, or removed, unless TRPA finds that:

- (1) The action will not be detrimental to the historic significance of the resource;
- (2) The action is pursuant to a recovery plan approved by the applicable state historic preservation officer; or
- (3) It is the only feasible alternative to protect the health and safety of the public.

EVALUATION CRITERIA WITH POINTS OF SIGNIFICANCE

Based on the TRPA Guidelines, a Project impact is considered significant if conditions presented in Table 4.7-1 are met.

Table 4.7-1

Evaluation Criteria with Point of Significance - Cultural and Historic Resources

Evaluation Criteria	As Measured by	Point of Significance	Justification
CUL-1. Will the Project disturb or alter known, potentially eligible National Register properties, including archaeological, historical, architectural, and Native American/traditional heritage resources?	Number of sites affected by Project facilities	Greater than 8 sites	NHPA, Section 106 PRC Section 5020-5024, 21083.2, 21084.1 TRPA Code of Ordinances Chapter 29
CUL-2. Will the Project disturb unknown archaeological resources?	Sensitivity analysis	Greater than 0 Projected locations	NHPA, Section 106 PRC Section 5020-5024, 21083.2, 21084.1 TRPA Goals & Policies
CUL-3. Will the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Number of resources affected by the Project	Greater than 0 sites, resources, or features	PRC Section 5097
CUL-4. Will the Project disturb any human remains, including those interred outside formal cemeteries?	Number of remains affected by the Project	Greater than 0 remains	NHPA, Section 106 NAGPRA PRC Section 5097
CUL-5. Will the Project restrict historic or pre-historic religious or sacred uses within the potential impact area?	Number of uses affected by the Project	Greater than 0 use	TRPA Initial Environmental Checklist

Source: Hauge Brueck Associates 2009

ENVIRONMENTAL IMPACTS AND RECOMMENDED MITIGATION

IMPACT: **CUL-1: Will the Project disturb or alter known, potentially eligible National Register properties, including archaeological, historical, architectural, and Native American/traditional heritage resources?**

Analysis: *No Impact; Alternatives A and B*

These alternatives will not include changes to the exterior of the existing structures and could occur without a TRPA permit for the existing gaming structure. Therefore, there are no impacts associated with these alternatives.

Mitigation: No mitigation is required.

Analysis: *Significant Impact; Alternative C*

The archaeological survey disclosed no significant prehistoric or historic sites, features or artifacts. Consequently, Alternative C will not result in the alteration of or adverse physical or aesthetic effect to any significant archaeological sites nor should the Project have the potential to cause a physical change that would affect unique ethnic cultural values or restrict historic or pre-historic religious or sacred uses. No immediate Native American concerns regarding the project area have been identified. The Washoe Tribe of Nevada and California has been notified of survey findings and concurs with the report recommendations.

The survey and evaluation report (Appendix V) was completed in December 2008, and revised in April and May 2009 after consultation with the Nevada State Historic Preservation Office, which agreed that the archaeological survey had disclosed no significant prehistoric or historic sites, features or artifacts and that the project should not result in the alteration of or adverse physical or aesthetic effect to any significant archaeological or historical sites, nor should the project have the potential to cause a physical change that would affect unique ethnic cultural values or restrict historic or pre-historic religious or sacred uses.

The Nevada State Historic Preservation Office determined that the Tahoe Biltmore Hotel and Casino building is eligible for listing on the National Register of Historic Places at the local and state levels of significance and the Nevada Register of Historical Places under Criterion A, for its association with the casino and hotel industry of Crystal Bay and North Lake Tahoe. Under Criterion B, although related to the Blumenfeld family of theatre entrepreneurs in the San Francisco Bay Area, it was owned by them for only a brief period and there are more important buildings associated with them in the San Francisco Bay Area. Under Criterion C, although the building was designed by San Francisco Bay Area architect Bernard G. Nobler, the building was significantly altered in the 1960s and 1990s and no longer retains its integrity of design, workmanship, materials, and feeling to its period of significance. It does not appear to answer any questions important in history (Criterion D).

The "Tahoe Biltmore" Googie-style sign, a vernacular adaptation of the iconic Seattle World's Fair Space Needle, was determined to be eligible under National and Nevada registers' Criterion C, and TRPA's Section 29.5.C, at the local level of significance, for its Googie architectural style, a rarity in Lake Tahoe and one of the foremost architectural styles of the early 1960s. The "Free Parking" sign is an original element of the Tahoe Biltmore Resort and Casino and apparently the only remaining signage from that era. It also appears eligible under Criterion C at the local level of significance.

