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August 28, 2008

File No. 01030A

SUBJECT: Middle Fork American River Project Relicensing  
Final Cultural Resources Evaluation Plan

Dear Cultural Resources Technical Working Group Member:

Enclosed for your records is the Final Cultural Resources Evaluation Plan. This plan describes how the Placer County Water Agency (PCWA) will evaluate cultural resources in the vicinity of the Middle Fork American River Project (MFP or Project) to determine their eligibility for listing on the National Register of Historic Places (NRHP).

A draft version of this plan was distributed to the stakeholders on June 18, 2008 for a 60-day review and comment period, which ended on August 18, 2008. PCWA received one comment letter from the Shingle Springs Rancheria dated June 24, 2008. This letter did not affect the text of the report. However, as requested, PCWA will inform the Shingle Springs Band of Miwok Indians if new information or human remains are found as a result of the Evaluation Studies so that important and sacred artifacts can be properly protected.

The enclosed version of the plan does **not** include Tables 1-4 because these tables contain information that discloses the specific locations of archaeological sites. This type of information is considered confidential and may not be released to the general public. The complete report with Tables 1-4 is being distributed to select Forest Service and Tribal representatives as agreed to during a cultural resources Technical Working Group (TWG) meeting held on November 27, 2007.

The field work described in this plan will be carried out beginning in September 2008, pending the receipt of permits from the Eldorado and Tahoe National Forests. As soon as the permits are received, PCWA will develop and distribute a field schedule so that the Tribes can provide on-site tribal monitors to observe any ground disturbing activities (e.g. shovel probes or test excavation units), if desired.

Thank you again for your participation in the relicensing of the MFP. If you have any questions regarding this report, please contact me at 530 823-4889.

Sincerely,  
PLACER COUNTY WATER AGENCY

A handwritten signature in black ink that reads "Mal Toy".

Mal Toy  
Director of Resource Development

Enclosures: Final Cultural Resources Evaluation Plan, **Excluding** Confidential Tables 1-4  
Distribution List

Final Cultural Resources Evaluation Plan Cover Letter EC.doc

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**Placer County Water Agency  
Middle Fork American River Project  
(FERC No. 2079)**

***FINAL***

**CULTURAL RESOURCES EVALUATION PLAN**



Placer County Water Agency  
P.O. Box 6570  
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August 2008

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**TABLE OF CONTENTS**


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	Page
1.0 Introduction.....	1
2.0 Overview of the CUL 1 - Cultural Resources TSP objectives .....	1
3.0 Summary of Cultural Resources Inventory Work Completed to Date .....	1
4.0 Resource Summary .....	2
5.0 Evaluation Study Area .....	3
6.0 Determining Historical Significance .....	4
7.0 Evaluation Approach .....	4
7.1. Evaluation Methods .....	5
7.1.1. Historical Structures .....	5
7.1.2. Archaeological Sites.....	6
8.0 Reporting.....	8

**List of Confidential Tables**

Table 1.	Category 1: Resources that will not be Evaluated because they are not Affected by Project Operation and Maintenance Activities.
Table 2.	Category 2: Resources that will be Evaluated because they could Potentially be Affected by Project Operation and Maintenance Activities.
Table 3.	Category 3: Evaluation Approach to be Determined Pending Further Information.
Table 4.	Category 4: Resources that have Previously been Evaluated for the NRHP.

**List of Figures**

Figure 1.	CUL 1-1, Cultural Resources Study Objectives and Related Study Elements and Reports
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**List of Appendices**

Appendix A.	36 CFR 50.4 Historic Property Evaluation Criteria
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## **1.0 INTRODUCTION**

This Cultural Resources Evaluation Plan (CREP) describes how the Placer County Water Agency (PCWA) will evaluate cultural resources in the vicinity of the Middle Fork American River Project (MFP or Project) to determine their eligibility for listing on the National Register of Historic Places (NRHP). The evaluation of cultural resources for NRHP eligibility is a component of the CUL 1 - Cultural Resources Technical Study Plan (TSP), which was developed in consultation with the stakeholders and is included in Supporting Document (SD) H of PCWA's Pre-Application Document (PAD). The CREP was developed based on cultural resources research and field surveys conducted in 2005, 2006 and 2007, as summarized in Section 3.0.

