

APPENDIX 3.6-A - CULTURAL RESOURCES

* Note: The exact locations of Cultural Resources features on the site is confidential information and has been removed from these documents.



**CULTURAL RESOURCES ASSESSMENT UPDATE
REPORT FOR THE
RINCON DEL RIO PROJECT,
NEVADA COUNTY, CALIFORNIA**

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Cogstone Project Number: 2227

Type of Study: Archaeological Phase I including limited survey

Resources: P-29-2969 (CA-NEV-1809H), P-29-2970, P-29-2971,

USGS Quadrangle: Lake Combie 7.5' USGS quadrangle 1995

Area: 20-acre survey (215-acre total project area)

Key Words: irrigation ditches, Magnolia Ditch, historic ranch, Nevada County

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MANAGEMENT SUMMARY/ABSTRACT

Cogstone Resource Management Inc. conducted a record search, survey and assessment to determine the potential impact on cultural resources of proposed construction activities for the Rincon del Rio project in unincorporated southwestern Nevada County, California. The study was completed in compliance with CEQA as part of the background information required for preparation of an Environmental Impact Report, with Nevada County as the lead agency.

The project area is located within the traditional territory of the Nisenan, also known as the southern Maidu. The Native American Heritage Commission (NAHC) was contacted on June 16, 2011, and responded on June 23, 2011, that no sacred lands are known within the immediate project area. The NAHC recommended 11 tribes or individuals be contacted for further information. Four responses were received. None of the respondents knew of cultural resources in the project area but some were concerned about the potential for artifacts or burials to be uncovered during project construction.

The June 16, 2011 record search determined that three historic-era resources were recorded by a prior survey of the entire project area, conducted by the Genesis Society in 2006. A pedestrian survey of approximately 20 acres, including relocation of the three known resources, was conducted on June 27, 2011. A second cultural survey of the entire 215-acre project area was not required. Ground visibility was generally poor due to the density of vegetation coverage. Each of the three previously-recorded resources was relocated and their current condition assessed.

The three historic-era resources located within the project area (Ranch Complex P-29-2969, CA-NEV-1809H; Unnamed Ditch P-29-2971; Magnolia Ditch P-29-2970) are not considered eligible for National or California Register inclusion, and do not qualify as historic properties or historical resources. Thus the proposed project does not have the potential to cause a substantial adverse change on any resource that currently qualifies as a historical resource under CEQA.

The project area is considered highly sensitive for discovery of archaeological resources, and construction monitoring by a qualified archaeologist is recommended, at a minimum, during initial vegetation clearing and other ground disturbance in native soils/sediments. If no cultural resources are identified during brushing/grubbing, and if determined by the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. In the event that cultural resources, including human remains, are discovered during ground-disturbing activities during project implementation, project personnel should halt such activities in the immediate area and notify the onsite monitor, if present, or a qualified archaeologist to evaluate the resources.

Copies of this report will be filed with PMC and the North Central Information Center at California State University, Sacramento. All project documents will be on file at Cogstone.

INTRODUCTION

PURPOSE OF STUDY

This cultural resources study was completed in support of an Environmental Impact Report (EIR) for the Nevada County Planning Department for the proposed development of a Continuing Care Retirement Community (CCRC) for the Rincon del Rio project. Three historic-era resources were identified and recorded during an archaeological inventory completed for the project five years ago (Jensen 2006). This study included literature and Sacred Lands File searches, survey of approximately 20 acres along the Bear River and drainage systems considered sensitive for prehistoric and historic-era resources, and relocation of the three known resources to assess their condition and significance. A second professional cultural survey of the entire 215-acre project area was not required. This study was completed in compliance with the provisions of the California Environment Quality Act (CEQA), with Nevada County acting as the lead agency.

PROJECT LOCATION AND DESCRIPTION

The Rincon del Rio project is located in unincorporated, southwestern Nevada County, California, just south of the City of Grass Valley and north of the City of Auburn (Figure 1). The project is approximately 0.5 miles east of State Route (SR) 49 at the terminus of Rincon Way, and south of the Lake of the Pines community. The 215-acre project encompasses four parcels (APNs 57-240-17, -18, -19 and 57-130-13), and except for one single-family residence near the southwest corner, the project area is currently undeveloped. The project is situated in Section 33 of Township 14 North, Range 8 East, and Section 4 of Township 13 North, Range 8 East, as shown on the 1995 Lake Combie USGS 7.5' quadrangle (Figure 2).

The proposed project activities include the development of a fully operational, continuing care retirement community, within a campus-like setting. The community would provide housing for approximately 415 residents, within 345 attached and detached housing units. Proposed development would be clustered and would be limited to a 40-acre envelope located on the western half of the project area with the remaining approximately 170 acres to remain as undeveloped open space (Figure 3). The campus setting will feature commercial and recreational uses, transportation, and a variety of other services. The proposed project would also include recreational elements such as walking trails, pedestrian bridges, community gardens, aquatic fitness center, and courts for tennis, volley-ball and bocce ball. The network of earthen or paved walking trails are planned to extend into the green space, including around an existing pond in the center of the project and along the Combie Phase Canal.

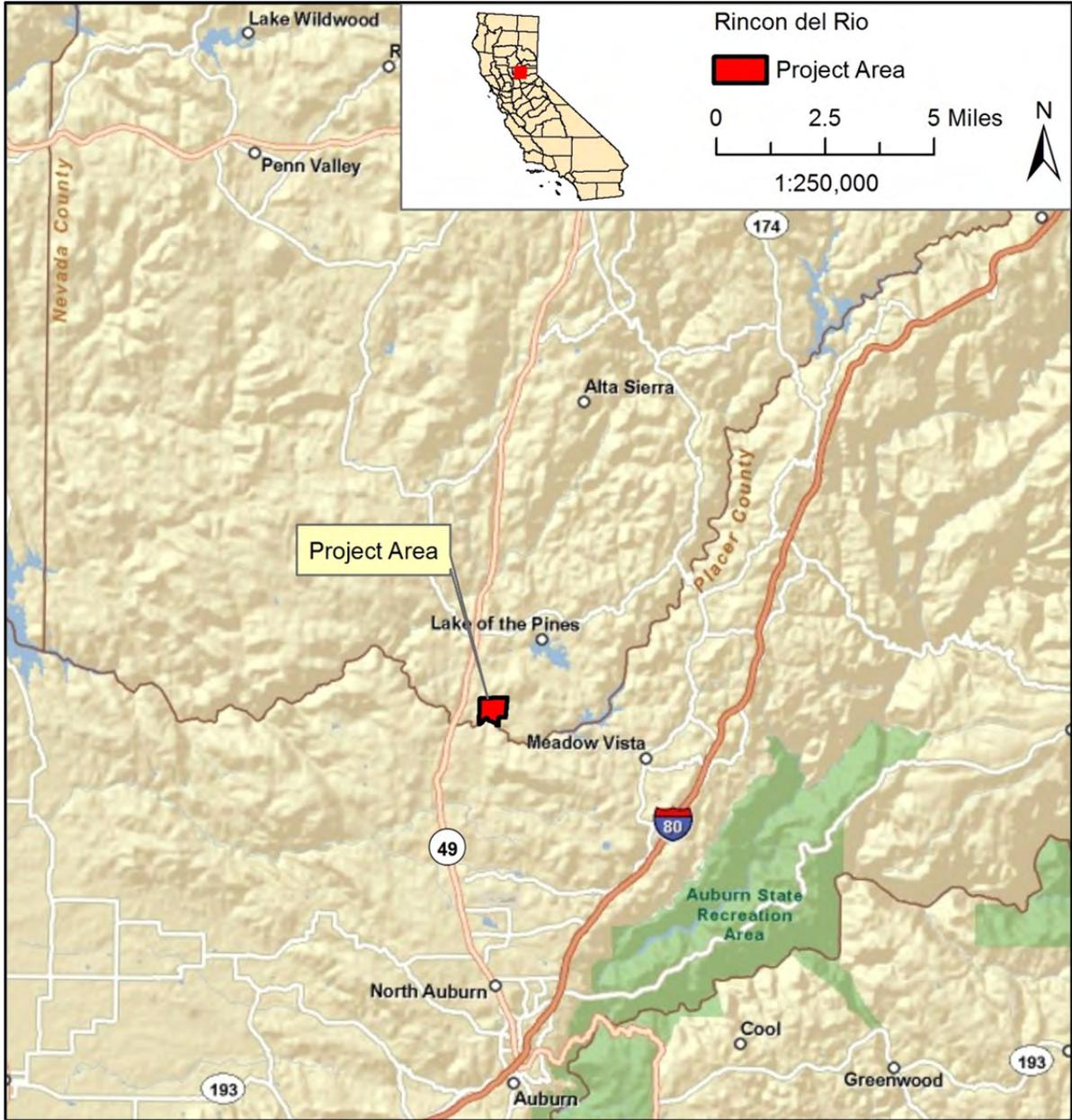


Figure 1. Project vicinity

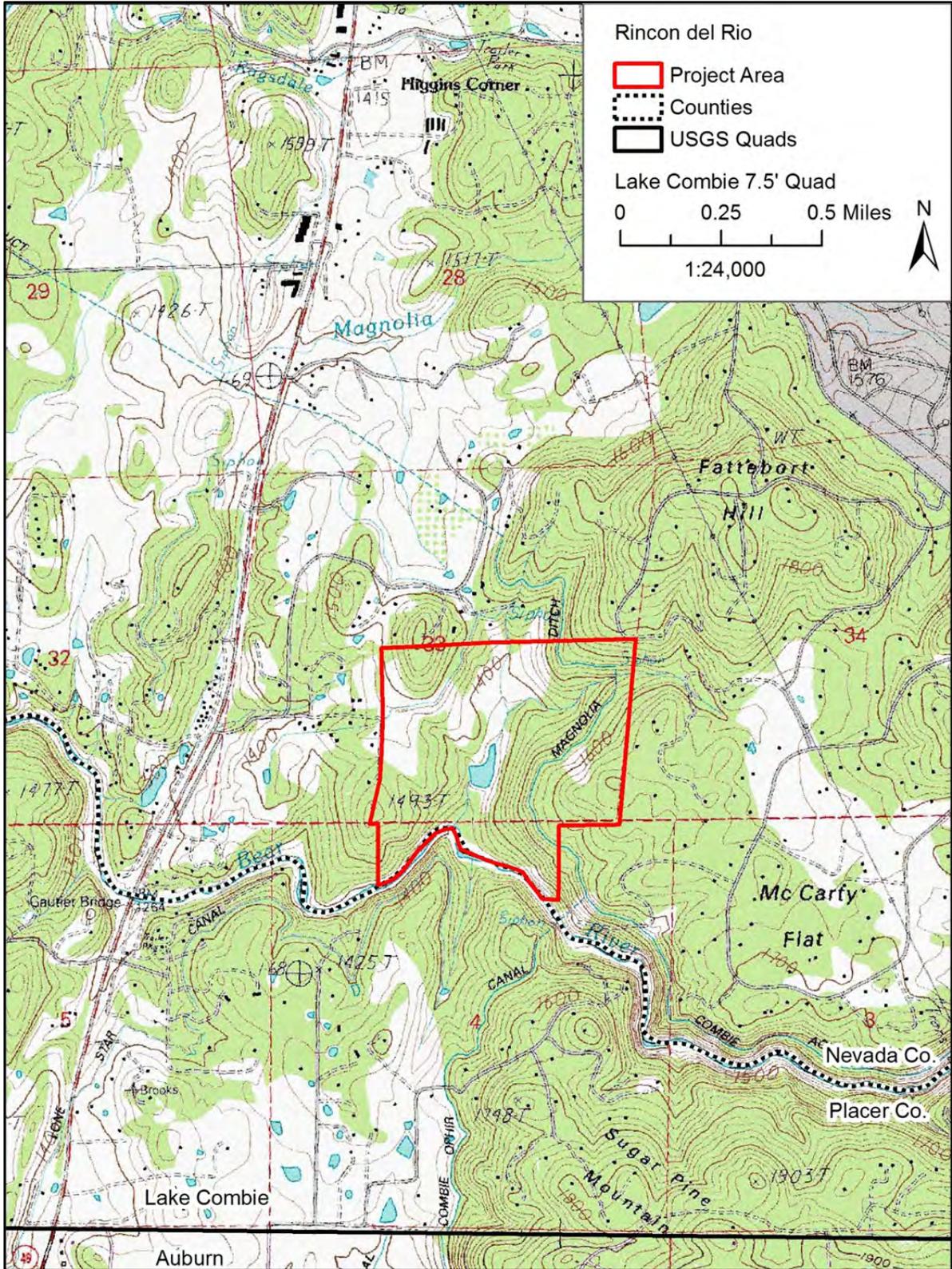


Figure 2. Project area

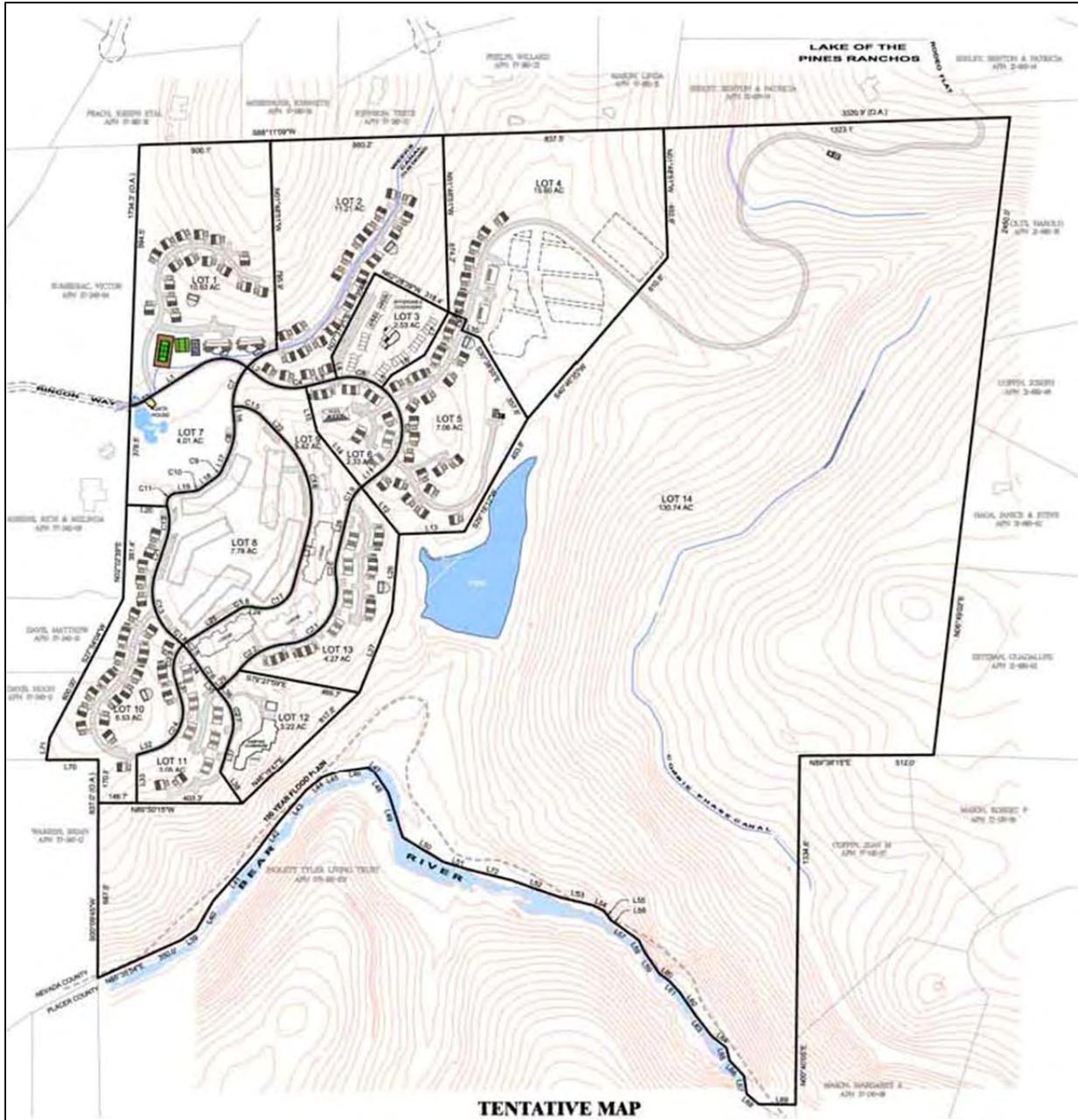


Figure 3. Rincon del Rio Development Plan

2011 SURVEY COVERAGE AREA

Pedestrian survey for the current study was limited to approximately 20 acres (Figure 4). An archaeological inventory was completed within the full project acreage five years ago (Jensen 2006), and as noted above, a second professional cultural survey of the entire 215 acres was not required. The survey for this study included a 100-foot wide corridor north of the Bear River along the southern edge of the project area, plus relocation and resurvey of the three previously recorded historic-era resources located during the prior study (Jensen 2006) and formally recorded at that time on California Department of Parks and Recreation series 523 forms. The three resources include the remains of a ranch complex (P-29-2969, CA-NEV-1809H), the Magnolia Ditch (P-29-2970), and an unnamed ditch (P-29-2971). The survey for this study included a 50-foot wide corridor (25-feet either side) of both the Magnolia Ditch and unnamed ditch, and within the approximately 15,000-square foot archaeological site comprising the former ranch complex.