Five of the six cottage units, A, B, D, E, and F, were determined to be eligible for listing in the National and Nevada Registers under Criteria A and C, as well as meeting TRPA's Section 29.5A and C, at the local level of significance. Under Criterion A, they are associated with the early 1950s resort development of Lake Tahoe's North Shore, when America was on the move. The end of World War II and the creation of the G.I. Bill, which allowed returning servicemen to invest in homes, attend college, and purchase automobiles, coupled with the post-war economic boom, allowed Americans to travel to distant places and partake of the resorts that were rapidly being erected in that expansive era. The Ranch-style cottages were also determined eligible under Criterion C, for the high level of integrity from the era in which they were built. They are not eligible under Criteria B or D.

The Biltmore Resort and Casino was also evaluated as eligible as a historic resource under Chapter 29 of the TRPA Code of Ordinances under Section 29.5.A, as it is associated with historically significant events: (1) the tourism and gambling history of Lake Tahoe's north shore in the 1940s and 1950s. It is not eligible under Section 29.5.B, as it is not specifically associated with any significant persons, or under Section 29.5.C, due to lack of integrity to its period of significance.

Alternative C will demolish the Biltmore Resort and Casino, the Tahoe Biltmore Googie and "free parking" signs, and five cottage units, resources evaluated as eligible under 36 CFR 60.4 and TRPA Code Section 29.5. Therefore, this impact is considered significant for Alternative C.

Mitigation: **CUL-1A: Prepare Resource Protection Plan to Preserve Historically Eligible Signs and Document the History of the Biltmore Resort and Cottages.**

Boulder Bay worked with qualified professionals to prepare a Draft Resource Protection Plan (TRPA Code Section 29.2.D), which must be implemented prior to demolition of eligible signs and buildings. The Resource Protection Plan (or Recovery Plan), submitted to the NVSHPO office in May 2009 (revised September 2009), must be approved by the NVSHPO pursuant to TRPA Code Subsection 29.6.C(2) before demolition can occur. The Plan includes the following requirements:

- a. Boulder Bay will preserve and restore the one extant neon "Free Parking" sign from the 1940s-1950s period of significance for the Tahoe Biltmore, and place it within the proposed mixed-use project.
- b. Boulder Bay will preserve and restore the 1962 "Tahoe Biltmore" Googie architectural sign and place it either within the proposed mixed-use project, pending final project design and height approvals from TRPA, or at an appropriate offsite location in Nevada (i.e. a sign preservation organization, etc.) to be determined in consultation with the TRPA. If the sign is moved offsite, Boulder Bay will incorporate "Googie" style design features of the "Tahoe Biltmore" sign into the design of project details, such as walkway lighting or signage. Boulder Bay will incorporate interpretive signage into the proposed mixed-use project to document the history of the Tahoe Biltmore Resort. Interpretive signage will be publicly visible, and the contents and specific locations will be determined with guidance from a qualified historian.
- c. Boulder Bay will prepare a photograph/text interpretation of the history of the Tahoe Biltmore Resort and Cottages that includes the preservation of the historical photographs now on exhibit in the Tahoe Biltmore and other items or materials relating to the early history of the resort or North Shore. The display

will be placed onsite in a permanent location easily accessible to the public (e.g., Hotel lobby, Meeting room foyer, Restaurant waiting area, or preservation of one of the Cottage structures as a museum, etc.).

- d. Boulder Bay will sponsor and produce a booklet regarding the history of Crystal Bay for general public distribution (local retail shops, casinos, clubs, bookstores, etc.), smaller than the Bethel Van Tassel book (*Wood Ships to Gaming Chips*), and more specific to the North Shore than *The Golden Age of Nevada Gambling* by Moe. The booklet will include the historical photographs of Crystal Bay and its resort facilities archived in the Images of Lake Tahoe Collection at the University of Nevada, Reno.
- e. In response to requests from NSHPO and TRPA after preparation of the December 2008 Survey and Evaluation Report, the Alternative C building designs were developed to incorporate the Resort Rustic architectural style rather than a more modern Lake Tahoe style. The Alternative C designs incorporate many features of the 1946 Nobler design depicted in the original plans (e.g., see the multiple hipped roofs, rotunda, and dormers shown in the visual simulation, Figure 4.5-6). Therefore, further redesign of the Alternative C building plans is not required. However, to further reflect the style of the original building plans, Boulder Bay will incorporate details of the Nobler plans (see Figure 15, Appendix V) into the final design of building entry ways, doors, and windows. Determination of the final architectural design and details will be made in consultation with the NVSHPO office.