PCWA is currently completing cultural resources field surveys at select locations. Any additional sites found in 2008 that need to be evaluated for NRHP eligibility will be addressed in a Supplemental CREP. The Supplemental CREP will be distributed to the stakeholders for review and comment prior to proceeding with any additional eligibility evaluations.

## **2.0 OVERVIEW OF THE CUL 1 - CULTURAL RESOURCES TSP OBJECTIVES**

The CUL 1 - Cultural Resources TSP includes two primary objectives, as follows:

- Develop information about the occurrence of cultural resources that could potentially be affected by Project operation and maintenance activities; and
- Determine the eligibility of cultural resources for listing in the National Register of Historic Places (NRHP).

Figure CUL 1-1 shows the CUL 1 - TSP study objectives and the study elements and activities that relate to each objective. It also shows how information developed through the cultural resources studies has been or will be documented. As indicated on Figure CUL 1-1, the study objectives will be met by completing the Cultural Resources Inventory Study and by conducting an Eligibility Assessment.

Ultimately, the information developed as part of the CUL-1 TSP will be used to develop a Historic Properties Management Plan (HPMP) designed to protect cultural resources that could potentially be affected by MFP operation and maintenance activities. The plan will focus on cultural resources that are eligible for or are listed on the NRHP.

## **3.0 SUMMARY OF CULTURAL RESOURCES INVENTORY WORK COMPLETED TO DATE**

The Cultural Resources Inventory Study was initiated in 2005 as part of PCWA's early relicensing studies and includes two phases. Phase 1 was completed in 2005 and focused on retrieving, compiling and reviewing existing cultural resource information in the vicinity of the MFP. Phase 2, which began in 2006 and will continue through 2008, focuses on verifying the location and condition of known cultural resources, and identifying and recording previously unrecorded cultural resources in areas associated

with the MFP. The results of the cultural resources inventory work conducted to date are documented in the following reports:

- 2005 Cultural Resources Inventory Study Report (PCWA 2006)
- 2006 Cultural Resources Inventory Study Report (PCWA 2007)
- CUL 1 - Cultural Resources Technical Study Report - 2007 (PCWA 2008)

The majority of the study area was surveyed in 2006 and 2007. However, a few locations in the study area have not yet been surveyed. These locations are currently being surveyed. The cultural resources surveys are expected to be complete by the end of 2008.

The Eligibility Study described in this CREP will be conducted in 2008 and early 2009 after the appropriate permits are obtained. Additional sites that are recommended for evaluation based on information from the 2008 field survey will be evaluated after circulating a Supplemental CREP. The results of the Eligibility Study will be documented in a draft report that will be distributed for review and comment to the U.S. Department of Agriculture-Forest Service (USDA-FS), Native American Tribes, and the Cultural Resources Technical Working Group (TWG) in March 2009.

#### **4.0 RESOURCE SUMMARY**

To-date, 29 cultural resources have been identified within the study area, which was defined in the CUL 1 - Cultural Resources TSP to include all public and PCWA-owned lands within the existing FERC Project boundary and within a 200-foot area surrounding any: 1) Project facility or feature; 2) Project recreation facility; 3) stakeholder-identified dispersed concentrated use area, and 4) potential Project betterment, including new facilities, roads and trails, staging, and disposal sites. Of the 29 cultural resources identified in the study area, one previously recorded resource (FS-05-17-54-06) could not be relocated. The remaining 28 were either: 1) previously known resources that have been relocated and examined; 2) newly recorded resources found during field surveys, or 3) newly recorded isolated finds that will not be considered further per USDA-FS policy. The cultural resources located in the study area that have been identified to-date include:

- 10 Native American archaeological sites;
- 10 historic structures, buildings, and objects, such as mines, mine ditches and stream diversions;
- 4 historic era archaeological deposits associated with mines and ranching activities;
- 2 archaeological sites with both Native American and Euroamerican components; and
- 3 isolated artifacts.

Information about these resources, including location maps and Department of Parks and Recreation (DPR) 523 forms are available in the 2006 Cultural Resources Inventory Report (PCWA 2007) and the CUL 1 - Cultural Resources Technical Study Report - 2007 (PCWA 2008).