PROJECT PERSONNEL

Cogstone Resource Management Inc. (Cogstone) conducted the survey and prepared the report. Dr. Nancy Sikes served as the Principal Investigator for the project, supervised all work, and was the main author of this report. Dr. Sikes is a Registered Professional Archaeologist (RPA) with a Ph.D. in Anthropology from the University of Illinois, Urbana-Champaign. She has more than 20 years of experience in archaeology.

Cindy Arrington performed the field survey and contributed portions of this report. Arrington has a master's degree in historical archaeology from California State University, San Jose, and more than 15 years of experience in California. Qualifications of key project personnel are provided (Appendix A).

Amy Glover requested the literature and Sacred Lands File searches, and communicated with the Native American representatives. Glover has a bachelor's degree in anthropology from the University of California at Riverside and over five years of experience in California archaeology. Molly Valasik prepared the maps. Valasik is GIS-proficient and has a master's degree in anthropology from Kent State University. Sherri Gust performed quality control review of this document. Gust is a Registered Professional Archaeologist with 30 years of experience.

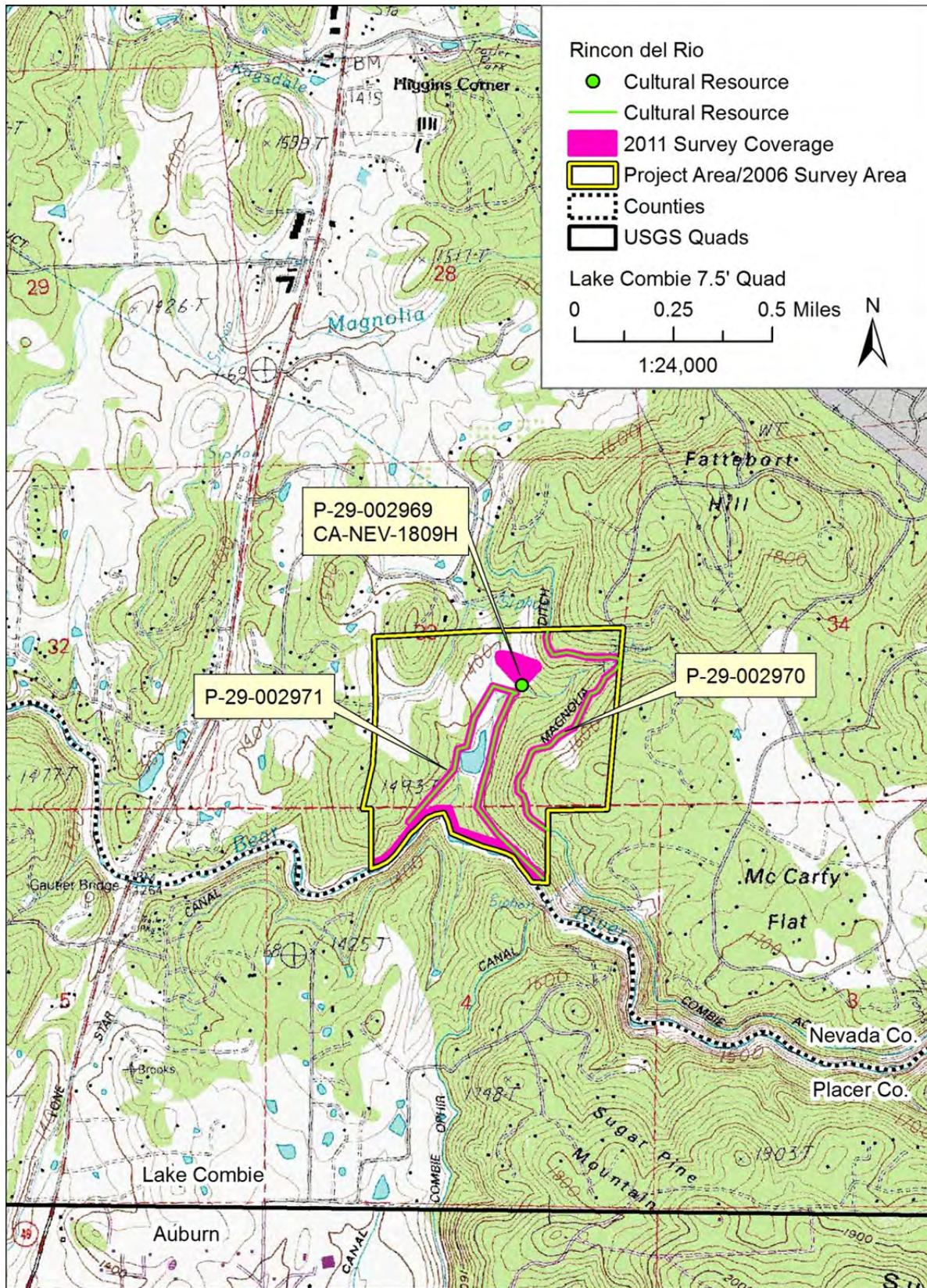


Figure 4. Survey Coverage Map

Cogstone

REGULATORY ENVIRONMENT

This study was completed under the provisions of the California Environmental Quality Act of 1970 (CEQA) (California Code of Regulations [CCR] Title 14 Section 15064.5 and Public Resources Code [PRC] Section 21083.2). CEQA declares that it is state policy to "take all action necessary to provide the people of this state with...historic environmental qualities." It further states that public or private projects financed or approved by the state are subject to environmental review by the state. All such projects, unless entitled to an exemption, may proceed only after this requirement has been satisfied. CEQA requires detailed studies that analyze the environmental effects of a proposed project. In the event that a project is determined to have a potential significant environmental effect, the act requires that alternative plans and mitigation measures be considered.

CEQA includes historic built-environment and archaeological resources as integral features of the environment. CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources. A historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5(a)(2)), or any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (Section 15064.5 (a)(3)).

Public Resources Code (PRC) Section 5024.1, Section 15064.5 of the Guidelines, and Sections 21083.2 and 21084.1 of the Statutes of CEQA were used as the basic guidelines for the cultural resources study. PRC Section 5024.1 directs evaluation of historical resources to determine their eligibility for listing on the CRHR. The purpose of the register is to maintain listings of the state's historical resources and to indicate which properties are to be protected from substantial adverse change. Note that California Historical Landmarks with numbers 770 or higher are automatically included in the CRHR.

The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing on the National Register of Historic Places (NRHP), and require similar protection to what Section 106 of the National Historic Preservation Act (NHPA) mandates for historic properties. According to Public Resources Code (PRC) Section 5024.1(c)(1-4), a resource is considered historically significant if it meets at least one of the following criteria:

1. Is associated with 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

Under CEQA, if an archeological site is not a significant “historical resource” but meets the definition of a “unique archeological resource” as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section. A unique archaeological resource is defined in PRC Section 21083.2(g) as follows:

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Resources that neither meet any of these criteria for listing on the NRHP or CRHR nor qualify as a “unique archaeological resource” under CEQA PRC Section 21083.2 are viewed as not significant. Under CEQA, “A non-unique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects” [PRC Section 21083.2(h)].

Impacts to historical resources that alter the characteristics that qualify the historical resource for listing on the CRHR, are considered to be a significant effect under CEQA. The impacts to a historical resource are considered significant if the project activities physically destroy or damage all or part of a resource, change the character of the use of the resource or physical feature within the setting of the resource which contribute to its significance, or introduce visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (Section 21083.2 (a), (b), and (c)).

ENVIRONMENTAL SETTING

The Rincon del Rio project area is located in a rural, relatively undeveloped region on the western slope of the Sierra Nevada Range, approximately 0.5 miles east of SR 49. The topography within the project area varies from rolling hills to somewhat flatter terrain near the center. The nearest major stream is the Bear River; the north bank of which borders the southern edge of the project. A seasonal tributary bisects the center of the project area and trends north-south. The tributary also feeds a large pond situated near the center of the project area. The Combie Phase Canal traverses the eastern half of the project area on a north-south bearing. As shown on Figure 2, the portion of this canal within the project area, was formerly known as the Magnolia Ditch. Elevation within the project area ranges from approximately 390 to 521 meters (1,280-1,710 feet) above mean sea level.

The rural lands surrounding the project acreage to the north, east and west, exhibit a scattering of residences on relatively large parcels. To the south across the Bear River, the land is undeveloped. The project area contains a variety of disturbances, ranging from historic-era ranching, logging, mining, and water conveyance development, to more recent activities (Jensen 2006). The stock pond in the center of the project area is dammed at its southern end and has been improved. Recent construction activities include grading, road cuts, a large, single-family residence with associated outbuildings, picnic grounds, buried utilities, land contouring, and extensive landscaping. The residential compound, constructed after the land was purchased in 2000 (Jensen 2006:6), is situated on a bluff overlooking the Bear River in the southwestern portion of the project. The project area is crossed by several two tracks. At present, the land is also being used for cattle grazing.

Situated with the Sierra Nevada ecoregion (Miles and Goudey 1998:ecoregion M261E), the project vicinity is characterized by a cold and humid climate with a mean annual temperature of about 35 to 50 degrees Fahrenheit. Mean annual precipitation, mostly falling as snow, is about 40 to 80 inches. As discussed by Hull (2007:26), the current climatic pattern and zonation of biotic communities were apparently in place by the Middle Holocene circa 1,000 cal B.C.; although there have been several periods of severe droughts during the Late Holocene after circa A.D. 892.

Within this rural setting, vegetation within the project area is dominated by ponderosa pine, California black oak and several kinds of oak-dominated woodlands, and annual grassland. Small portions of the project area include wet meadow, freshwater emergent wetlands, and foothill riparian habitats. In a prehistoric or ethnohistoric context, native plants in this region would have been used for food, basketry material, or medicine. Acorn and other vegetal resources were processed using large granite and basalt outcrops, like those common in the project vicinity. Since local Mesozoic granite was relatively unsuitable for chipped stone

toolmaking, local inhabitants like the Nisenan used younger volcanic basalt or traded for obsidian tools with other Native American groups (Wilson and Towne 1978:388).

Wildlife common to this region include black-tail and mule deer, black bear, mountain lion, coyote, bobcat, fox, weasels, badgers, marmots, martens, wolverines, and porcupine. Grizzly bears, which were native to the western slope, became extinct in 1924 (Miles and Goudey 1998:ecoregion M261Eh). The variety of common birds includes raptors, owls, woodpeckers, quail and grouse. Turkeys and beavers are introduced species.

CULTURAL SETTING

PREHISTORIC OVERVIEW

Our record of California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian (ca. 11,500–8000 B.C.), Archaic (8000 B.C.–A.D. 500), and Late Prehistoric (A.D. 500–Historic Contact). Although early occupation in the High Sierra occurred at least 9,000 years ago, only a few projectile points have been identified that likely date to the Paleoindian Period. Fluted points were found in Alpine County at Ebbett’s Pass, south of Lake Tahoe (Moratto 1984:87; Dillon 2002:113), and in Placer County, within the Tahoe National Forest at the Sailor Flat site (CA-PLA-500) (Justice 2002:94–95; Wohlgemuth 1984).

Subsequent to the Paleoindian Period, prehistoric material culture in the northern Sierra region, which includes Lake Tahoe and the drainages of the upper Feather, Yuba, Bear, and American Rivers, is categorized by a series of local chronologies that define technological, economic, social, and ideological elements. The Martis-Kings Beach chronological sequence was initially developed by Heizer and Elsasser (1953), after concluding an extensive survey of the Sierran area around Lake Tahoe, and later revised by a number of archaeologists. The majority of the archaeologists working in the north-central Sierran mountains and foothills (see e.g., Markley and Henton 1985; Jaffke 2006; Wickstrom 1998), currently use the Tahoe Reach chronological sequence as refined by Elston et al. (1977). The sequence includes the Tahoe Reach Phase, Spooner Phase, Martis Complex, and Kings Beach Complex. Of these, the Martis Complex is the earliest well-documented element, and is described below, followed by the Kings Beach Complex.

For the west slope of the Sierran foothills, a second chronological sequence (Mesilla-Bidwell-Sweetwater-Oroville) was developed and summarized by Ritter (1970) and later by Kowta (1988). Influence from both the high Sierra and Great Basin to the east (Martis Complex), and the Sacramento Valley to the west, are recognized within the archaeological components in this

sequence. From recent work at Lake Almanor, for example, Compas (2003) recognized Martis, Mesilla, Sweetwater, and Kings Beach assemblages, among others.

Martis Complex (3000 B.C.–A.D. 500). This well-documented complex has been identified from the Lake Tahoe area, and it extends northward into Lassen County and southward into Alpine County (Elsasser 1960). The age of the complex is based on radiocarbon dates and obsidian hydration measurements (Elsasser and Gortner 1991:361). The fundamental subsistence economy during the Martis Complex was based on hunting and seed collecting, with seasonal movements between the uplands in the spring and summer, and lower elevations in the fall and winter. Projectile points vary in form, are large, heavy and roughly flaked, and resemble Great Basin types, including the Elko series. Distinctive tool forms also include finger-held drills or punches, basalt pressure-retouched flake scrapers, spokeshave-notched tools with a concave edge, and large biface blades and cores. There was an apparent preference for using local basalt, not chert or obsidian, for the manufacture of flaked tools.

During the cultural resources inventories of over 1,000 acres between Lake of the Pines and Lake Combie for the Dark Horse Residential and Golf Course Development project, located approximately 2 miles northeast of the current project, archaeologists identified a cluster of occupation sites and nearby milling features on knolls in the open valley (Jenson and Associates 1996:2-4, 1999:6; Wickstrom 1998:9). The studies suggested there had been a relatively long occupation by multiple groups between 1500 B.C. and A.D. 1000 during the transition from the Martis Complex to the Kings Beach Complex (Jenson and Associates 1996:57).

Kings Beach Complex (A.D. 500–Historic Contact). The Kings Beach Complex is characterized by an economy focused on fishing and gathering. Similar to the preceding Martis Complex, the record indicates there were seasonal movements between the uplands in the spring and summer, and lower elevations in the fall and winter. Projectile points are smaller and lighter, resemble Cottonwood, Desert Side-notched and Rosegate series, and indicate the use of the bow and arrow. Obsidian and chert, instead of basalt, were mainly used to manufacture flaked tools. This shift in preference, or availability of these types of toolstone, suggests there was an increase in trade during this period. The milling equipment used during this period was predominantly bedrock mortars, with pestles made from cobbles.

An increase in reliance on acorns may be reflected in the predominant use of bedrock mortars and pestles (made from cobbles); although ethnographic data indicate bedrock mortars were used to process a variety of plant and animal resources (Hull 2007:1986). For example, ethnographic data suggests the more than 50 rock-lined cooking basins, dating to approximately A.D. 1000–1500, were used to process camas roots (*Camassia quamash*) (Waechter 2005). Processing of camas roots appears to have intensified during the Medieval Climatic Anomaly, which dates to approximately A.D. 900–750. Uncovered at a site in Plumas County (CA-PLU-1485), the rock-

lined features are associated with a house floor and a deep midden. The site is also located near two popular basalt quarries (Siegfried Canyon Ridge and Gold Lake), and was also occupied during the earlier Middle Archaic Period (3000–1000 B.C.).

In addition to bedrock milling features, associated with occupation sites identified during inventory of the nearby Dark Horse Residential and Golf Course Development project (Jenson and Associates 1996, 1999; Wickstrom 1998), isolated bedrock milling stations have been identified in the greater project region, including along ephemeral drainages (e.g., Peak and Associates 1983). Isolated flaked stone debitage or portable milling stones have also been found in the Dark Horse development area (Wickstrom 1998:10), within 0.5 miles south of the Bear River (Leach-Palm 2007), and by the prior study in the current project area (Jensen 2006:6).

ETHNOGRAPHIC OVERVIEW

The project area is located within the historical territory of the Nisenan, also known as the southern Maidu (Kroeber 1925; Wilson and Towne 1978). Their lands included the southern extent of the Sacramento Valley, east of the Sacramento River between the North Fork Yuba River and Cosumnes Rivers on the north and south, respectively, and extended east into the foothills of the Sierra Nevada Range. Their language is closely related to that of the Konkow and Maidu to the north, forming the Maidu language family (Mithun 2001:455), which is regarded as a subgroup of the Penutian language stock (Wilson and Towne 1978:387). The Northern Hill Nisenan is the dialect of the Nisenan language that was spoken in the project area.

Nisenan villages were located along streams or rivers (Wilson and Towne 1978:388–389). The villages of *Tipotoya* and *Loyowisa* were located near Grass Valley; *Takema* was located on the Bear River near Colfax; *Hangwite* was situated on the American River near Auburn (Kroeber 1925:Plate 37). There were also a number of ethnographically known settlements near Combie Crossing, about 3 miles east of the project area, and along Wooley Creek, now beneath Lake Combie (Wallace pers. comm. in Selverston 2008).