After

Mitigation: *Less than Significant Impact; Alternative C*

Implementation of Mitigation Measure CUL-1A will preserve eligible signs from the Tahoe Biltmore Resort and will provide documentation of the history of the Tahoe Biltmore Resort and Cottages and their role in the history of Crystal Bay. Therefore, with mitigation, this impact is less than significant.

Analysis: *Significant Impact; Alternative D*

The archaeological survey disclosed no significant prehistoric or historic sites, features or artifacts. Consequently, Alternative D will not result in the alteration of or adverse physical or aesthetic effect to any significant archaeological sites nor should the Project have the potential to cause a physical change that would affect unique ethnic cultural values or restrict historic or pre-historic religious or sacred uses. No immediate Native American concerns regarding the project area have been identified. The Washoe Tribe of Nevada and California has been notified of survey findings and concurs with the report recommendations.

A summary of the survey and evaluation report (Appendix V) that was completed in December 2008, and revised in May and September 2009 after consultation with the Nevada State Historic Preservation Office, is provided above under Alternative C. Alternative D will also demolish the Biltmore Resort and Casino, the Tahoe Biltmore Gooie and “free parking” signs, and five cottage units, resources evaluated as eligible under 36 CFR 60.4 and TRPA Code Section 29.5. Alternative D proposes architecture that is not consistent with the Resort Rustic style recommended in the NSCP. Therefore, this impact is considered significant for Alternative D.

Mitigation: **CUL-1A: Prepare Resource Protection Plan to Preserve Historically Eligible Signs and Document the History of the Biltmore Resort and Cottages.**

Implement Mitigation Measure CUL-1A as described above under Alternative C.

CUL-1B: Redesign Alternative D Building Plans to Reflect a Resort Rustic Architectural Style.

Boulder Bay will redesign the proposed mixed-use project to reflect the Resort Rustic architectural style (i.e. the Cal Neva Lodge, which retains integrity), rather than some ultra modern generic Lake Tahoe style. The Resort Rustic style incorporates the multiple hipped roofs, rotunda, and dormers of the 1946 Nobler design depicted in the original plans. Resort Rustic buildings were constructed in the Tahoe Basin from the early 1900s through the 1940s. Derived from the Adirondack Rustic Style (1870-1930), the architecture was first developed in the Adirondack region of upstate New York, where William West Durant, president of the Adirondack Railroad, developed the area for the well-to-do. Durant's architectural style used glorified log construction for rustic camps and resorts for America's upper class. As noted by Ana Koval in her report on the Historic Resources of the Nevada Side of the Tahoe Basin, prepared for the TRPA:

The building complexes designed and built in this style were set on a lake or a river against a background of forest and mountains. They were built of readily available natural materials in a local craft tradition. They are characterized by the use of logs and indigenous stone, shingled roof with broad overhangs and porches, and simply proportioned window and door openings. All of the features described above are also characteristic of the Resort Rustic style of architecture found at Lake Tahoe; however, for the most part, the buildings constructed at Lake Tahoe were not built in the same grand scale as the great lodges of the Adirondacks...

The Resort Rustic style is characterized by rough stone foundations and large, stone chimneys and moderate to steeply pitched gable and hipped roofs – often covered with wooden shingles or shakes and pierced with dormer windows. Asymmetrical composition, unpeeled logs or half-round logs or bark siding; and numerous small windows with many panes and simple undecorated frames are elements of this style.

Three examples of the Resort Rustic style are the Comstock Lodge, sided with half-round logs, at 680 Lakeside Drive in Zephyr Cove; 450 Tuscorara in Crystal Bay which is sided in bark, and the Cal-Neva Lodge in Crystal Bay (Koval and Caterino 1989:51-52)

The style has also been called Rustic Vernacular and has been defined:

Successfully handled, [rustic] is a style which, through the use of native materials in proper scale, and through the avoidance of rigid, straight lines, and over-sophistication, gives the feeling of having been executed by pioneer craftsmen with limited hand tools. It thus achieves sympathy with natural surroundings and with the past (Tweed et al. 1977:93, in USDA Forest Service 2001:56).