## 5.0 EVALUATION STUDY AREA

The eligibility study involves evaluating specific cultural resources that were identified during surveys conducted in 2006, 2007 and 2008 and that meet one or both of the following two criteria:

- 1) the resource lies within an area that could potentially be affected by Project operation and maintenance activities; and/or
- 2) the resource lies within an area that could potentially be affected by the construction, operation and maintenance of Project betterments.

The following table identifies the areas around specific types of Project features that could be affected by Project operation and maintenance activities, or by the construction, operation and maintenance of Project betterments, based on a detailed review of the PCWA's operation and maintenance activities. The evaluation studies will be limited to the resources located within the areas identified below.

### Evaluation Study Area

<b>Distance</b>	<b>Existing Project Facilities and Features, Recreation Facilities, and Dispersed Concentrated Use Areas Identified by Stakeholders</b>
10 feet	on either side of trails
20 feet	around the perimeter of the large reservoirs, medium reservoirs, and diversion pools outside the perimeter fence of powerhouses, switchyards, and substations around ancillary support facilities and Project fences
30 feet	on either side of penstocks, valve houses, and removable sections around gaging stations and weirs on either side of communication lines, powerlines, photovoltaic poles and lines, and roads and access points on either side of water supply lines (above ground or buried)
60 feet	around intakes, gatehouses, surge tanks, adits, portals, microwave reflectors, radio towers, and sediment disposal and drop inlets
100 feet	around recreation facilities and dispersed concentrated use areas
<b>Distance</b>	<b>Proposed Project Betterments</b>
100 feet	around new facilities, roads, and trails; staging and disposal sites; and new inundation areas

## 6.0 DETERMINING HISTORICAL SIGNIFICANCE

The process of determining the eligibility of resource for listing in the NRHP is known as “evaluating the historical significance” of a resource. The criteria used to evaluate historical significance are found in regulations contained in Title 36 of the Code of Federal Regulations, Section 60.4 (36 CFR 60.4). Cultural resources that meet the NRHP eligibility criteria and which retain integrity are historically significant. The NRHP eligibility criteria are included in Appendix A for reference. Pertinent excerpts are shown below:

*National Register criteria for evaluation.* The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and 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 in prehistory or history.

Archaeological resources are typically evaluated under criterion (d) while architectural resources are evaluated under criterion (c). Mining remains from the 19th Century may be evaluated under criterion (a) because they are associated with the historically significant California Gold Rush which was an important event in American history. A resource need only meet the integrity standard and one (not all) of the eligibility criteria to be determined historically significant.

Evaluations of historical significance are reviewed by the State Historic Preservation Officer (SHPO) who concurs or does not concur with the evaluation of each property. In the event there is a dispute regarding the eligibility of a property, the parties submit the dispute to the Keeper of the NRHP, who will have the final say regarding eligibility. Cultural resources determined to be eligible for listing in the NRHP are considered historic properties and must be managed to preserve their historically significant characteristics. Specific management approaches are defined in the HPMP.

## 7.0 EVALUATION APPROACH

For the purposes of this CREP, the various types of resources present in the Project vicinity have been divided into four categories depending upon evaluation approach, as follows:

**Category 1.** These are resources that will not be evaluated for NRHP eligibility because they are situated outside the area affected by Project operation and maintenance activities, or by the construction, maintenance, or operation of Project betterments. Category 1 resources are identified on Table 1.

**Category 2.** These are resources that will be evaluated for NRHP eligibility because they are situated within areas that could potentially be affected by Project operation and maintenance activities or by the construction, operation and maintenance of Project betterments. Category 2 resources are identified on Table 2.

**Category 3.** These are resources that may be evaluated pending additional information to be developed in 2008. These resources are situated in the vicinity of the Project but additional information regarding the resource boundaries and/or relationship to the Project is necessary to determine whether the resource could potentially be affected by Project operation and maintenance activities, or by the construction of Project betterments. Once this information is developed, each of these resources will be placed into either Category 1 or Category 2, as appropriate. Category 3 resources are identified on Table 3.

**Category 4.** These are resources that have previously been evaluated for NRHP eligibility and that lie within the area potentially affected by Project operation and maintenance activities, or by the construction, maintenance, or operation of Project betterments. Category 4 resources are identified on Table 4. No additional studies are necessary.