Most villages had bedrock mortars, dance houses, sweathouses, and acorn granaries; many had cemeteries. Deceased Nisenan were cremated and the remains buried in the village cemetery (Wilson and Towne 1978:392). Typical Nisenan communities included a central village with several outlying smaller villages. Groups erected temporary brush shelters while hunting or gathering seasonal plant resources, frequently at higher elevations.

Subsistence fishing and hunting, and collecting plant foods in an area where abundant natural resources varied seasonally, comprised the fundamental economy of the Nisenan (Wilson and Towne 1978:389-390). Like most native Californian groups, the Nisenan relied on the acorn as a staple food, and used a wide variety of tools, implements and enclosures to collect and process

food resources. These included bows and arrows, traps, harpoons, hooks, nets, portable stone mortars, bedrock mortars and pestles, various woven tools, and canoes made of tule balsa or logs. The Nisenan also traded with neighboring groups for shell ornaments, money beads, steatite, and obsidian.

Spanish explorers entered Nisenan territory as early as 1808, but there is no record of the forced movement of Nisenan to the missions (Wilson and Towne 1978:396). In the late 1820s during the Mexican Period, trappers camping in Nisenan territory introduced foreign diseases. The epidemic that swept the Sacramento Valley in 1833 resulted in the demise of approximately 75 percent of the Valley Nisenan population, wiped out entire villages, and forced the survivors to retreat into the hills (Cook 1955:322).

Coloma, located approximately 64 km (40 miles) southeast of the current project area, was in the heart of Nisenan territory. Although Euro-American settlers and trappers had also crossed through their territory, Hill Nisenan were not affected until after the start of the Gold Rush. The discovery of gold in 1848 near Coloma at Sutter's Mill had a devastating impact on their lives. With the tens of thousands of gold seekers came the mass introduction and concentration of diseases, the loss of land and territory (including traditional hunting and gathering locales), violence, malnutrition and starvation (Grunsky 1989). Traditional lands of the Hill Nisenan were overrun by the early 1850s, and Nisenan survivors were then forced to live at the margins of foothill towns and to work for agricultural, logging and ranching industries (Wilson and Towne 1978:396).

HISTORIC OVERVIEW

SPANISH PERIOD (1769-1822)

Exploration between 1529 and 1769 of Alta (upper) California by Spanish expeditions was limited. The spring of 1769 marks the true beginning of Spanish settlement with the establishment by Gaspar de Portolá at San Diego of the first of 21 missions to be built by the Spanish and Franciscan Order between 1769 and 1823. In the fall of 1769, Portolá reached San Francisco Bay. Later expeditions by Pedro Fages in 1772 and Juan Bautista De Anza in 1776 explored the land east of San Francisco Bay and into the vast plains to the east (Grunsky 1989:2–3).

The first expedition into the Sacramento Valley was led by Spanish Lieutenant Gabriel Moraga in 1808. Scouting for new mission locations and also searching for runaway Native American neophytes from the coastal missions, they traveled south as far as the Merced River and explored parts of the American, Calaveras, Cosumnes, Feather, Mokelumne, Sacramento, and Stanislaus Rivers to the north. Luis Arguello led the final Spanish expedition into the interior of Alta California in 1817. They traveled up the Sacramento River, past today's City of Sacramento, to

the mouth of the Feather River, before returning to the coast (Beck and Haase 1974:18, 20; Grunsky 1989:3–4).

Missions in the greater San Francisco Bay region were established in 1776 at San Francisco (San Francisco de Asís) and Santa Clara (Santa Clara de Asís), 1797 in Alameda County (San José de Guadalupe), 1817 in Marin County (San Rafael Arcángel), and 1823 in Sonoma County (San Francisco Solano). The goals of the missions were tri-fold: they established a Spanish presence on the west coast, provided a way to Christianize native peoples, and served to exploit native population as laborers. There is no record of the forced movement of Nisenan to the missions (Wilson and Towne 1978:396).

MEXICAN PERIOD (1822-1848)

After Mexico gained independence from Spain in 1822, the Mission lands were secularized under the Secularization Act of 1833, but much of the land was transferred to political appointees. A series of large land grants (ranchos) that transferred Mission properties to private ownership were awarded by the various governors of California. Land grants were also awarded in the interior to increase the population away from the coastal areas that were settled during the Spanish Period. Captain John Sutter received the two largest land grants in the Sacramento Valley. In 1839, Sutter founded a trading and agricultural empire called *New Helvetia*, which was headquartered at Sutter’s Fort near the divergence of the Sacramento and American Rivers, in Valley Nisenan territory. Although ranchos were granted to the west in nearby Yuba County, no Mexican land grants were awarded in Nevada County.

The Mexican Period also marks the exploration by American fur trappers west of the Sierra Nevada Mountains. Jedediah Smith was the first trapper to enter California; his small party trapped and explored along the Sierra Nevadas in 1826 and then entered the Sacramento Valley in 1827. They traveled along the American and Cosumnes Rivers, and camped near the Rosemont section of modern-day Sacramento and Wilton. The explorations by Smith and other trappers, resulted in the creation and then circulation of maps of Sacramento Valley in the 1830s (Grunsky 1989:9–11).

AMERICAN PERIOD (1848-PRESENT)

The Mexican-American war followed on the heels of the Bear Flag Revolt of June 1846 (Ohles 1997). General Andrés Pico and John C. Frémont signed the Articles of Capitulation in December 1847, and with the signing of Treaty of Guadalupe Hidalgo in February 1848, hostilities ended and Mexico relinquished California to the United States. Under the treaty, Mexico ceded the lands of present-day California, New Mexico and Texas to the U.S. for \$15 million (Fogelson 1993:10). Within two years following the treaty, California applied for admission as a state.

Gold was discovered in 1848 on the American River at Sutter's Mill near Coloma. One year later, nearly 90,000 people had journeyed to the gold fields of California. A portion of the land grant awarded to Captain John Sutter during the Mexican Period became the bustling Gold Rush boomtown of Sacramento. California became the 31st state in 1850, and three years later the population of the state exceeded 300,000. In 1854, Sacramento became the state capital.

Thousands of new settlers and immigrants poured into the state after the transcontinental railroad was completed in 1869, spurring California's economic growth. The fertile soils in the vast Central Valley combined with the rise in the number of irrigation canals promoted the state's role as a national leader in agricultural production. Products included fruits, vegetables, and nuts, field crops, such as barley, cotton, hay, and rice, and livestock (cattle and sheep).

LOCAL HISTORY

Nevada County was established in 1851 from land that had been part of neighboring Yuba County. By 1850, prospectors had filed claims and were actively mining within today's Nevada County at camps named Rough and Ready, Sailor Flat and Mooney Flat, among others, and along the rivers and streams in the greater project region, including Wolf Creek and the Bear River. The miners soon developed elaborate systems of ditches and sluice boxes after ground sluicing was introduced in 1850 as a form of placer mining by William Elwell at Nevada City (Hoover et al. 2002:254). By 1867, there were 850 miles of ditches in the county, and over 1,000 miles by 1880 (Tyson 2011).

The California Trail, also known as the Truckee Pass Emigrant Road, traversed the county and was a popular westward-bound trail during the late-1840s and 1850s (Hoover et al. 2002:250-253). The trail followed the Truckee River over Donner Pass, and then the ridge north of the Bear River to the Sacramento Valley. It crossed SR 49 at Wolf Creek, halfway between Auburn and Grass Valley, and is well known for the Donner Party tragedy of the winter of 1846-1847. Grass Valley was named in 1849 by a party of California Trail emigrants whose cattle had wandered into the meadows during the night.

Numerous underground mines, such as Empire, Eureka, Idaho and Gold Hill, were established near Grass Valley within the Grass Valley-Nevada City gold district (Caltrans 2008:25; Hoover et al. 2002:255-257). Gold-bearing quartz was discovered by George Knight in October 1850 at Gold Hill, and between 1850 and 1857, the mine produced some \$4 million in gold. Together, these mines and several others spurred the economy and development of Grass Valley. A few historic buildings from this period, such as the Holbrooke Hotel, a former boardinghouse on Mill Street and Mount St. Mary's Academy, still stand today within the city limits. Southeast of the city, the Empire Mine continued to operate into the 1950s and is now a state historic park. Between 1850 and 1940, Nevada County produced 22 percent of California's total gold production and 40 percent of gold produced from lode mines within the state (Caltrans 2008:57).

With the influx of miners in the mid-19th century, entrepreneurs, saloon-keepers, farmers and ranchers settled within the county and provided essential goods, manufactured products, and foodstuffs. The era also witnessed the growth of toll roads, stage lines, water companies, logging companies, foundries, and lumber mills, among other industries. Logging and ranching persisted in the region until recently. These businesses continue to decline in the project vicinity as it shifts from an undeveloped setting to a rural, residential setting.

In 1917, rancher Munson “Bert” Church and his wife, Kate, envisioned creating a water system in the county that would transport water westward from the Sierra Nevada Mountains to the drier farms and ranches in the foothills (NID 2007). They were joined by other residents and the Nevada County Farm Bureau, and the creation of a new irrigation district was approved by voters in 1921. Today the Nevada Irrigation District (NID), headquartered in Grass Valley, services more than 287,000 acres in Nevada and Placer counties, providing power generation and water for irrigation, municipal, domestic, and industrial purposes via an extensive network of canals, reservoirs, and associated infrastructure. The Combie Phase Canal, which traverses the eastern half of the project area, is one of NID’s major canal segments (NID 2005:ES-15). The portion of this canal within the project area was formerly known as the Magnolia Ditch, as indicated on the 1950 USGS quadrangle map (Figure 2). This is but one of the network of ditches excavated in the county after the start of the Gold Rush that were absorbed by the NID.

BACKGROUND RESEARCH

LITERATURE SEARCH

A records search was completed at Cogstone’s request on June 16, 2011, by the North Central Information Center (NCIC) at California State University, Sacramento (Appendix B). The search included a review of the California Inventory of Historic Resources, Caltrans bridge inventory, Historic Property Data File, updated listings of the NRHP, CRHR, California State Historical Landmarks and California Points of Historical Interest, and historic maps.

The search by the NCIC indicated three prior cultural studies had been conducted within a one-quarter mile radius of the project (

Table 1). These included the prior survey by Jensen (2006) that encompassed the entire project area, and a survey by the California Department of Forestry (Johnson 1972) of water conveyance systems operated by the Nevada Irrigation District in Nevada and Placer counties.

Table 1. Prior Cultural Resources Studies within Project Area and 0.25-mile Radius

NCIC Report No.	Report Title	Author	Year	Proximity to Project Area
5773	Archaeological Survey of 73.4 miles of Nevada Irrigation District Canals and Ditches in Placer and Nevada Counties, California	J.J. Johnson	1972	Partially within along Magnolia Ditch
8423	Archaeological Inventory Survey, Rincon Del Rio Development Project, c. 216 acres long the Bear River, Nevada County, California	S. Jensen	2006	Entirely Within
10645	Cultural Resources Inventory for the Nevada Irrigation District (NID) Rodeo Flat Project, Nevada County, California	D. Andolina	2009	Outside

As a result of the prior survey by Jensen (2006), three historic-era archaeological resources were identified and formally recorded (Table 2). These include the remains of a ranch complex (P-29-2969, CA-NEV-1809H), the Magnolia Ditch (P-29-2970), and an unnamed ditch (P-29-2971). The earlier survey by Johnson (1972) also covered the Magnolia Ditch, which bisects the project area on a north-south bearing, but the ditch was not formally recorded until 2006 by Jensen and McCann. Within a 1-mile radius of, but outside the project area, prior studies have recorded a historic-era roadway and two prehistoric isolates (Table 2).

Table 2. Previously Recorded Cultural Resources within Project Area and 1-mile Radius

Primary No.	Trinomial	Brief Description	Recorded by	Year	Proximity to Project Area
P-29-0667	CA-NEV-605H	Historic: Combie Road; determined ineligible for NRHP listing; not evaluated for CRHR	A. Medin and B. Wickstrom	1998	Outside
P-29-0835	n/a	Prehistoric: isolate	B. Wickstrom	1996	Outside
P-29-2969	CA-NEV-1809H	Historic: remains of cattle/sheep ranch complex (hand-stacked fieldstone corral and loading chute foundations, terraces, walls); bisected by modern barbed-wire fence	S. Jensen and R. McCann	2006	Within
P-29-2970	n/a	Historic: 1938-1949 Magnolia Ditch; modified and maintained by Nevada Irrigation District	S. Jensen and R. McCann	2006	Within
P-29-2971	n/a	Historic: shallow, unnamed ditch; disturbed	S. Jensen and R. McCann	2006	Within
P-31-3354	n/a	Prehistoric: isolate, handstone	L. Leach-Palm	2007	Outside

In addition to the three resources recorded previously within the Rincon del Rio project area, the prior report by Jensen (2006:6) noted the presence of basalt cores at four locations within the circa 216 acres covered by that survey. During that survey, a search of the ground surrounding

each of these cores failed to identify further evidence of prehistoric or ethnohistoric activity or occupation, and the four isolated finds were not formally recorded. Similarly, the report by Jensen (2006:6) noted six isolated occurrences of historic-era artifacts and features. These included segments of logging cables, “generalized mining-related landscape modifications,” and church-key opened tin cans. No further evidence of historic-era activity was found in 2006 in association with these six isolated finds, and they were not formally recorded or filed with the NCIC.

The 1865 GLO map of Township 13 North, Range 8 East delineates the Bear River, and the 1871 GLO map of Township 14 North, Range 8 East shows a linear feature marked “China Hollow” within the eastern portion of the project area. It also shows a field to the north of the project area, and the Auburn and Grass Valley Road to the west of the project area, trending north-south along the alignment followed by today’s SR 49. A number of mines near Grass Valley and the Nickerson Ranch north of the project area are shown on the 1855-1856 USGS Smartsville Sheet. The 1950 USGS Lake Combie quad shows the Magnolia Ditch traversing the project area. Except for the ditch, none of the historic maps show any structures within the project area.

SACRED LANDS FILE SEARCH

A Sacred Lands File search was requested from the Native American Heritage Commission (NAHC) on June 16, 2011. The NAHC responded on June 23, 2011, that there were no known sacred lands in the immediate project area (Appendix C). Based on recommendations made by the Commission, Cogstone subsequently sent letters and maps on June 27, 2011, to 11 Native American contacts requesting any information related to cultural resources heritage sites within or immediately adjacent to the APE. If no reply was received, telephone calls were placed to the recipients of the letters.

To date, four responses have been received. Daniel Fonseca, Assistant Director for the Shingle Springs Band of Miwok Indians, indicated they are not aware of any known cultural resources in the project area, and requested notification of any new information or identification of human remains during project implementation. Rose Enos indicated she is concerned about potential burials in the area. On behalf of the United Auburn Indian Community of the Auburn Rancheria, Marcus Guerrero stated that he has no concerns regarding the project area. Grayson Coney, Cultural Director of the Tsi-Akim Maidu, indicated there are sites in the area and that the potential for the discovery of isolates is high. All correspondence and a tracking log is provided (Appendix C).

SURVEY

SURVEY METHODS

Historical archaeologist Cindy Arrington conducted an intensive-level pedestrian survey of portions of the project area on June 27, 2011 (Figure 4). A concerted effort was made to relocate each of the three resources previously recorded within the project area. The survey included a 100-foot corridor north of Bear River along the southern edge of the project area, a 50-foot corridor (25-feet either side) of the Magnolia Ditch (P-29-2970) and unnamed ditch (P-29-2971), and within the historic-era ranch complex (P-29-2969, CA-NEV-1809H) (Figure 5). Survey transects were spaced 10 to 15 feet apart.

No attempt to specifically relocate the isolated occurrences of four basalt cores or six historic-era artifacts or features, as their location had not been formally recorded or specified in the prior survey report (Jensen 2006:6).

All undeveloped ground surface areas within the surveyed area were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Ground disturbances (e.g., dirt road and path clearings, cutbanks, etc.) were visually inspected.

Photographs of the project area, including ground surface visibility and items of interest, were taken with a digital camera. Location data was recorded with a handheld Trimble (sub-foot accuracy) GPS unit. Soil color was recorded using a Munsell[®] Soil Color Chart.

The exact locations of Cultural Resources features on this site is confidential information and has been removed from these documents.

SURVEY RESULTS

Vegetation within the surveyed acreage was dense and nearly impassable in places. The thick ground cover included annual grasses, brambles, and clover. Ground visibility was poor (<2 %) along most of the Magnolia Ditch (P-29-2970), along the unnamed ditch (P-29-2971), within the historic ranch complex (P-29-2969, CA-NEV-1809H), and in areas along the Bear River (Photograph 1). Although not frequent, ground visibility improved in some areas along the Magnolia Ditch to about 45 percent.

Dozens of boulder outcrops occur immediately adjacent to the north side of Bear River within the southern portion of the project area (Photograph 2). The outcrops were closely examined, but none exhibited bedrock milling features.