The Tahoe Biltmore Resort and Casino, although somewhat altered in the early 1960s and early 1990s, still exhibits many of the elements of the Resort Rustic style, including steeply-pitched hip roof covered with shingles, dormers, broad overhangs, use of indigenous stone, asymmetrical composition, simple window

openings in the upper stories, with no rigid, straight lines, and a sympathy with its past. The recommendation to use the Resort Rustic style, referenced in Appendix V: Cultural Resources Study and Evaluations for the Tahoe Biltmore Resort and Casino Boulder Bay Resort Project (Marvin, Brejla and Lindström 2008:37-38), are supported by the Nevada SHPO in a letter to TRPA dated March 20, 2009.

After

Mitigation: *Less than Significant Impact; Alternative D*

Implementation of Mitigation Measure CUL-1A will preserve eligible signs from the Tahoe Biltmore Resort and will provide documentation of the history of the Tahoe Biltmore Resort and Cottages and their role in the history of Crystal Bay. Implementation of Mitigation Measure CUL-1B will ensure the design of the buildings is consistent with historic structures that are proposed to be demolished for construction of Alternative D. Therefore, with mitigation, this impact is less than significant.

Analysis: *Significant Impact; Alternative E*

Alternative E proposes the renovation of the existing Tahoe Biltmore structure and the addition of new buildings on the remainder of the site, resulting in the demolition of all other existing structures and signs. The Tahoe Biltmore Resort and Casino has been evaluated as a historical resource eligible under TRPA Section 29.5.A, and the cottage units and signs under 29.5 A and C; therefore the Project falls under Code Section 29.6.D Construction, Reconstruction, Repair, and Maintenance Standards which are in accordance with the *Secretary of the Interior's Standards for Rehabilitating Historic Buildings* (Weeks and Grimmer 1995). In the standards, "rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values." The Alternative E plans are not detailed enough to determine whether the renovation will comply with Code Section 29.6.D. Therefore, this impact is considered significant for Alternative E.

Mitigation: **CUL-1A: Prepare Resource Protection Plan to Preserve Historically Eligible Signs and Document the History of the Biltmore Resort and Cottages.**

Implement Mitigation Measure CUL-1A as described above under Alternative C.

CUL-1B: Redesign Building Plans to Reflect a Resort Rustic Architectural Style.

Implement Mitigation Measure CUL-1B as described above under Alternative D.

CUL-1C: Renovate the Tahoe Biltmore Hotel and Casino consistent with the Secretary of the Interior's Standards for Rehabilitating Historic Buildings.

To comply with applicable Code Section 29.6.D, Tahoe Biltmore renovation must be consistent with the Secretary of the Interior's Standards for Rehabilitating Historic Buildings. The Renovation may not damage or destroy materials, features or finishes that are important in defining the building's historic character. The standards can be found on the NPS website at <http://www.nps.gov/history/hps/TPS/tax/rhb/stand.htm>.

After

Mitigation: *Less than Significant Impact; Alternative E*

Implementation of Mitigation Measure CUL-1A will preserve potentially eligible signs from the Tahoe Biltmore Resort and will provide documentation of the history of the

Tahoe Biltmore Resort and Cottages and their role in the history of Crystal Bay. Implementation of Mitigation Measures CUL-1B and CUL-1C will ensure the renovation of the Tahoe Biltmore and design of the new buildings is consistent with standards for rehabilitating historic buildings. Therefore, with mitigation, this impact is less than significant.

IMPACT: CUL-2: Will the Project disturb unknown archaeological resources?

Analysis: *Potentially Significant Impact; All Alternatives*

No unique archaeological features are known to be located within the project area. Therefore, there are no known impacts associated with any alternative. No immediate Native American concerns regarding the project area were identified. The Washoe Tribe of Nevada and California was notified of survey findings and concurred with the report recommendations. As with any construction undertaking (including BMP retrofit disturbance), the potential for undiscovered subsurface archaeological features remains though it is unlikely, particularly within the existing footprint of the gaming structure/hotel.