The methods that will be used to evaluate the Category 2 resources are described in the following subsection.

## **7.1. EVALUATION METHODS**

All resources identified as Category 2 resources will be evaluated for NRHP eligibility. Category 2 resources consist of two different types of resources - historic structures and archaeological sites. The historic structures will be evaluated using historic research to determine their age and historical significance. Archaeological sites will be evaluated through consultation with Native American Tribes and by using archaeological methods and relevant ethnographic information. The evaluation methods proposed for each resource are summarized on Table 2 and further described in the following.

### **7.1.1. Historical Structures**

Historic structures will be evaluated to determine whether the resource meets one or more of the criterion for inclusion on the NRHP. Historic structures evaluations will be based upon historic information, including local histories, mining histories, historic maps and photographs, engineering documents, and materials found in archives and libraries of local and state historical societies and academic libraries. Structures or buildings that are considered Category 2 resources (and not necessarily historically related to MFP

facilities) will be evaluated for NRHP eligibility by preparing all necessary DPR 523 forms.

The MFP facilities were constructed in the 1960s and will be at least 50 years old at the time the new license is issued. Therefore, the Project facilities are considered Category 2 resources. Planned and constructed as an integrated system within a well-defined time period, the MFP facilities will be evaluated for NRHP eligibility as a historic district. This approach will utilize DPR 523 forms (Primary Record, BSO Record, Linear Record, District Record, Location Record, and Continuation Sheets) to identify and evaluate all components/elements of the system. These DPR 523 forms will also determine whether MFP system components/elements contribute or don't contribute to the significance of the historic district.

In order to evaluate the significance of the district, a historic context will be developed. The historic context will review historic information concerning water conveyance and hydroelectric generating systems planned and constructed in the 1960s. The context will provide a baseline for understanding the relative importance of the MFP facilities in terms of local, state, and national significance and whether the facilities retain associations with significant historical trends or events (NRHP Criterion A), significant people or groups of people (NRHP Criterion B) and/or are important for their engineering and/or architecture (NRHP Criterion C).

### **7.1.2. Archaeological Sites**

Archaeological sites associated with Native American and other cultural groups will be evaluated to determine whether the resource meets one or more of the criterion for inclusion on the NRHP. Archeological resources will be evaluated by consulting with Native American Tribes and by generating data through shovel probes and test excavation units (TEUs).

Prior to conducting test excavations or any other ground disturbing activities, PCWA will obtain an Archaeological Resources Protection Act (ARPA) permit from the USDA-FS. The ARPA permit application will include "Research Designs" that identify where shovel probes and TEUs are expected. In addition, the Research Designs will include information about the number and location of TEUs anticipated at each site, data collection methods, and documentation methods. As required by ARPA, the Tribes will be notified by the Eldorado National Forest (ENF) or the Tahoe National Forest (TNF) of PCWA's permit application and the Tribes will be provided a 30-day period to comment on the application. All field work, including test excavations, will be performed in accordance with the terms and conditions outlined in the ARPA permit.

### **Tribal Consultation**

PCWA will consult with the Native American Tribes regarding each of the prehistoric archaeological resources to be evaluated as part of this plan. Consultation with interested tribes will be undertaken in an effort to determine those historic attributes that may be associated with each site recognized by the Tribe, recognizing that such

consultation may involve a broader geographical area than the defined boundaries of a given archaeological site. As part of this effort, PCWA will conduct site visits and will meet with tribal representatives in whatever forum is most comfortable for tribal representatives. Information developed through Tribal consultation will be documented and will remain confidential as designated by tribal representatives. The objective of the consultation is to develop understanding of the historical associations of the cultural resources as they relate to potential Project effects.

### Tribal Monitors

In some cases, shovel probes and potentially TEUs may be necessary to accurately delineate the boundaries of a prehistoric archaeological site or to develop additional information about the resource. Shovel probes, and potentially TEUs, are anticipated at three archaeological sites (FS-05-17-54-116; FS-05-17-54-400; FS-05-03-55-201), as shown on Table 2. In addition, shovel probes and potentially TEUs may be necessary at three other Category 3 archaeological sites depending upon the outcome of 2008 field surveys and research activities. These three sites are identified on Table 3 as FS-05-03-53-04, FS-05-03-53-375, and FS-05-17-54-468. In cases where shovel probes and/or TEUs are necessary, PCWA will provide the Tribes with a field schedule so that the Tribe(s) can provide on-site tribal monitors to observe the shovel probes or test excavations, if desired.