Photograph 1. Overview along Bear River (view to west)

Photograph 2. Outcrops along Bear River (view to east)

The density of the vegetation cover prohibited any view of prior disturbances by historic-era logging and mining, or by ranching outside of the recorded Ranch Complex site (P-29-2969, CA-NEV-1809H). The large, single-family residence in the southern portion of the project area was accessible by road and had a number of associated outbuildings, picnic grounds with paved access, obvious land contouring, and extensive landscaping above the Bear River.

The land within the project area is currently being used for cattle grazing. An abundance of fauna was observed during the survey, including wild turkey, deer, and ground squirrel. Water was flowing swiftly within the seasonal tributary trending north-south and bisecting the center of the project area. Soil along the north bank of the Bear River is a yellowish-brown (10YR 5/4 dry) coarse sandy loam.

RESOURCES RECORDED WITHIN PROJECT AREA

Each of the three historic-era resources previously recorded within the project area was relocated (Table 3). No prehistoric, ethnohistoric, or historic-era resources were newly identified during the survey.

Table 3. Resources Recorded within Project Area

Primary No.	Trinomial	Brief Description	Condition	CRHR & NRHP Eligibility Recommendations
P-29-2969	CA-NEV-1809H	Historic: remains of cattle/sheep ranch complex (hand-stacked fieldstone corral and loading chute foundations, terraces, walls)	Poor, deteriorated, bisected by modern barbed-wire fence	Not Eligible
P-29-2970	n/a	Historic: 1938-1949 Magnolia Ditch	Modified and maintained by Nevada Irrigation District	Not Eligible
P-29-2971	n/a	Historic: shallow, unnamed ditch	Disturbed	Not Eligible

Ranch Complex (P-29-2969, CA-NEV-1809H)

This historic-era archaeological site was recorded in December 2006 by S. Jenson and R. McCann. The site is described as a small ranch complex associated with cattle/sheep ranching and consisting of approximately 15,000 square feet with three features (Photograph 3). Feature 1 is described as the foundation remains of a livestock corral with hand-stacked fieldstones, rock terraces and short rock walls (Photograph 4). Feature 2 is recorded as a hand-stacked fieldstone foundation of a livestock loading chute. Feature 3 is a short segment of a ditch that runs along the western and southern boundary of the site. Given its extent beyond the ranch complex, feature 3 was recorded by S. Jenson and R. McCann as a separate resource (P-29-2971), detailed below.

The condition of the Ranch Complex remains poor and unchanged since its initial recording in 2006. The modern barbed-wire fence, noted in 2006 as bisecting the site along a north-south axis between features 1 and 2, is still present. Additional disturbance included tree clearing and other unnamed activities, as well as natural deterioration with lack of use or maintenance (Jensen 2006:10-11). There is no evidence of artifacts, other features, or structural remains. Soils within the site are a reddish-yellow (7.5YR 6/6 dry) sandy clay. No site record update was filed at the NCIC as conditions have not changed and there is no new information.



Photograph 3. Overview of CA-NEV-1809H (view to east)

Photograph 4. Feature 1 of CA-NEV-1809H (view to east)

The age of the Ranch Complex is unknown. As noted in the resource record, no structures are shown at this location on the 1949 USGS quadrangle map or on the earlier 1871 GLO map. Cogstone agrees with the statement in the prior report (Jensen 2006:10-11) that site CA-NEV-1809H has no potential to yield additional information, is not associated with persons or events important to history, and is not considered eligible for listing on the CRHR. The resource is also not considered eligible for NRHP inclusion.

Magnolia Ditch (P-29-2970)

Initially recorded in December 2006 by S. Jenson and R. McCann, this historic-era resource is described as a water conveyance system constructed between 1938 and 1949, based on its appearance on USGS quadrangle maps. The irrigation ditch is 4 to 6 feet wide and 3 to 4 feet deep, and trends north-south within the project area along the approximately 1,540-foot contour (Photograph 5). As part of the canal system operated and maintained by the NID, the ditch has undergone modern modifications, including gunnite lining, concrete linings, welded pipe, concrete and steel gates, and further modifications associated with continual maintenance for water delivery. Additional modifications shown on the 1950 USGS quadrangle map (Figures 2 and 3) include siphons that served to transport water from the ditch in a westerly direction.



Photograph 5. Overview of Magnolia Ditch (P-29-2970) (view to north)

The condition of this resource has not changed since its initial recording in 2006. There is no evidence of artifacts, other features, or structural remains. No site record update was filed at the NCIC as conditions have not changed and there is no new information.

At the time it was recorded in 2006, S. Jenson and R. McCann estimate that less than 30 percent of the original historic attributes of this linear resource remained within the project area, including structural components (e.g., distribution gates, other support features) or artifacts dating to earlier than the 1950s or 1960s. Since 1949, the Magnolia Ditch has been substantially modified and continually maintained by the NID, and is now part of the Combie Phase Canal. Cogstone agrees with the statements in the prior report (Jensen 2006:9-10) that this resource has no potential to yield additional information, is not associated with persons or events important to history, and is not considered eligible for listing on the CRHR. The resource is also not considered eligible for NRHP inclusion.

Unnamed Ditch (P-29-2971)

This ditch was originally recorded in December 2006 by S. Jenson and R. McCann. The resource is described as an earthen ditch measuring approximately 1 to 2 feet wide and roughly 1 foot deep (Photograph 6). It roughly follows the 1,380-foot contour for approximately 7,800 feet within the project area, and includes an eastern and western arm, both of which trend southward. The two arms parallel the eastern and western sides of the now-improved stock pond in the center of the project area. The ditch continues southward outside the project area. A short segment of the northern extent of the ditch is associated with the historic-era Ranch Complex recorded as site CA-NEV-1809H (P-29-2969). No other features or artifacts were recorded in association with the ditch.



Photograph 6. Overview of Unnamed Ditch (P-29-2971) (view to north)

The 2006 record indicates the ditch had been extensively disturbed, mostly from ranching activities dating to the historic and modern eras, as well as by recent residential development in the southern portion of the project area near the Bear River. Today, although disturbance by construction of the private residence, associated outbuildings and landscaping was visible, the most prominent disturbance is by natural processes, particularly erosion from lack of use. Soils along the ditch are a reddish-yellow (7.5YR 6/6 dry) sandy clay.

The condition of this linear resource remains poor and unchanged since its initial recording in 2006. There is no evidence of artifacts, other features, or structural remains. No site record update was filed at the NCIC as conditions have not changed and there is no new information.

The age of the ditch is unknown. As noted in the prior report (Jensen 2006:7), it could be associated with historic-era mining in this region circa 1850s but, considering the size of the trees within the ditch, it may have been dug in conjunction with later ranching activities. Cogstone agrees with the statements in the prior report (Jensen 2006:9-10) that the Unnamed Ditch (P-29-2971) has no potential to yield additional information, is not associated with persons or events important to history, and is not considered eligible for listing on the CRHR. The resource is also not considered eligible for NRHP inclusion.

PROJECT PLANS AND EFFECTS ASSESSMENT

PROJECT PLANS

Under current plans, the proposed development will be situated west of and avoid the Unnamed Ditch (P-29-2971). The Ranch Complex (P-29-2969, CA-NEV-1809H) would be partially impacted by an access roadway and potentially by a future project phase (Phase 5). The Magnolia Ditch (P-29-2970), now part of the Combie Phase Canal, will be crossed by an emergency access road in the northeast corner of the project area; the crossing will follow NID requirements.

EFFECTS ASSESSMENT

CEQA regulations state “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (PRC Section 21084.1). “Substantial adverse change” means “demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired” [PRC Section 5020.1(q)].

A historical resource is a resource listed in, or determined to be eligible for, listing in, the CRHR (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5(a)(2)), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (Section 15064.5 (a)(3)).

Based on the above information and assessment that no known archaeological sites within the project area are eligible for listing on the CRHR, the project does not have the potential to cause a substantial adverse change on any resource that currently qualifies as a historical resource, or that has been recommended eligible for listing on the CRHR.

DISCUSSION

SENSITIVITY OF PROJECT AREA

Considering the results of the literature search, local ethnographic settlement and subsistence patterns, the prehistory and history of the area, the current project’s proximity to the Bear River, and the patterns of local historic-era land use, the project area is considered highly sensitive for prehistoric, ethnohistoric, and historic-era cultural resources. Three historic-era resources associated with ranching or irrigation, as well as a total of ten isolated occurrences of prehistoric/ethnohistoric basalt cores and historic-era materials, have been identified within the

project acreage. Ethnographic settlements, prehistoric occupation sites, bedrock milling stations, and isolated artifacts have been recorded in the project vicinity. Historic-era activity within the vicinity is typically associated with mining, logging, irrigation, and ranching, and associated infrastructure.

Despite some disturbance by historic-era and recent activities, there remains a potential for the existence of surficial or buried archaeological materials. Prehistoric materials might include flaked stone tools, toolmaking debris, bedrock mortars and other stone milling tools, fire-affected rock, basketry, shell or bone artifacts, or soil darkened by cultural activities (midden). Historic-period cultural resources, including metal, glass or ceramic artifacts, equipment remnants, other debris or features indicative of the former presence of structures or buildings (e.g., postholes, foundations), would most likely be related to ranching, logging, or construction of irrigation ditches. It is expected that these historic-period activities would have disturbed near-surface sediments within the project area.

INVESTIGATION CONSTRAINTS

The approximately 20-acre current survey was constrained by the generally poor ground visibility due to the density of vegetation cover. Although the prior survey report of the entire 215-acre Rincon del Rio project area indicated transect intervals during the survey depended on “variation in archaeological sensitivity, vegetation coverage, and other considerations” and “no special problems were encountered” (Jensen 2006:5), the report does not indicate if ground visibility was considered poor, good or excellent or what percentage of the ground was visible. In addition, since the prior survey report noted there are ten isolated occurrences of prehistoric/ethnohistoric and historic-era artifacts, but did not provide their location or formally record and file with the NCIC, an attempt to relocate the isolated occurrences by the current study was not feasible. Further, since their location is unknown, there was no opportunity during the current survey to determine if natural processes (e.g., erosion, bioturbation) or human-caused disturbances (e.g., canal maintenance by NID, road cuts) over the past five years may have affected the areas around each of the ten isolated finds and resulted in revealing additional cultural material, features or deposits in association with the isolates.

RECOMMENDATIONS

CONSTRUCTION MONITORING

Efforts to locate cultural resources within the scope of this project have been sufficient per current U.S. Secretary of the Interior professional standards and guidelines. Due to the high

archaeological sensitivity of this area near the Bear River for prehistoric, ethnohistoric or historic-era resources, and because ground visibility was generally less than two percent and unclear during the prior study, there is the potential for previously unrecorded archaeological material to be located within the project area. It is thus recommended that a qualified archaeologist who meets the Secretary of the Interior's Standards monitor all initial ground-disturbing activities in native soils or sediments including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. If cultural resources that meet criteria as sites, rather than isolates, are discovered additional work may be necessary. This may include significance evaluation, data recovery and curation.

In the event cultural resources are discovered during ground-disturbing activities, the onsite monitor must be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance. Construction activities could continue in other areas. If the discovery proves to be significant, additional investigation, such as evaluation and data recovery excavation, may be warranted. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the developer, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures. Should the discovery include Native American human remains, in addition to the required procedures detailed below under "Human Remains," it is recommended that in consultation with the most likely descendent, a Native American monitor be retained. At the conclusion of archaeological monitoring, a monitoring report should be prepared and submitted to the lead agency, the NCIC, and other appropriate parties. The archaeological monitoring report should include a report by the Native American monitor, if present.

INADVERTENT DISCOVERIES

Despite actions taken to ensure that all cultural resources are located prior to construction, there still remains the possibility that undiscovered, buried archaeological resources might be encountered during construction. These "inadvertent discoveries" can appear unexpectedly in construction trenches or in back dirt piles and, once discovered, they require special treatment.

Should cultural resources, including human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel should halt such activities in the immediate area and notify a qualified archaeologist immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with PRC §21083.2(i). Construction activities could continue in other areas. If the discovery proves to be significant, additional investigation, such as evaluation and data recovery excavation, may be warranted. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the developer, the qualified project

archaeologist and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.

HUMAN REMAINS

Procedures of conduct following the discovery of human remains on non-federal lands have been mandated by Health and Safety Code §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e). According to the provisions in CEQA, should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. The Nevada County Coroner will be immediately notified. The Coroner must then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who will, in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions will be determined, in part, by the desires of the MLD. The MLD has 24 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 24 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

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- 1996 Archaeological Inventory Survey: Darkhorse [sic] Residential and Golf Course Development Project, Approximately 1,047 Acres between Lake of the Pines and Lake Combie, Lake Combie Road East of State Route 49, Nevada County, California. Prepared for Edwin B. Fralick, Granite Bay, California.
- 1999 Eligibility Evaluation, Determination of Effect, and Historic Properties Treatment Plan: Cultural Resources within the Dark Horse Golf Course and Residential Subdivision Project, near Lake of the Pines and Lake Combie, Nevada County, California. Prepared for Fralick Brothers Construction, Inc., Granite Bay, California.

Johnson, Jerald J.

- 1972 Archaeological Survey of 73.4 miles of Nevada Irrigation District Canals and Ditches in Placer and Nevada Counties, California. Prepared for the California Department of Forestry.

Justice, Noel D.

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Kowta, Makoto

- 1988 *The Archaeology and Prehistory of Butte and Plumas Counties, California: An Introduction and Interpretive Model*. Manuscript on file, Northeast Information Center, California State University, Chico.

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L. Leach-Palm, L.

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Markley, Richard, and Gregory Henton

- 1985 *Tahoe National Forest Cultural Resources Overview, Part I: Prehistory*. Cultural Resources Report Number 20. Tahoe National Forest, Nevada City, California

Miles, Scott R., and Charles B. Goudey

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Moratto, Michael J.

- 1984 *California Archaeology*. Academic Press, San Diego.

Nevada Irrigation District [NID]

- 2005 Nevada Irrigation District Raw Water Master Plan Update: Phase I Technical Analysis Final Report. Available online at <http://www.nid.dst.ca.us>, accessed July 6, 2011.
- 2007 History: Then and Now. Available online at <http://www.nid.dst.ca.us/history.cfm>, accessed July 7, 2011.

Ohles, Wallace V.

- 1997 *Mission San Miguel Property and Padres*. The Friends of the Adobes, Inc.

Peak & Associates, Inc.

- 1983 Cultural Resource Assessment of the Proposed Land Division of the 240 Acres of the Huisman-Naef Property, Meadow Vista, Placer County, California. Prepared for Randall W. Dawson, Auburn, California.

Ritter, E.W.

- 1970 *Northern Sierra Foothill Archaeology: Culture History and Culture Process*. Center for Archaeological Research at Davis 2. University of California, Davis.

Selverston, Mark D.

- 2008 A Cultural Resources Study for the Lake Combie Mercury Extraction Project, Nevada and Placer Counties, California. Prepared by Anthropological Studies Center, Sonoma State University, for Nevada Irrigation District.

Tyson, Ed

- 2011 A Brief History of Nevada County. Available online at <http://mynevadacounty.com/VisHistory/index.cfm?ccs=893>, accessed July 7, 2011.

Waechter, Sharon A.

- 2005 Late-Period Resource Intensification in Sierra Valley, Eastern Plumas County: A Response to the Medieval Climatic Anomaly. *Proceedings of the Society for California Archaeology* 18:45-52.

Wickstrom, Brian

- 1998 Supplemental Archaeological Survey Report for the Dark Horse Residential and Golf Course Development Project, Nevada County, California. Prepared by KEA Environmental, Inc., Sacramento, for Environmental Science Associates, Sacramento, California.

Wilson, Norman L. and Arlean H. Towne

1978 Nisenan. In *California*, edited by Robert F. Heizer, pp. 387–397. Handbook of North American Indians, Vol. 8, William G. Sturtevant, general editor, Smithsonian Institution, Washington, D.C.

Wohlgemuth, Eric

1984 *Archaeological Investigations at CA-Pla-500, The Sailor Flat Site*. Tahoe National Forest Cultural Resources Report 16.

APPENDIX A: QUALIFICATIONS

NANCY SIKES
Registered Professional Archaeologist

EDUCATION

1995 Ph.D., Anthropology, University of Illinois, Urbana-Champaign
 1990 M.A., Anthropology, University of Illinois, Urbana-Champaign
 1985 B.A. with distinction, Anthropology/Museology, University of Nevada, Reno

SUMMARY QUALIFICATIONS

Dr. Sikes is a Registered Professional Archaeologist (RPA) with over 15 years of experience as a principal investigator and project manager—completing hundreds of projects and technical reports in compliance with federal, state, and local regulations and agencies throughout California, with additional experience in Nevada, Utah, Washington, Wyoming, and East Africa. She comprehends the maze of NEPA, Section 106 and CEQA regulations, and has completed numerous cultural resources sections for EIRs, EISs, EAs, and ISs. Dr. Sikes meets national standards in archaeology set by the Secretary of Interior and Bureau of Land Management and her credentials are accepted by the California Historical Resources Information System in both prehistoric and historical archaeology. She also has a wide range of technical knowledge in geophysics (remote sensing) and geochemistry (stable isotope analysis of various materials such as bone/teeth, soils and sediments to reconstruct prehistoric diets and environments).