Mitigation: **CUL-2: Identify and Protect Undiscovered Archaeological Resources**

If previously undiscovered human remains or archaeological resources are discovered during construction or any subsequent activity, all activity will cease in the vicinity of the discovery until the TRPA Cultural Resources staff (or their qualified consultant) assesses it for eligibility to the NRHP, compliance with TRPA Code Section 29, and/or (in the event of a prehistoric or ethnographic find) for Native American (Washoe) values. This assessment will occur in consultation with the Nevada SHPO, TRPA, and the Washoe Tribe, as appropriate. Cessation of applicable construction activity will continue until proper treatment can be determined and implemented by the responsible agencies.

To assure that potential undiscovered resources are identified during site grading, a qualified archaeologist shall be on-site during initial ground disturbing construction excavation and grading operations.

After

Mitigation: *Less than Significant Impact; All Alternatives*

Implementation of Mitigation Measure CUL-2 will protect potentially eligible resources that may be unearthed during project construction. Therefore, with mitigation, this impact is less than significant.

IMPACT: CUL-3: Will the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Analysis: *No Impact; All Alternatives*

No unique paleontological resources or geologic features are located within the project area. Therefore, there are no impacts associated with any alternative.

Mitigation: No mitigation is required.

IMPACT: CUL-4: Will the Project disturb any human remains, including those interred outside formal cemeteries?

Analysis: *Potentially Significant Impact; All Alternatives*

No formal cemeteries were identified during the cultural resources study for the proposed Project. No immediate Native American concerns regarding the project area were identified. The Washoe Tribe of Nevada and California was notified of survey findings and concurred with the report recommendations. However, as with any ground-disturbing activity there is always the possibility of encountering buried resources that were not revealed during intensive surface investigations. Based on the history and movement of native peoples, the likelihood of encountering buried human remains is potentially significant.

Mitigation: CUL-2: Identify and Protect Undiscovered Archaeological Resources

Implement Mitigation Measure CUL-2 as described above under Impact CUL-2.

After

Mitigation: *Less than Significant Impact; All Alternatives*

Implementation of Mitigation Measure CUL-2 will also ensure proper treatment of human remains that may be unearthed during project construction. Therefore, with mitigation, this impact is less than significant.

IMPACT: CUL-5: Will the Project restrict historic or pre-historic religious or sacred uses within the potential impact area?

Analysis: *No Impact; All Alternatives*

Based on the results of archaeological record searches and surveys, no prehistoric, religious or sacred uses are known to have occurred within the project area. Therefore, there are no impacts associated with these alternatives.

Mitigation: No mitigation is required.

CUMULATIVE IMPACTS AND MITIGATION MEASURES**IMPACT: CUL-C1: Will the Project have significant cumulative impacts to cultural or historical resources?**

Analysis: *No Impact; Alternatives A and B*

These alternatives will not include changes to the exterior of the existing structures and could occur without a TRPA permit for the existing gaming structure. Therefore, these alternatives would not contribute to potential cumulative impacts associated with cultural or historical resources.

Mitigation: No mitigation is needed.

Analysis: *Less than Significant Impact; Alternatives C, D and E*

The Tahoe Biltmore Resort and Casino, Tahoe Biltmore sign, as well as five cottage units, architectural resources evaluated as eligible for the register of historic resources, would be demolished or substantially altered in Alternatives C, D and E. As discussed under Impact CUL-1, this would be a significant impact to historical resources.

Mitigation Measure CUL-1A, described under Impact CUL-1, will reduce impacts associated with the Boulder Bay project to a less than significant level.

The recently approved, but not yet built Cal Neva Resort and Hotel Restoration project near the Boulder Bay Project would also result in the redevelopment of one of the four major resorts developed in Crystal Bay. The first of these, the Cal Neva Lodge, erected in 1927, was the first commercial and tourist development in the Crystal Bay area. Straddling the state line, the first Cal Neva Lodge was built in 1926 for San Francisco real estate entrepreneur Robert P. Sherman as a vacation home and guest house. The Cal Neva was most recently restored as a modern casino hotel by developer Charles Bluth in 1985 (Comer 2003, Lindström and Waechter 1995, Scott 1993:125-126). The permitted Cal-Neva project is not yet constructed, but will maintain the historically significant structures. Therefore, the Cal-Neva project will not result in a cumulative impact to potentially historic structures in the Crystal Bay area.

Mitigation: No mitigation is required.

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