### **Shovel Probes and Test Excavation Units**

Shovel probes (50 centimeter (cm) x 50 cm) will be used to assess the boundaries and contents of archaeological sites. In some cases, it may be necessary to excavate a small number of TEUs, measuring 1 meter (m) x 1 m or 1 m x 2 m. In all excavations, soils will be removed using hand tools with soils screened through 1/8-inch mesh, to recover artifacts and other items of interest. Materials found will be sorted, counted, tallied, and described in the field. Diagnostic artifacts will be photographed in the field.

Detailed excavation methods to be used at each site will be described in Research Designs, which will be submitted to the appropriate USDA-FS offices as part of the ARPA application. The Research Designs will include details such as the amount of material to be excavated and collection and handling procedures.

### Collection of Materials

Obsidian flakes will be collected for obsidian hydration analysis and source determination and basalt artifacts will be collected to determine their original source. Obsidian and basalt samples will be reburied at the appropriate site after analysis.

No other materials are expected to be collected. In the event a rare, exceptional artifact is found it will be retained and curated at the appropriate USDA-FS office. PCWA will provide the curator with a catalogue and evaluation of all materials deposited with the curatorial facility, including the facility's accession or catalogue numbers, and confirmation, signed by an authorized curatorial facility official, that artifacts, samples,

and collections were deposited with the approved curatorial facility. The confirmation will include the date the materials were deposited and the type, number, and condition of the deposited materials.

#### Human Remains, Funerary Objects, Sacred Objects or Objects of Cultural Patrimony

In the event that human remains, funerary objects, sacred objects or objects of cultural patrimony are discovered, PCWA will immediately cease work, will protect and secure the site to the extent practicable, and will notify the USDA-FS archaeologist of the discovery. In addition, PCWA will notify all of the Tribes interested in the relicensing of the MFP within 24 hours of the discovery. Upon notification, PCWA will consult with the USDA-FS and the Tribes regarding the protection and/or recovery of important objects and human remains. PCWA will not resume excavation activities at the site until agreed to by the Tribes and allowed to do so by the USDA-FS archaeologist.

### **8.0 REPORTING**

The information developed as part of this CREP and the Supplemental CREP will be documented in a detailed report, which will be provided to the USDA-FS, Tribes, and the Cultural Resources TWG for review and comment. The report will describe the methods that were used to evaluate each site and the results of the evaluation. In addition, it will identify those sites that were determined to be eligible for inclusion in the NRHP based on specific eligibility criteria. Upon completion, the report and all relevant information will be provided to the SHPO, who will make a determination regarding each resource's eligibility for inclusion in the NRHP. Any eligible resources that are located within the evaluation study area will be addressed in a HPMP), a draft of which will be included in PCWA's Application for New License. The HPMP will identify specific measures that PCWA will undertake to protect NRHP resources located within the evaluation study area.