SELECTED PROJECTS

California High Speed Train EIS/EIR. Comprehensive archaeological and architectural settings and records searches for project-level EIS/EIR, Merced to Fresno Section, Fresno, Madera and Merced Counties. Section 106/CEQA compliance. Principal Investigator. 2010-present

Turlock Irrigation District Transmission Line and Substation EIR. Survey, reports, and cultural resources section of project-level EIR for new transmission line alternatives and substations near Ceres in Stanislaus County. CEQA compliance. Principal Investigator. 2009-present

Concord Community Reuse Plan Program-Level EIR. Prepared cultural resources chapter for EIR and attended public hearing for alternatives for City of Concord's Reuse Plan for the Inland Area of former Concord Naval Weapons Station, Contra Costa County. NEPA/Section 106 & CEQA document. Principal Investigator. 2009-10

Projects for County of Sacramento Department of Environmental Review and Assessment. Over 65 projects involving cultural resources survey, testing, inventory, and reporting. Compliance with Section 106, CEQA, Caltrans, Bureau of Reclamation, U.S. Army Corps of Engineers. Principal Investigator. 2005-10

Celebration Community Fellowship Project. Completed artifact analysis and technical report from excavation of multi-component, National and California Register-eligible site in Placer County, California. Lead agency: U.S. Army Corps of Engineers; Section 106 compliance. Principal Investigator. 2009

Bear Valley Village Resort EIR. Peer review and authored cultural resources section of EIR for General Plan Amendment and Zoning Amendment Project proposed by Alpine County for new pedestrian village and ski lift. NEPA/Section 106 and CEQA compliance. Principal Investigator. 2008-9

Levee Repair Projects. Survey of 36 Locations in Colusa, Glenn, Sacramento, Solano, Sutter, Tehama, Yolo, and Yuba Counties. Section 106 and U.S. Army Corps of Engineers oversight. Principal Investigator. 2008

Lumsden Ranch Project. Survey, report, and cultural resources section of project-level EIR for new development in City of Placerville, El Dorado County. NEPA/Section 106 and CEQA compliance. Principal Investigator. 2007

Qwest Communications Project. Final report covering >1,400 miles throughout 36 of California's 58 counties, including Nevada and neighboring counties (Butte, Placer, Sacramento, Sutter, Yuba, etc.). CEQA compliance; California Public Utilities Commission (CPUC) as lead agency. Principal Investigator. 2006

CINDY ARRINGTON

Registered Professional Archaeologist

EDUCATION

2002 M.S. Historical Archaeology, California State University, San Jose
1998 B.A. Anthropology, California State University, San Jose

SUMMARY QUALIFICATIONS

Arrington has over 15 years of experience in cultural resources management and is experienced with the regulatory framework in multiple Western states (California, Idaho, Nevada, Washington, and Wyoming). Her expertise includes project performance and compliance with federal, state, and local regulations; implementation of environmental mitigation monitoring plans for complex construction projects; preparation of reports; and direction of cultural resources surveys, excavation, and coordination with Native American groups. She has served as a corporate trainer providing private and public clients with instruction in Section 106, Consulting with Native American Tribes, and Reaching and Writing Agreements. Her broad range of experience in CRM includes managing large-scale, multifaceted projects for city, state, and federal agencies; mobilizing the cooperation of diverse staff, agency personnel, and clients; developing mitigation treatment plans; conducting small and large scale resource assessments; and technical report writing with federal (NEPA, Section 106 of the NHPA) and state documentation. She has managed projects for a wide range of federal, state, and local regulatory agencies.

SELECTED PROJECTS

Hughson-Grayson Transmission Line and Substation Project: Responsible for the archaeological records search, survey, and report on 115-kV transmission line alternatives proposed by Turlock Irrigation District (TID) in Stanislaus County, California. Reviewed Cultural Resources chapter for Environmental Impact Report (EIR). Project Manager and Field Director. Client: Turlock Irrigation District. 2009-2010

California Department of Water Resources Non-Urban Levee Investigation. Principal investigator for cultural resources evaluations of nearly 100 linear miles of levees in the San Joaquin Valley. Conducting record searches, Native American consultation, sacred land search, and site investigations. Responsible for clearing sites for geotechnical investigation and, where appropriate, defining exclusion areas to preserve known or anticipated resources. Principal author of survey reports for Fresno, Madera, San Joaquin, and Merced Counties. 2009 - Present

California High-Speed Rail Project. Conducted background research, database review, and prepared white papers on the historic and prehistoric nature and resources located along the proposed high-speed train route between Fresno and Merced. 2009 - Present

County of Sacramento Department of Environmental Review and Assessment. (2008-2010): Over 65 projects over 5-year period involving cultural resources background research, Sacred Lands searches, inventory, survey, testing, and technical reporting. Compliance with Section 106, CEQA, Caltrans, Bureau of Reclamation, U.S. Army Corps of Engineers. Project Manager and Field Director. 2008-2010

Manteca 6-Lane Widening Project (2008): Technical reports for Caltrans on archaeological and built resources (HPSR, ASR and HRER) of >1,000 acres for widening State Route 99 between Stockton and Manteca, San Joaquin County, California. Section 106 compliance; lead agency: Caltrans District 10. Project Manager and Field Director. 2008

Testing and Evaluation of Site CA-ALP-292. Stanislaus National Forest, Calaveras Ranger District, Alpine County, California. Section 106 compliance; determined prehistoric site not NRHP eligible. Project Manager and Field and Laboratory Director. 2008

APPENDIX B: NCIC LITERATURE SEARCH

NORTH CENTRAL INFORMATION CENTER

916-278-6217

ncic@csus.edu

FAX 916-278-5162

CSU-SACRAMENTO - 6000 J STREET, ADAMS BLDG. SUITE #208 - SACRAMENTO, CA 95819-6100

Amador, El Dorado, Nevada, Placer, Sacramento, and Yuba Counties

Records Search Results Summary

June 16, 2011

NCIC File No.: NEV-11-26

Amy Glover
Cogstone Resource Management, Inc
1518 W. Taft Avenue
Orange, CA 92865

Researcher: Ellen Bowden

Re: Rincon del Rio 2227 Project

T 14N/R 8E, Sections 33 & 34

T 13N/R 8E, Section 4

USGS 7.5' Lake Combie Quad, Nevada County

- **NCIC Resources Within 1-mile Search Radius & Project Area:**

CA-NEV-605-H

CA-NEV-1809-H

P-29-835

P-29-2970

P-29-2971

P-31-3354

- **NCIC Reports Within ¼ -mile Search Radius & Project Area:**

5773

8423

10645

- **OHP Historic Property Data File (2011):** Nothing listed

- **Determination of Eligibility (2011):** Combie Road [Determined ineligible for NR by consensus through Section 106 process-Not evaluated for CR or Local listing]

- **NRHP/CRHR listings (2008 & updates):** Nothing listed

- **California Inventory of Historic Resources (1976):** Nothing listed

- **California State Historical Landmarks (1996):** Nothing listed

- **Points of Historic Interest (1992):** Nothing listed

- **Caltrans Bridge Inventory:** Nothing listed

- **Historic Maps:**

1865 GLO Plat T 13N/R 8E

1871 GLO Plat T 14N/R 8E

1885 USGS Smartsville Sheet

1950 USGS Lake Combie quadrangle

Thank you for using our services. An invoice confidentiality agreement is enclosed; please sign and return a copy for our files.

APPENDIX C: NATIVE AMERICANS CONSULTED

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390
Web Site www.nshc.ca.gov



June 23, 2011

Sherri Gust
1518 W. Taft Ave.
Orange, CA 92865

Sent by Fax: 714-974-8303
Number of Pages: 3

Re: Proposed Rincon Del Rio; Nevada and Placer County.

Dear Ms. Gust:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,


Katy Sanchez
Program Analyst

Native American Contact List
Placer County
June 22, 2011

Shingle Springs Band of Miwok Indians
John Tayaba, Vice Chairperson
P.O. Box 1340 Miwok
Shingle Springs, CA 95682 Maidu
(530) 676-8010
(530) 676-8033 Fax

United Auburn Indian Community of the Auburn Rancheria
Marcos Guerrero, Tribal Preservation Committee
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
mguerrero@auburnrancheria.com
530-883-2364
530-883-2320 - Fax

Rose Enos
15310 Bancroft Road Maidu
Auburn, CA 95603 Washoe
(530) 878-2378

April Wallace Moore
19630 Placer Hills Road Nisenan - So Maidu
Colfax, CA 95713 Konkow
530-637-4279 Washoe

United Auburn Indian Community of the Auburn Rancheria
David Keyser, Chairperson
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

United Auburn Indian Community of the Auburn Rancheria
Gregory S. Baker, Tribal Administrator
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
gbaker@auburnrancheria.
530-883-2390
530-883-2380 - Fax

Shingle Springs Band of Miwok Indians
Nicholas Fonseca, Chairperson
P.O. Box 1340 Miwok
Shingle Springs, CA 95682 Maidu
nfonseca@ssband.org
(530) 676-8010
(530) 676-8033 Fax

Shingle Springs Band of Miwok Indians
Daniel Fonseca
P.O. Box 1340 Miwok
Shingle Springs, CA 95682 Maidu
(530) 676-8010
(530) 676-8033 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Rincon Del Rio; Nevada and Placer Counties.

Native American Contact List
Nevada County
June 22, 2011

Jill Harvey
11799 McCourtney Road Maidu
Grass Valley, CA 95949 Miwok
(530) 273-1749

United Auburn Indian Community of the Auburn Rancheria
Marcos Guerrero, Tribal Preservation Committee
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
mguerrero@auburnrancheria.com
530-883-2364
530-883-2320 - Fax

United Auburn Indian Community of the Auburn Rancheria
David Keyser, Chairperson
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

April Wallace Moore
19630 Placer Hills Road Nisenan - So Maidu
Colfax, CA 95713 Konkow
530-637-4279 Washoe

T si-Akim Maidu
Eileen Moon, Vice Chairperson
760 So. Auburn St. Ste 2-C Maidu
Grass Valley, CA 95945
(530) 477-0711

United Auburn Indian Community of the Auburn Rancheria
Gregory S. Baker, Tribal Administrator
10720 Indian Hill Road Maidu
Auburn, CA 95603 Miwok
gbaker@auburnrancheria.
530-883-2390
530-883-2380 - Fax

T'Si-akim Maidu
Grayson Coney, Cultural Director
P.O. Box 1316 Maidu
Colfax, CA 95713
akimmaidu@att.net
(530) 383-7234

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Rincon Del Rio; Nevada and Placer Counties.



June 27, 2011

Dear Sir or Madam,

A project is proposed for the construction of a retirement community located at the east terminus of Rincon Way and one-half mile east of SR49, south of the Lake of the Pines Community in Nevada County, California. A map of the project location and all other information are provided.

The Native American Heritage Commission was contacted on June 16, 2011 to perform a search of the Sacred Lands file. The NAHC has no record of Native American sacred sites in the immediate vicinity of the project area. The NAHC also provided to us a list of Native American individuals/organizations that may have knowledge of cultural resources within the project area and recommended that we contact you, among others.

In an effort to evaluate cultural resources, I am requesting any information not contained in the present NAHC database. I would appreciate it if you could notify me if you have records of any sacred lands or other heritage sites that might be impacted by the proposed project. All information provided regarding cultural and historic sites or other areas of concern would be treated as confidential material. We need your response within 2 weeks to meet the deadline for our report. You can call, email or fax your response if you like (909-923-7190; aglover@cogstone.com or the number below). Thank you for your assistance.

Sincerely,

Amy Glover
Lab Supervisor
Cogstone Resource Management Inc.

1518 West Taft Avenue
Orange, CA 92665
Office (714) 974-8300
Toll free (888) 497-0700

Branch Offices
West Sacramento - Morro Bay - Inland Empire

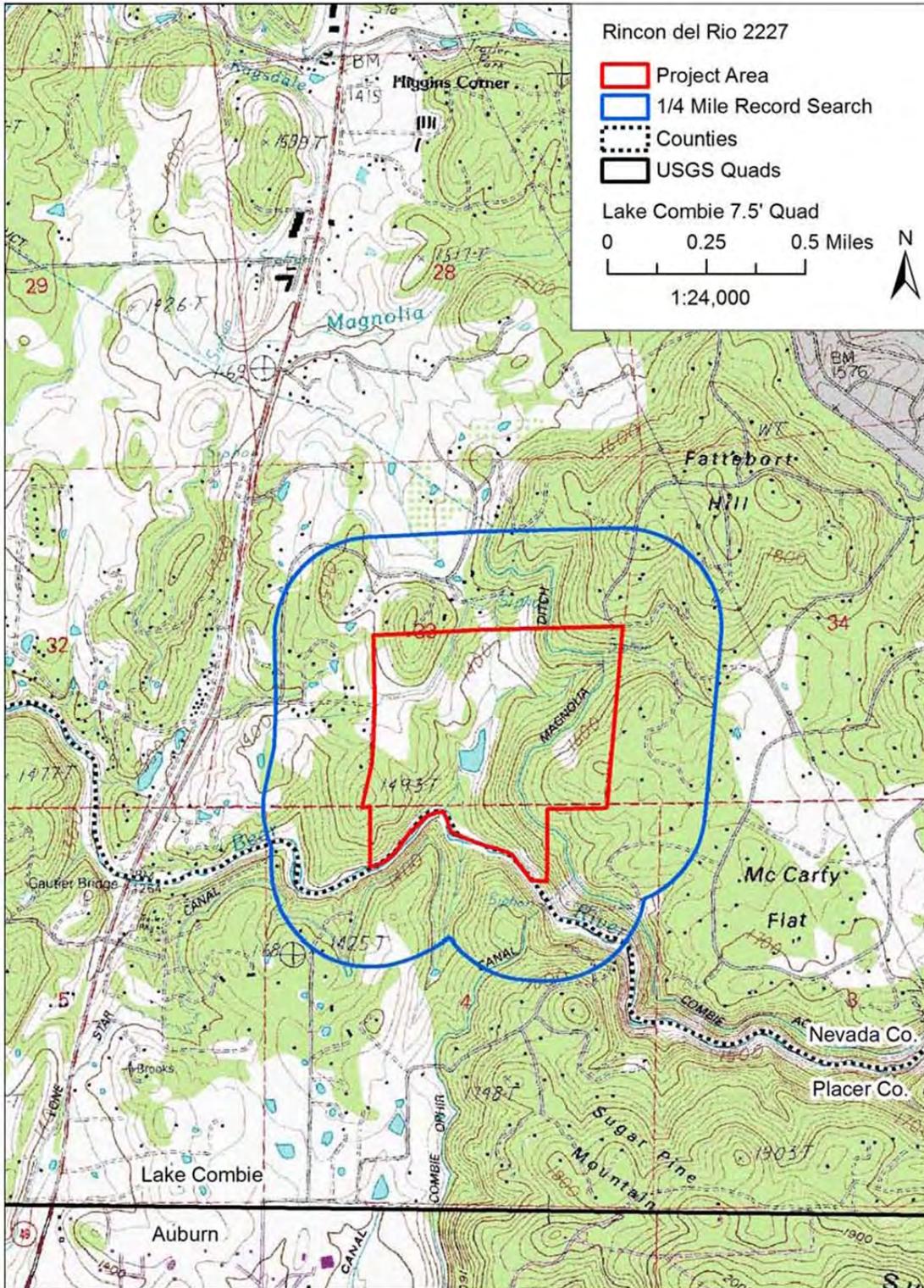
cogstone.com

COGSTONE CULTURAL RESOURCES INFO REQUEST	
DATE	June 16, 2011
COGSTONE PROJECT NUMBER:	2227
COGSTONE PROJECT NAME:	Rincon Del Rio
USGS 7.5' QUAD:	Lake Combie
COUNTY:	Nevada & Placer Counties
TOWNSHIP/SECTION:	T 14N R 8E Section 33 & 34 T 13N R 8E Section 4
ACRES:	205 acres
TYPE OF SEARCH:	Cultural Resources
1:24000 map attached	√
Thank you.	
Please Mail to:	Sherri Gust 1518 W. Taft Ave. Orange, CA 92865 (714) 974-8303 fax admin@coystone.com

1518 West Taft Avenue
 Orange, CA 92865
 Office (714) 974-8300
 Toll free (888) 497-0700

Branch Offices
 West Sacramento - Morro Bay - Inland Empire

coystone.com



1518 West Taft Avenue
 Orange, CA 92865
 Office (714) 974-8300
 Toll free (888) 497-0700

Branch Offices
 West Sacramento - Morro Bay - Inland Empire

cogstone.com

Log of Native American Contacts for Rincon del Rio Project (Cogstone Project No. 2227)

Native American Individual/Group	Date(s) of 1st Contact Attempt	Date(s) of Replies Rec'd	Date(s) of 2nd Contact Attempt	Comments
John Tayaba, Shingle Springs Band of Miwok Indians	6/27/2011	6/30/2011	NA	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Tayaba. Daniel Fonseca sent a letter on behalf of the Group, saying they are not aware of any known cultural resources
Rose Enos	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Ms. Enos. When no response was received, a call was placed on July 8, 2011. Ms. Enos responded, saying she is concerned about potential burials in the area.
Nicholas Fonseca, Shingle Springs Band of Miwok Indians	6/27/2011	6/30/2011	N/A	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Fonseca. Daniel Fonseca sent a letter on behalf of the Group, saying they are not aware of any known cultural resources.
Daniel Fonseca, Shingle Springs Band of Miwok Indians	6/27/2011	6/30/2011	N/A	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Fonseca. Mr. Fonseca sent a letter on behalf of the Group, saying they are not aware of any known cultural resources.
Jill Harvey	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Ms. Moore. When no response was received, a call was placed on July 8, 2011 and a message was left.
Marcos Guerrero, United Auburn Indian Community of the Auburn Rancheria	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Guerrero. When no response was received, a call and message were placed on July 8, 2011. Mr. Guerrero replied on July 12, 2011 and stated that he has no concerns regarding the project area.
David Keyser, United Auburn Indian Community of the Auburn Rancheria	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Keyser. When no response was received, a call was placed on July 8, 2011 and the call was transferred to Marcus Guerrero.
Gregory Baker	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Baker. When no response was received, a call was placed on July 8, 2011 and the call was transferred to Marcus Guerrero.
April Wallace Moore	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Ms. Harvey. When no response was received, a call was placed on July 8, 2011 and a message was left.

Native American Individual/Group	Date(s) of 1st Contact Attempt	Date(s) of Replies Rec'd	Date(s) of 2nd Contact Attempt	Comments
Eileen Moon, T'si-Akim Maidu	6/27/2011	None	7/7/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Ms. Moon. When the letter was returned as undeliverable, a new address was obtained and an additional letter and map were mailed on July 7, 2011.
Grayson Coney, T'si-Akim Maidu	6/27/2011	None	7/8/2011	On June 30, 2011 a letter and map detailing the project location were mailed to Mr. Coney. When no response was received, a call was placed on July 8, 2011. Mr. Coney responded, saying that there are sites in the area and the potential for the discovery of isolates is high.

ARCHAEOLOGICAL INVENTORY SURVEY

**Rincon Del Rio Development Project,
c. 216 acres along the Bear River,
Nevada County, California.**

Prepared for

Geddings Engineering

12836 Nevada City Highway
Nevada City, California 95959

Author

Sean Michael Jensen, M.A.

Keywords *for Information Center Use:*

Archaeological Inventory Survey, 216 acres, Nevada County, CEQA, USGS Lake Combie,
Ca. 7.5' Quad., No Significant Historic Resources.

December 29, 2006

GENESIS SOCIETY

ARCHAEOLOGICAL - HISTORICAL - CULTURAL RESOURCE MANAGEMENT SERVICES

1. INTRODUCTION

Project Background

This report details the results of an archaeological inventory survey for the proposed Rincon Del Rio development project involving approximately 216 acres of land located adjacent to the north side of the Bear River and the east side of Rincon Road, approximately 1/2 mile east of State Route 49, in southern Nevada County, California (see *Project Location Map*).

Proposed action involves subdivision of the property followed by residential development, with specific features to include construction of new residential and related structures, new primary and secondary access roads, placement of utilities, etc.

Since the project as proposed will involve physical disturbance to ground surface and sub-surface components throughout the 216-acre project area, the potential exists to impact cultural resources located within the Area of Potential Effect (APE), which consists of the 216-acre project area itself. Evaluation of the project's potential effects to cultural resources must be undertaken in conformity with Nevada County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code, Section 21000, et seq. (CEQA), and The California CEQA Environmental Quality Act Guidelines, California Administrative Code, Section 15000 et seq. (Guidelines as amended).

Scope of Work

At the most general level, compliance with CEQA requires completion of projects in conformity with the standards contained in Section 15064.5 of the CEQA Guidelines, as amended. Based on this and other relevant Sections of the Guidelines, the following specific tasks were considered an adequate and appropriate Scope of Work for the present project:

- Conduct a records search at the North Central Information Center of the California Historical Resources Information System at CSU-Sacramento, and review state data bases and other relevant background information. The goals of the records search and data base review are to determine (a) the extent and distribution of previous archaeological surveys, (b) the locations of known archaeological sites and any previously recorded archaeological districts, and (c) the relationships between known sites and environmental variables. This step is designed to ensure that, during subsequent field survey work, all archaeological and historical sites considered significant per CEQA are discovered, correctly identified, and properly interpreted.
- Conduct a pedestrian field survey of the project area. Based on map review, complete coverage, variable-intensity coverage was considered appropriate. The purpose of the pedestrian survey is to ensure that any previously recorded sites identified during the records search are re-located and existing evaluations updated based on current site and field conditions. For previously undocumented sites identified which might qualify as

“historical resources” per CEQA, the field survey would involve formally recording these on State DPR-523 Forms.

- Upon completion of the records search and pedestrian survey, prepare an archaeological survey report that identifies project effects and recommends appropriate mitigation measures for prehistoric or historic sites recommended significant under CEQA and which might be affected by the project.

The remainder of the present document constitutes the Final Report for this project, detailing the results of the records search and field survey and containing recommendations for treatment of significant sites that could be impacted. All field survey procedures followed guidelines provided by the State Historic Preservation Office (Sacramento) and conform to accepted professional standards.

2. Location, Environmental and Cultural Context

The proposed Rincon Del Rio development project incorporates approximately 216 acres of land located adjacent to the north side of the Bear River and the east side of Rincon Road, approximately 1/2 mile east of State Route 49, in southern Nevada County, California. Lands affected are located within a portion of Section 4 of T13N, R8E, and a portion of Section 33 of T14N, R8E, as shown on the USGS Lake Combie, California 7.5' series quad (see attached *Project Location Map*).

This portion of Nevada County was subjected to intensive and extensive mining, logging and ranching during the historic period, with the intensively mined Bear River located adjacent to the property's southern boundary. Further, contemporary residential and related development of the property has resulted in a number of ground disturbing activities throughout the subject property. Overall, but notwithstanding the effects of prior impacts to ground surface and subsurface components resulting from historic through contemporary mining, ranching and residential use, the project area appeared to be located within lands ranging from moderate to high in archaeological sensitivity.

Ethnographically, the project area is located within territory occupied by the Nisenan at the time of initial contact with European Americans (Wilson and Towne 1978: Figure 1). The Nisenan are Native American peoples also referred to as “Southern Maidu” who occupied the drainages of the southern Feather River and Honcut Creek in the north, through Bear River and the Yuba and American River drainages in the south. Villages were frequently located on flats adjoining streams, and were inhabited mainly in the winter as it was usually necessary to go out into the hills and higher elevation zones to establish temporary camps during food gathering seasons (i.e., spring, summer and fall).

As with all northern California Indian groups, economic life for the Nisenan revolved around hunting, fishing and the collecting of plant foods. These people were very sophisticated in terms of their knowledge of the uses of local animals and plants, and of the availability of raw material sources that could be used in manufacturing an immense array of primary and

secondary tools and implements. Unfortunately, only fragmentary evidence of the material culture of these people remains, due in part to perishability and in part to the impacts to archaeological sites resulting from later (historic) land uses (mining, timber harvest, and ranching).

Based on the results of previous survey work within the general and immediate area, the potential range of prehistoric site types included the following:

- Surface scatters of lithic artifacts and debitage associated with midden accumulations (sometimes including other surface features such as housepit depressions, mortar holes, petroglyphs), resulting from protracted occupation along stream channels, particularly where streams merge with one another.
- Surface scatters of lithic artifacts and debitage without midden accumulations, resulting from short-term occupation and/or specialized economic activities.
- Bedrock milling stations, including especially mortar holes, where suitable bedrock outcrops are exposed.
- Petroglyphs.
- Isolated finds of aboriginal artifacts and flakes.

As noted above, it was not expected that all of these site types would be encountered within the project area, but rather that these would be the most likely *types* to be encountered if any sites or features were identified at all.

Antecedent cultures in the area span several thousands of years and document use and occupation centered along watercourses and elsewhere throughout the area. Detailed archaeological sequences are reviewed in works by Moratto (2004) and others.

Recorded history in the project area begins with the attempts of Spanish colonists to explore parts of California beyond the coastal zone. Gabriel Moraga's expedition was undertaken in 1806, with additional incursions occurring through the 1840's. European Americans began arriving in more substantial numbers in the mid-1820's, most notably with the trapping expeditions of Jedediah Smith. However, the European American incursion with the greatest impact on Native American population and culture and the environmental structure of this area occurred immediately following the discovery of gold at Coloma in 1848, which initiated the Gold Rush of 1849.

Mining along virtually every stream in the Nevada City, Grass Valley, Wolf Creek and the Bear River areas was underway by 1850, with initial mining along Deer Creek being especially intensive. Placer mining continued to yield large quantities of gold through the next several years, and by 1855 supporting industry in the mine fields of Nevada County and along what is now Highway 49 through Nevada City included stores, transportation companies, saloons, toll roads and stage lines, foundries, lumber mills, and water companies. Isolated features related to historic mining activities and associated transportation are ubiquitous throughout this portion of Nevada County, and include sluiced areas, ditches, "glory holes", collapsed shafts and adits, debris scatters, tailings piles, and structural remains.

Logging and ranching represent additional historic themes for this portion of southern Nevada County. As with the earlier mining emphasis, activities associated with logging and ranching have also adversely affected the local cultural resource base, although typically with somewhat less severe impacts than actions associated with the early days of gold mining.

Historic overviews for this portion of Nevada County generally suggested the potential presence of a range of historic site types, including:

- Two-track trails/wagon roads, most of which are now paved roadways or no longer exist.
- Water distribution systems, including small and large ditch, canal and channel systems, and levees dating to historic time periods.
- Occupation sites and homesteads with associated features such as refuse disposal areas, privy pits, barns, sheds, corrals, loading chutes, stock ponds, etc.
- Historic cemeteries.
- Mining-related features, such as general landscape modifications including sluiced areas and tailings/waste rock piles, adits, shafts and in rare instances associated headworks.

As with prehistoric sites, not all of these were expected to be present within the 216-acre project area, although these represent the range of *types* considered most likely to be found based on background information available.

3. RECORDS SEARCH and SOURCES CONSULTED

Several sources of information were considered relevant to evaluating the types of archaeological sites and site distribution that might be encountered within the project area. The information evaluated prior to conducting pedestrian field survey includes soil types and geomorphological features, data maintained by the North Central Information Center at CSU-Sacramento, consultation with the Native American Heritage Commission for any sacred land listings, and review of available published and unpublished documents relevant to regional prehistory, ethnography, and early historic developments (discussed above).

North Central Information Center (CSU-Sacramento)

Prior to conducting the pedestrian field survey, the official Nevada County archaeological records maintained by the North Central Information Center were examined for any existing recorded prehistoric or historic sites (NCIC File No. NEV-06-100, dated December 1, 2006). Information Center records document the following existing conditions for the 216-acre project area:

Previous Archaeological Survey: One archaeological survey has been conducted within the subject property. Johnson (NCIC Report 5773, dated 1972) conducted an archaeological survey of approximately 73-miles of Nevada Irrigation District canals and

ditches, including the Magnolia Ditch, which proceeds through the subject property. This survey involved no more than about 10% of the present project area's land.

Documented Sites: The 1871 GLO map labels a stream course within the eastern portion of the subject property as "China Hollow." Aside from this reference, no historic or prehistoric sites have been documented within or adjacent to the project area.

Other Sources Consulted

In addition to examining records at the North Central Information Center at CSU-Sacramento, the following sources were also reviewed by the Information Center, or separately:

- The National Register of Historic Places (2006).
- The California Register of Historic Resources (2006).
- The California Inventory of Historical Resources (1976).
- California State Historical Landmarks (1996).
- California Points of Historical Interest (1992).
- The Historic Property Data File (2006).
- GLO Plat, T13N, R8E, 1865, T14N, R8E, 1871.
- USGS Lake Combie quad, 1949.
- Published and unpublished documents relevant to environment, ethnography, prehistory and early historic developments in the vicinity, providing context for assessing site types and distribution patterns for the project area (summarized above under *Location, Environmental and Cultural Context*).

4. PEDESTRIAN SURVEY and CULTURAL INVENTORY

Survey Strategy and Fieldwork

All of the project area was subjected to pedestrian survey, accomplished by walking back and forth across the property with transect spacing ranging between 10 and 30 meter intervals, depending on variation in archaeological sensitivity, vegetation cover, and other considerations.

In searching for cultural resources, the surveyors took into account the results of background research, and were alert for any unusual contours, soil changes, distinctive vegetation patterns, exotic materials, artifacts, feature or feature remnants and other possible markers of cultural sites.

Fieldwork was undertaken by Sean Michael Jensen and Robert McCann on December 19-22 2006. No special problems were encountered during the pedestrian survey, and all survey objectives are considered to have been satisfactorily achieved.

General Observations

Disturbance to the ground surface and sub-surface components throughout the property ranges from minimal to substantial. Portions of the property have been subjected to historic mining, logging and ranching, with landscape modifications, graded access roads and skid trails observed at several locations. As well, Rincon Road (paved) trends north-south along the western property boundary, along which buried and overhead utilities are present. Washed gravel beds are located within the southern portion of the property, adjacent to the north side of the Bear River. Finally, contemporary residential development and related activities have occurred throughout the western and southern portions of the property. The current owner purchased the property in 2000, undertaking a number of projects with ground disturbing effects, including construction of a 13,000 square foot residence located on a bluff overlooking the Bear River. Substantial grading, excavating and land re-contouring were undertaken in conjunction with this project. Additional related disturbance includes tree and brush removal, road construction, general land re-contouring, construction of auxiliary buildings, improvement of an existing stock pond, and extensive landscaping.

Recorded Cultural Resources – Cultural Inventory

Evidence of prehistoric presence was observed at four (4) locations within the project area. All of these represent single-occurrence basalt cores. A thorough inspection of all lands surrounding each of these four finds failed to identify any additional evidence of prehistoric activity or occupation, and all four single-occurrence cores are considered *Isolates*, categorically excluded as significant or potentially significant per CEQA.

Evidence of historic-era activity was observed at nine (9) separate locations within the project area. Six (6) of these represent single-occurrence artifacts/features, including “church-key”-opened cans, logging cable segments, and generalized mining-related landscape modifications. A thorough inspection of all lands surrounding each of these six finds failed to identify any additional evidence of historic activity or occupation, and all six are considered *Isolates*, categorically excluded as significant or potentially significant per CEQA.

The remaining three observations of historic-era cultural material include a small ranch complex (site Rincon #1), a segment of the Magnolia Ditch (site Rincon #2), and an agricultural or ranch ditch (site Rincon #3). All three were formally recorded on State DPR-523 forms.

Site Descriptions

Site Rincon #1: This site consists of a small ranch complex that extends approximately 155 feet in length (southeast-northwest) with a maximum width of 135 feet. The complex contains rock foundation remains and limited associated deteriorated lumber and fence wire representing the remains of a corral (Feature #1) and loading chute (Feature #2).

Feature #1: Feature #1 consists of the foundation remains of a livestock corral, consisting of hand-stacked fieldstones (limited to one-two courses in width and height) defining a portion of the perimeter of a corral, with an overall footprint of approximately 65' in length (northeast-southwest), and 60' in width. Linked with the linear rock courses (which generally define the corral perimeter) are interconnected rock terraces and short walls (< 1' high, limited to two-three rock courses), also including four fence posts, fence wire ("hog" wire and barbed wire strands), miscellaneous hardware (stamped steel hinges), and a small quantity of heavily deteriorated lumber.

Feature #2: Feature #2 consists of the foundation remains of a livestock loading chute, consisting of hand-stacked fieldstones (one to two courses in width and height) enclosing a space that extends approximately 15' in length (northwest-southeast), 12' in width, with a maximum height of the rock wall segments of approximately 2'. Several strands of fence wire and miscellaneous hardware and deteriorated lumber have been stacked on top of the rock wall at one location.

A short segment of ditch proceeds through the southern portion of the site as recorded herein. This feature has been recorded as a separate site (temporary designation of site Rincon #3, see below). Finally, a contemporary, barbed-wire fence bisects the site along a north-south axis, "ignoring" the boundary and functional integrity of the earlier corral and chute through which the new fence proceeds.

Site Rincon #2, Magnolia Ditch: This site consists of the Magnolia Ditch, constructed between 1938 and 1949 based on the ditch's sequence of appearance on USGS quadrangle maps. Within the subject property, the ditch trends south-north along the approximate 1,540-foot contour for a total distance of approximately 4,900 feet. The ditch measures roughly 4-6' in width at the top, and 3-4' in depth. Numerous fully contemporary modifications have been made to the ditch by Nevada Irrigation District, which include gunnite lining, concrete "box" linings (see photos), the addition of welded pipe sections and siphons, concrete and steel gates, and additional modifications to the levee system associated with ongoing maintenance. It is estimated that less than 30% of the original historic attributes defining this feature remain, including no pre-1950-1960 artifacts or structural subcomponents (such as distribution gates, support features).