## **Placeholder for**

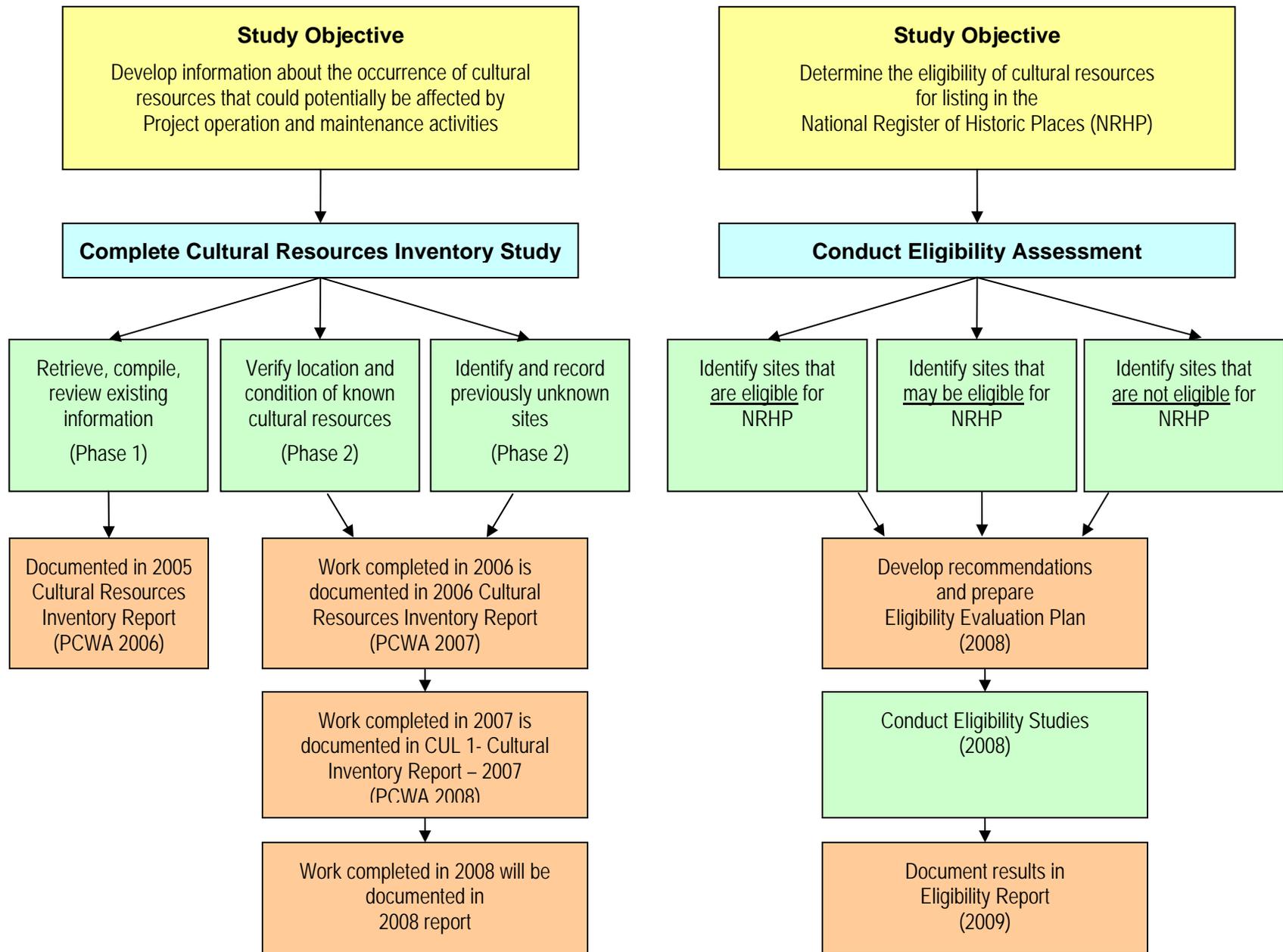
### **TABLES**

#### **Privileged Information**

The Tables have been removed from this document because they contain confidential cultural resources information, and are considered “privileged” information. This type of information may not be made available to the public pursuant to the Federal Energy Regulatory Commission’s (FERC’s) regulations contained in 18 CFR Section 5.2(c) and 18 CFR Section 388.112.

**FIGURE**

**Figure 1. CUL 1 – Cultural Resources Study Objectives and Related Study Elements and Reports.**



**APPENDIX A**  
**36 CFR 60.4**  
**Historic Property Evaluation Criteria**

## Criteria for Evaluation

The criteria applied to evaluate properties (other than areas of the National Park System and National Historic Landmarks) for the National Register are listed below. These criteria are worded in a manner to provide for a wide diversity of resources. The following criteria shall be used in evaluating properties for nomination to the National Register, by NPS in reviewing nominations, and for evaluating National Register eligibility of properties. Guidance in applying the criteria is further discussed in the "How To" publications, Standards & Guidelines sheets and Keeper's opinions of the National Register. Such materials are available upon request.

*National Register criteria for evaluation.* The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and 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 in prehistory or history.

*Criteria considerations.* Ordinarily cemeteries, birthplaces, or 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 National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall within the following categories:

- (a) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- (b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- (c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

- (d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (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; or
- (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.

This exception is described further in NPS "How To" #2, entitled "How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years" which is available from the National Register of Historic Places Division, National Park Service, United States Department of the Interior, Washington, D.C. 20240.