Site Rincon #3: This site consists of a small ditch which trends east-west along the approximate 1,380-foot contour for roughly 7,800 feet through the project area. The ditch measures approximately 1-2' in width at the top and about 1' in depth. No additional features or artifacts are present in association, which makes dating of the ditch problematic. The ditch could be associated with historic mining in the area, which began during the 1850's, but appears (on the basis of tree sizes within the ditch) to have been excavated later, most likely in conjunction with ranching and the need to service stock ponds. The ditch has been substantially disturbed by on-going ranching, neglect and lack of use, and most recently by extensive residential development of portions of the property. The effects of erosion and bulldozer cuts associated with recent and on-going

residential development and use of the area are visible at several points along the length of ditch within the project area.

5. SIGNIFICANCE RECOMMENDATIONS

General

Prehistoric sites identified within the project area were to be evaluated for significance in relation to CEQA significance criteria. Historical resources per CEQA are defined as buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance. CEQA requires that, if a project results in an effect that may cause a substantial adverse change in the significance of a historical resource, alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed. Therefore, before developing mitigation measures, the significance of cultural resources must be determined in relation to criteria presented in PRC 15064.5, which defines a historically significant resource (one eligible for listing in the California Register of Historical Resources, per PRC SS5024.1) as an archaeological site which possess one or more of the following attributes or qualities:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Is associated with the lives of persons important in our past
- 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
- Has yielded, or may be likely to yield, information important in prehistory or history

In addition, CEQA further distinguishes between archaeological sites that meet the definition of a significant historical resource as described above (for the purpose of determining effects), and "unique archaeological resources." An archaeological resource is considered "unique" (Section 21083.2(g)) when the resource not merely adds to the current body of knowledge, but when there is a high probability that the resource also:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Significance of Ditch Sites Rincon #2 and #3: Application of the CEQA criteria results in the following recommendation for the two linear features (ditches) located within the project area.

- a) & b) These two sites may initially have been excavated to serve mining activities, although dating of both (see discussion under site description) suggests more likely links with ranching (site Rincon #3) or ranching/farming/residential needs at various locations throughout this part of Nevada County (site Rincon #2, Magnolia Ditch). There is no evidence that either ditch is associated with specific undertakings, projects or persons which have made especially significant contributions to the broad patterns of the history of California. Regardless of its origins and original functional links, the Magnolia Ditch has been substantially modified for domestic water delivery and use by Nevada Irrigation District, such that most of the original historic qualities and attributes have been lost to contemporary updates and to the requirements of routine maintenance. Site Rincon #3, the small ranch ditch, has been abandoned and substantially impacted by recent and on-going residential development and use of the project area. Neither ditch is associated with early historic features, artifacts or structural subcomponents (such as early-style distribution gates, support features, etc.).

In short, the integrity of setting, materials, workmanship, feeling and association have all been lost with respect to both ditch segments within the project area. Loss of integrity continues, and today the features (as well as the immediate surroundings) little resemble the original ditches that proceeded through the project area.

Based on these considerations, these two sites are not recommended significant per Criteria a and b.

- c) These two ditch segments do not embody the distinctive characteristics of a type, period, or method of construction, nor do these features represent the work of a master, or possess high artistic value, or represent a significant and distinguishable entity whose components may lack individual distinction. Integrity of setting, materials, workmanship, feeling and association have all been lost, as noted in the discussion of Criteria a and b, above, and no artifacts or associated features remain that are related to the original period of construction and use of either one of these ditches. Based on existing inventory data maintained by the North Central Information Center at CSU-Sacramento, a large number of ditches have already been well documented in Nevada and adjacent Counties that duplicate the qualities and attributes of these two ditches, so that this site type is not, therefore, under-represented in the California inventory.

Based on these considerations, these two ditch sites are not recommended significant or potentially significant per CEQA's Criterion c.

- d) Data recovery work involving either one of these linear features would likely not provide unique or unusual information, nor additional data useful in historic research not already captured in the existing site records (State DPR 523 forms prepared and submitted for both of these sites). As noted above, no early historic features or artifacts are present in association with either one of the ditch segments within the

project area, and no historic dumps have been located elsewhere in the present project area that might be related to original use and construction of these two ditches. In the absence of associated artifacts or original features dating to the period of initial construction and use, and considering the loss of integrity generally, further data recovery involving either one of these sites could not be expected to advance our knowledge and understanding of these two ditches beyond that which has been achieved in the present report and the DPR 523 site record submitted to the North Central Information Center.

Based on these considerations, these two ditch sites are not recommended significant or potentially significant per CEQA's Criterion d.

Collectively and in summary, the above findings lead to the recommendation that the two ditches within the present project area are not significant resources per CEQA.

Significance of Site Rincon #1, Ranch Features: Application of the CEQA evaluative criteria results in the following recommendation for two ranch features.

- a) & b) This site cannot be linked or associated with specific historical events, projects, persons or entities that have made significant contributions at the local, regional or national level. The site represents the limited, deteriorated remains of two ranch-related features whose specific components include limited stacked fieldstone alignments (one for a corral and one for a loading chute), and associated, heavily deteriorated lumber, wire and four deteriorated fence posts. The "definition" of the corral and chute perimeters by low, stacked stone "walls" and alignments is partial at best, and none of the original built environment remains. Finally, recent disturbance to the site is evident in the form of a new fence line constructed through the site, and recent limited tree clearing and other activities. Integrity of the site is very poor. These facts, when combined with the absence of GLO or early County Map or other references to those who constructed and/or utilized these features, makes it essentially impossible to characterize the size and scope of ranching operations undertaken at this location except by negative evidence – there is no evidence that the ranching operation was historically significant at the local, regional or national level.

Based on these facts and considerations, site Rincon #1 is not recommended significant per Criteria a and b.

- c) This site does not embody the distinctive characteristics of a type, period, or method of construction, nor do the deteriorated feature remnants that comprise the site represent the work of a master, or possess high artistic value, or represent a significant and distinguishable entity whose components may lack individual distinction. Integrity of setting, materials, workmanship, feeling and association have all been lost, in conjunction with loss of virtually all of the original built environment save very limited foundation remains of what is believed to represent a small corral and loading chute area located adjacent to an existing ranch access road. Based on the

author's familiarity with existing historical site records on file at the North Central Information Center at CSU-Sacramento, a large number of sites have already been well documented in Nevada and adjacent Counties that duplicate the qualities and attributes of the limited foundation remains and additional non-diagnostic items (wire, four fence posts, low rock piles) that comprise this site. This site and the features present are not rare or under-represented in the California inventory.

Based on these facts and considerations, site Rincon #1 is not recommended significant per Criterion c.

- d) Data recovery work involving this site could not be expected to provide unique or unusual additional information over and above that which exists in the existing site record and the present report. As noted in the site description, this site consists of only fragmentary elements of a small corral and associated loading chute, the integrity of which has been lost to natural deterioration, lack of use, and lack of maintenance. Whole artifacts are absent and none of the original superstructure remains at either one of the two identified features. There is no evidence that any artifacts have accumulated below the surface. When combined with the absence of GLO or early County Map or other references to the ranch or persons, families or named operations at this location, it is not a reasonable expectation that data recovery would further our understanding of this site in relation to important historic research objectives, themes, etc.

Based on these facts and considerations, site Rincon #1 is not recommended significant per Criterion d.

Collectively and in summary, these findings lead to the recommendation that site Rincon #1 is not a significant resource per CEQA.

6. SUMMARY of PROJECT FINDINGS and RECOMMENDED MITIGATION MEASURES

This report details the results of an archaeological inventory survey of approximately 216 acres of land located adjacent to the north side of the Bear River and the east side of Rincon Road, approximately 1/2 mile east of State Route 49, in southern Nevada County, California. Proposed action involves subdivision of the property followed by further residential development, an action that would result in physical disturbance to ground surface and sub-surface components and would therefore have the potential to impact cultural resources located within the project area.

A search of State data bases, including all records and documents available at the North Central Information Center, and intensive-level pedestrian survey, have resulted in identifying three (3) sites within the project area. All three of the project area sites (Rincon #'s 1-3") are recommended not significant under any of the relevant CEQA evaluative criteria. No treatment or mitigative action is recommended for these sites.

Based on the present findings and conclusions with respect to the three recorded historic sites, archaeological clearance is recommended for the 216-acre Rincon Del Rio Subdivision property, with the following general provisions:

- 1) **Consultation in the event of inadvertent discovery of human remains:** Evidence of human burial or scattered human remains related to prehistoric occupation of the area could be inadvertently encountered anywhere within the project area during future construction activity or other actions involving disturbance to the ground surface and subsurface components. In the event of such an inadvertent discovery, the County Coroner would have to be informed and consulted, per State law.
- 2) **Consultation in the event of inadvertent discovery of cultural material:** The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that significant unidentified cultural materials could be encountered on or below the surface during the course of future development or construction activities. This caveat is particularly relevant considering the constraints generally to archaeological field survey, and particularly where grasses and other vegetation partially obscure ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

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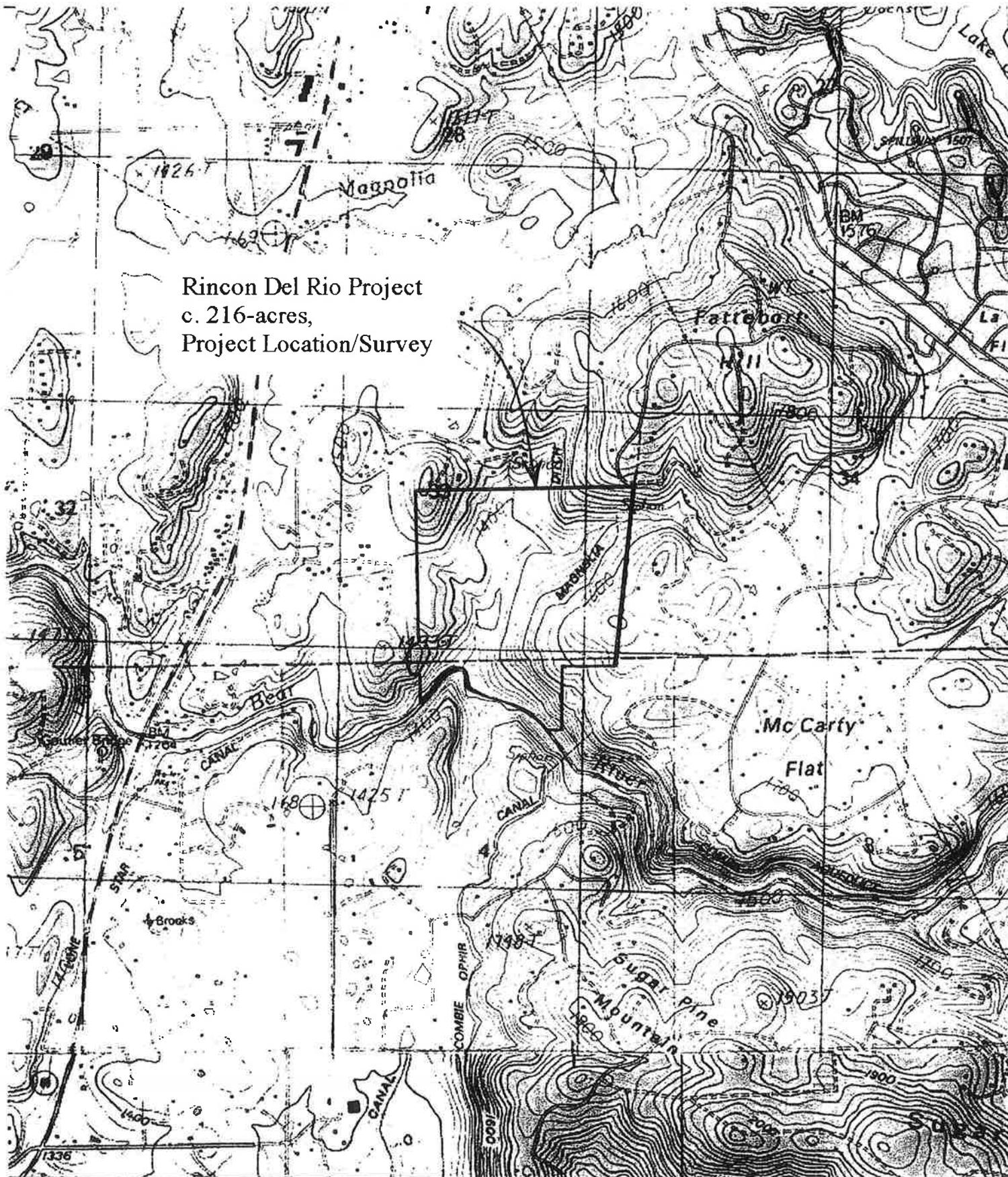
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ARCHAEOLOGICAL INVENTORY SURVEY

**Rincon Del Rio Development Project,
c. 216 acres along the Bear River,
Nevada County, California.**

ATTACHMENTS

- Project Location Map
- Records Search from CSU-Sacramento
- DPR 523 Primary Records for sites, “Rincon #1, Rincon #2, and Rincon #3”



Rincon Del Rio Project
 c. 216-acres,
 Project Location/Survey

N * / MN
 15

0 5 1 MILE
 0 1000 FEET 0 500 1000 METERS

Map created with TOPO! © 2003 National Geographic (www.nationalgeographic.com/topo)

NORTH CENTRAL INFORMATION CENTER

CSU-SACRAMENTO - 6000 J STREET, ADAMS BLDG. #103, SACRAMENTO, CA 95819-6100
916-278-6217 ncic@csus.edu FAX 916-278-5162

Summary of Records Search Results

December 1, 2006

NCIC File No.: NEV-06-100

Sean M. Jensen
Genesis Society
7053 Molokai Drive
Paradise, CA 95969

From: Sally Torpy, Researcher

Re: 216-acre Rincon Del Rio Development
T13N/R8E Section 4
T14N/R8E Section 33
USGS Lake Combie 7.5-minute quad, Nevada County

- **Sites Within /Adjacent to Project:** Nothing listed.
- **NCIC Studies Within /Adjacent to Project:**
#5773 (Jerry Johnson 1972)
- **NRHP/CRHR (2006):** Nothing listed
- **OHP Historic Property Directory (2006):** Nothing listed
- **California Inventory of Historical Resources (1976):** Nothing listed
- **California State Historical Landmarks (1996):** Nothing listed
- **Points of Historical Interest (1992):** Nothing listed
- **GLO Plat:** 1865 plat of T13N/R8E
1871 plat of T14N/R8E
- **Historic Maps:** USGS 1949 Lake Combie quad

As indicated on the attached agreement form, the charge for this record search is **\$151.20.** Payment instructions are included at the bottom of the form. Thank you for using our services. If you have any questions please do not hesitate to call 916/278-6217.

PRIMARY RECORD

Other Listings#: None

Review Code: _____ Reviewer: _____ Date : _____

P1. Other Identifier: "Rincon #1".

P2. Location: Unrestricted.

P2a. County: Nevada.

P2b. USGS 7.5' Quad: Lake Combie, California.

Date: 1995 (Provisional).
T14N, R8E, Section 33. MDM.

P2c. Address: Unknown.

P2d. UTM: Zone 10: Easting: 665700 Northing: 4320647

P2e. Location From the intersection of State Route 49 and Rincon Road, proceed easterly along Rincon Road for approximately 0.4 miles to point where Rincon Road makes a 90 degree turn due south. At this point there is a north-south trending fence line located immediately east of Rincon Road, along which is located a contemporary irrigation ditch. Also located at this point is a graded access road trending west-east. Proceed easterly along access road for approximately 0.2 miles, crossing a north-south trending, unnamed perennial stream course, arriving at a northeast-southwest trending perennial stream course and site area. Site is situated on a gentle slope, northwest of the referenced perennial stream course.

P3a. Description: This site consists of a small ranch complex that extends approximately 155 feet in length (southeast-northwest) with a maximum width of 135 feet, for a total surface area of approximately 15,000 square feet. The complex contains foundation remains (for a corral and associated loading chute) associated with cattle/sheep ranching.

Feature #1: Feature #1 consists of the foundation remains of a livestock corral, consisting of hand-stacked fieldstones defining a portion of the perimeter of a corral, with an overall footprint of approximately 65' in length (northeast-southwest), and 60' in width. Linked with the linear rock courses (which generally define the corral perimeter) are interconnected rock terraces and short (< 1' high) walls, also including four fence posts, fence wire ("hog" wire and barbed wire strands) and miscellaneous hardware and a small quantity of heavily deteriorated lumber.

Feature #2: Feature #2 consists of the foundation remains of a livestock loading chute, consisting of hand-stacked fieldstones extending approximately 15' in length (northwest-southeast), 12' in width, with a maximum height of the rock wall segments of approximately 2'. Several strands of fence wire and miscellaneous hardware and lumber have been stacked on top of the rock wall at one location.

PRIMARY RECORD

Other Listings#: None

Review Code: _____ Reviewer: _____ Date : _____

A short segment of ditch proceeds through the southern portion of the site as recorded herein. This feature has been recorded as a separate site (temporary designation of site Rincon #3). Finally, a contemporary, barbed-wire fence bisects the site along a north-south axis, "ignoring" the boundary and functional integrity of the earlier corral and chute through which the new fence proceeds.

- P3b. Resource Attributes:** HP33 – Farm/Ranch.
- P4. Resources Present:** Site. See attribute list above.
- P5a. Drawing:** Site sketch map, attached.
- P5b. Description of Photo:** See attached photographs for feature descriptions.
- P6. Date Constructed, Age and Sources:** No structures appear at this location on the 1949 USGS quad, nor on the 1871 GLO map, and according to the present land owner, no structures were present at the time of his acquisition of the property in 2000.
- P7. Owner and Address:** Unknown.
- P8. Recorded By:** Sean M. Jensen and Robert McCann. Genesis Society, 7053 Molokai Drive, Paradise, California 95969.
- P9. Date Recorded:** December 24, 2006.
- P10. Survey Type:** Intensive pedestrian survey involving c. 216-acres, which consists of hilly terrain above the Bear River, historically utilized for ranching and mining (currently residential), for which additional residential development is proposed.
- P11. Report Citation:** "Archaeological Inventory Survey for the Proposed Rincon Del Rio Development Project, c. 216-acres along the Bear River, Nevada County, California." Prepared by Genesis Society for Geddings Engineering, Nevada City, California, and filed with the North Central Information Center of the California Historical Resources Information System, CSU-Sacramento.

Primary #: _____

HRI #: _____

Trinomial: _____

NRHP Status Code: _____

PRIMARY RECORD

Other Listings#: None

Review Code: _____ Reviewer: _____ Date : _____

Page 3 of 3, plus Attachments.

"Rincon #1"

Attachments

- Site Location Map: From USGS Lake Combie, Ca., 7.5' Quad.
Site Sketch Map: Shows the overall site area in relation to topographic features and fence lines.
P5a Photos: See attached photographs for descriptive references.

The exact locations of Cultural Resources features on this site is confidential information and has been removed from these documents.

The exact locations of Cultural Resources features on this site is confidential information and has been removed from these documents.

ATTACHMENT P5b: Site "Rincon #1": Chute (Upper); Corral (Lower).



PRIMARY RECORD -UPDATE

Other Listings#: _____

Review Code: _____ Reviewer: _____ Date : _____

Page 1 of 2, plus Attachment(s)

Common Name: "Magnolia Ditch"

P1. Other Identifier: Rincon #2.

P2. Location: Unrestricted.

P2a. County: Nevada.

P2b. USGS 7.5' Quad: Lake Combie, California:

Date: 1995 (Provisional).

T13N, R8E, NW 1/4, NE 1/4 of Section 4,

T14N, R8E, Section 33. MDM.

P2c. Address: Unknown.

P2d. UTM: Zone 10: Easting: Northing:

Point A: 665799 4320871

Point B: 666030 4320730

Point C: 665810 4320052

P2e. Location From the intersection of State Route 49 and Rincon Road, proceed easterly along Rincon Road for approximately 0.4 miles to point where Rincon Road makes a 90 degree turn due south. At this point a north-south trending fence line and a contemporary irrigation ditch are also present immediately east of Rincon Road. From this point, proceed east, then northeast, along the contemporary irrigation ditch for approximately 0.2 miles to a fence line defining the present survey property's northern boundary. Proceed due east along property (fence) line for approximately 0.2 miles to the Magnolia Ditch and UTM Point A.

P3a. Description: This site consists of the Magnolia Ditch, a water conveyance system constructed between 1938 and 1949, based on the ditch's sequence of appearance on USGS quadrangle maps. Within the subject property, the ditch trends south-north along the approximate 1,540-foot contour. The ditch measures approximately 4-6' in width at the top, 3-4' in depth, and extends for approximately 4,900' through the present project/study area. Numerous fully contemporary modifications have been made to the ditch by Nevada Irrigation District, which include gunnite lining, concrete "box" linings (see photos), the addition of welded pipe sections and siphons, concrete and steel gates, and additional modifications to the levee system associated with ongoing maintenance. It is estimated that less than 30% of the original historic attributes defining this feature remain, including no pre-1950-1960 artifacts or structural subcomponents (distribution gates, support features).

P3b. Resource Attributes: AH6 – Water conveyance system.

P4. Resources Present: Site. See attributes, above.

P5a. Drawing: None (other than attached Site Location/Sketch Map).

P5b. Description of Photo: See attached photographs for individual descriptions.

State of California -- The Resources Agency DEPARTMENT OF PARKS AND RECREATION	Primary #: _____ HRI #: _____ Trinomial: CA-NEV- -H NRHP Status Code: _____ Other Listings#: _____
PRIMARY RECORD -UPDATE	
Review Code: _____ Reviewer: _____ Date : _____	
Page 2 of 2, plus Attachment(s)	Common Name: "Magnolia Ditch"

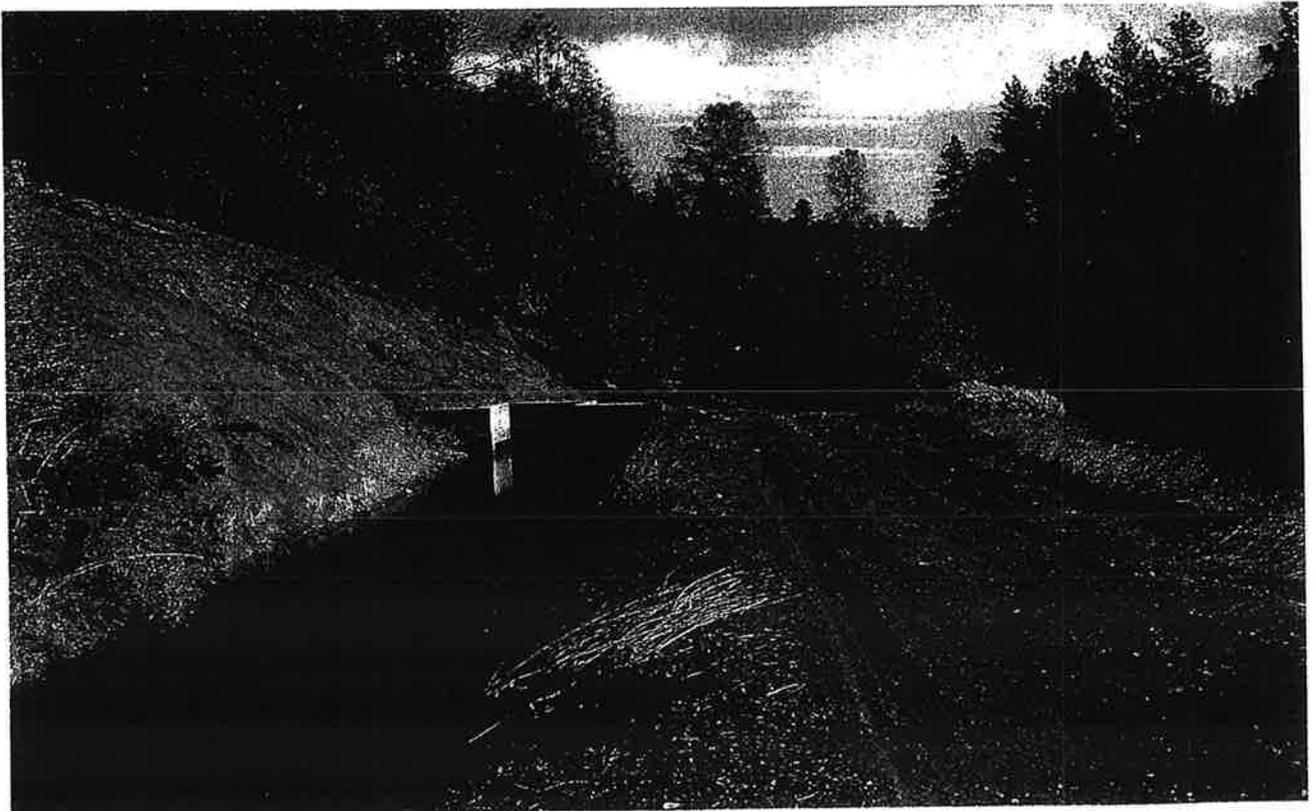
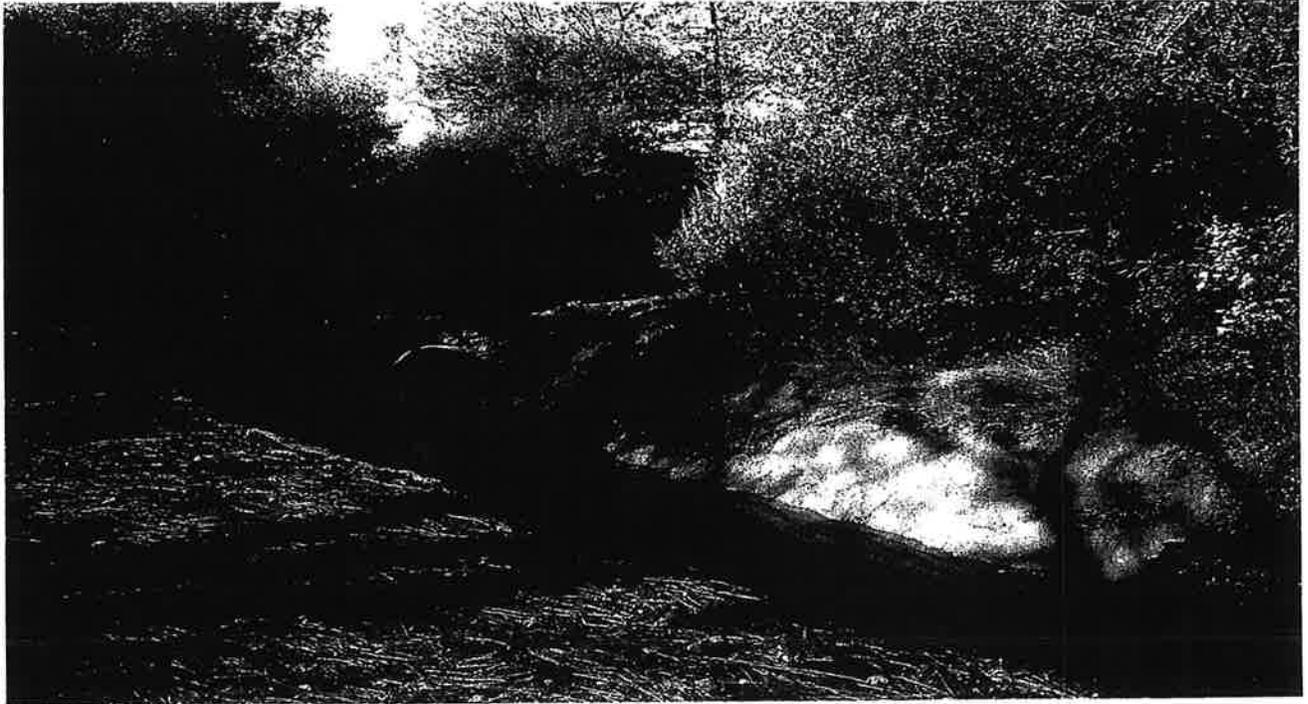
- P6. Date Constructed, Age and Sources:** Within the subject property, the ditch appears on the 1949 USGS quadrangle map, following the present alignment. However, outside of the subject property, the routing of the ditch was modified subsequent to 1949. Further, a number of siphons appear to have been added to segments of the ditch (including within the subject property) after 1949, eventually transporting water westerly via an aqueduct. Since 1949, Nevada Irrigation District has undertaken substantial modifications to the ditch so that today less than about 30% of the original attributes defining this historic feature remain, including no pre-1950-1960 artifacts or structural subcomponents (distribution gates, support features).
- P7. Owner and Address:** Unknown.
- P8. Recorded By:** Sean M. Jensen and Robert McCann. Genesis Society, 7053 Molokai Drive, Paradise, California 95969.
- P9. Date Recorded:** December 24, 2006.
- P10. Survey Type:** Intensive pedestrian survey, involving c. 216-acres, which consists of hilly terrain above the Bear River, historically utilized for ranching and mining (currently residential), for which additional residential development is proposed.
- P11. Report Citation:** "Archaeological Inventory Survey for the Proposed Rincon Del Rio Development Project, c. 216-acres along the Bear River, Nevada County, California." Prepared by Genesis Society for Geddings Engineering, Nevada City, California, and filed with the North Central Information Center of the California Historical Resources Information System, CSU-Sacramento.

Attachments

- Site Location Map:** From USGS Lake Combie, Ca., 7.5' Quad.
- No Site Sketch Map:** Site Map is the same as the Site Location Map for this linear feature. Therefore, there is no separate attachment for "Site Map."
- Photograph:** See attached record for photographs and descriptions.

The exact locations of Cultural Resources features on this site is confidential information and has been removed from these documents.

**ATTACHMENT P5b: Site "Rincon #2": Gunnite and Pipe (Upper);
Concrete gate (Lower).**



ATTACHMENT P5b: Site "Rincon #2": Siphon (Upper); Box flume (Lower).



PRIMARY RECORD -UPDATE

Other Listings#: _____

Review Code: _____ Reviewer: _____ Date : _____

Page 1 of 2, plus Attachment(s)

Common Name: "Rincon #3"

- P1. Other Identifier:** Rincon #3.
- P2. Location:** Unrestricted.
- P2a. County:** Nevada.
- P2b. USGS 7.5' Quad:** Lake Combie, California.
Date: 1995 (Provisional).
T13N, R8E, Section 4, T14N, R8E, Section 33. MDM.
- P2c. Address:** Unknown.
- P2d. UTM:**
- | Zone 10: | Easting: | Northing: |
|----------|----------|-----------|
| Point A: | 665224 | 4320040 |
| Point B: | 665573 | 4320736 |
| Point C: | 665733 | 4320615 |
| Point D: | 665765 | 4319888 |
- P2e. Location** From the intersection of State Route 49 and Rincon Road, proceed easterly along Rincon Road for approximately 0.4 miles to point where Rincon Road makes a 90 degree turn due south. At this point a north-south trending fence line and a contemporary irrigation ditch are also present immediately east of Rincon Road. From this point, proceed due south, along the fence (property) line, for approximately 0.3 miles to UTM Point A and a point where the ditch exits the western property boundary.
- P3a. Description:** This site consists of a small ditch. Within the subject property, the ditch trends east-west along the approximate 1,380-foot contour, and measures approximately 1-2' in width at the top, approximately 1' in depth, and extends for approximately 7,800'. No additional features or artifacts are present in association with the ditch. In the absence of artifacts or other associations, dating of the feature is problematic. The ditch could be associated with the earliest historic mining in the area, which began during the 1850's, but may have been excavated much later, in conjunction with mining or ranching activities. The ditch has been subjected to extensive disturbance, primarily from historic through contemporary ranching, and more recently, residential development of portions of the property. The effects of erosion and bulldozer cuts are visible at several points along the length of the ditch within the project area.
- P3b. Resource Attributes:** AH6 – Water conveyance system.
- P4. Resources Present:** Site. See attributes, above.
- P5a. Drawing:** None (other than attached Site Location/Sketch Map).
- P5b. Description of Photo:** See attached photographs for individual descriptions.

State of California -- The Resources Agency DEPARTMENT OF PARKS AND RECREATION	Primary #: _____ HRI #: _____ Trinomial: CA-NEV- -H NRHP Status Code: _____ Other Listings#: _____
PRIMARY RECORD -UPDATE	
Review Code: _____	Reviewer: _____ Date : _____
Page 2 of 2, plus Attachment(s)	Common Name: "Rincon #3"

- P6. Date Constructed, Age and Sources:** In the absence of artifacts or feature associations, dating of the ditch is problematic.
- P7. Owner and Address:** Unknown.
- P8. Recorded By:** Sean M. Jensen and Robert McCann. Genesis Society, 7053 Molokai Drive, Paradise, California 95969.
- P9. Date Recorded:** December 24, 2006.
- P10. Survey Type:** Intensive pedestrian survey, involving c. 216-acres, which consists of hilly terrain above the Bear River, historically utilized for ranching and mining (currently residential), for which additional residential development is proposed.
- P11. Report Citation:** "Archaeological Inventory Survey for the Proposed Rincon Del Rio Development Project, c. 216-acres along the Bear River, Nevada County, California." Prepared by Genesis Society for Geddings Engineering, Nevada City, California, and filed with the North Central Information Center of the California Historical Resources Information System, CSU-Sacramento.

Attachments

- Site Location Map: From USGS Lake Combie, Ca., 7.5' Quad.
- No Site Sketch Map: Site Map is the same as the Site Location Map for this linear feature. Therefore, there is no separate attachment for "Site Map."
- Photograph: See attached record for photographs and descriptions.

The exact locations of Cultural Resources features on this site is confidential information and has been removed from these documents.

ATTACHMENT P5b: Site "Rincon #3": UTM Point C (Upper); Ditch (Lower).



