

3.4 Cultural/Heritage Resources

3.4.1 Introduction

Cultural resources are defined as prehistoric archaeological sites, historic archaeological sites, and historic structures that generally consist of artifacts, food waste, structures, and facilities made by people in the past. Prehistoric archaeological sites are places that contain the material remains of activities carried out by the native population of the area (Native Americans) prior to the arrival of Europeans in southern California. Artifacts found in prehistoric sites include flaked stone tools such as projectile points, knives, scrapers, drills, and the resulting waste flakes from tool production; ground stone tools such as manos, metates, mortars, and pestles for grinding seeds and nuts; bone tools, such as awls; ceramic vessels or fragments; and shell or stone beads. Prehistoric features include hearths or rock rings, bedrock mortars and milling slicks, rock shelters, rock art, and burials.

Historic archaeological sites are places that contain the material remains of activities carried out by people during the period when written records were produced after the arrival of Europeans. Historic archaeological material usually consists of domestic refuse, such as bottles, cans, ceramics, and food waste, deposited either as roadside dumps or near structure foundations. Archaeological investigations of historic-period sites are usually supplemented by historical research using written records. Historic structures include houses, garages, barns, commercial structures, industrial facilities, community buildings, and other structures and facilities that are more than 50 years old.

Sacred sites and other places of traditional cultural importance, sometimes called traditional cultural properties (TCPs), are associated with the cultural practices or beliefs of a living community. Traditional cultural properties are rooted in the community's history and are important in maintaining cultural identity. Such places may be eligible for the National Register of Historic Places (NRHP). Examples of TCPs for Native American communities include natural landscape features, trail systems, places used for ceremonies and worship, places where plants are gathered that are used in traditional medicines and ceremonies, places where artisan materials are found, and places and features of traditional subsistence systems, such as hunting areas.

A Cultural Resources Phase II investigation (intensive survey) was completed for the Proposed Action in November 2009 by Forest Service archaeologists. As a result of the survey, three cultural resources were identified: an electrical transmission line, the former Mohawk Mine, and Forest Service System Road 3N04 (USDA Forest Service 2009b). The technical report is summarized in the following sections.

3.4.2 Applicable Laws, Regulations, and Standards

3.4.2.1 Federal

National Historic Preservation Act

A federal undertaking is a project that is federally funded or that requires a federal permit or license. Because the project site is located on lands managed by the SBNF, the project is a federal undertaking, and the National Historic Preservation Act (NHPA) of 1966, as amended, is applicable. Section 106 of the Act requires that federal agencies take into account the effect of a

project on properties listed in or eligible for the NRHP. The agencies must also afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on the undertaking.

The Section 106 regulations require (per 36 CFR 800):

- Definition of the Area of Potential Effects (APE);
- Identification of cultural resources within the APE;
- Evaluation of the identified resources in the APE using NRHP eligibility criteria;
- Determination of whether the effects of the undertaking or project on eligible resources will be adverse; and
- Agreement on and implementation of mitigation measures if there will be adverse effects.

The federal agency must seek concurrence from the State Historic Preservation Officer (SHPO) and, in some cases, the ACHP, for its determinations of eligibility, finding of effect, and proposed treatment (mitigation measures). Section 106 procedures for a specific project can be modified by negotiation of a Programmatic Agreement (PA) between the federal agency, the SHPO, and the project proponent.

Effects to a cultural resource are potentially adverse only if the resource has been determined eligible for the NRHP by the lead federal agency with concurrence by the SHPO. The NRHP eligibility criteria are contained in the following statement:

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

- (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (B) Is associated with the lives of persons important in our past;
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (D) Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, the resource must be at least 50 years old, except in exceptional circumstances (36 CFR 60.4).

Archaeological sites are usually evaluated under Criterion D, the potential to yield information important in prehistory. An archaeological test program may be necessary to determine whether the site has the potential to yield important data. The lead federal agency, in this case the Forest Service, makes the determination of eligibility based on the results of the test program and seeks concurrence from the SHPO.

Archeological Resources Protection Act of 1979 (ARPA)

ARPA was enacted "...to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals." The Act provides the

requirements that must be met before federal authorities can issue a permit to excavate or remove any archeological resource on federal or Indian lands. The curation requirements of artifacts, other materials excavated or removed, and the records related to the artifacts and materials are also outlined.

American Indian Religious Freedom Act of 1978 (AIRFA)

AIRFA (Title 42, U.S. Code, Section 1996) establishes policy of respect and protection of Native American religious practices. There are specific provisions for providing Native Americans access to religious sites.

Native American Graves Protection and Repatriation Act of 1990 (NAGPRA)

NAGPRA requires federal agencies to consult with the appropriate Native American tribes prior to the intentional excavation of human remains and funerary objects. It requires the repatriation of human remains found on the agencies' land.

3.4.2.2 State

CEQA Statute and Guidelines Definitions

The California Environmental Quality Act (CEQA) is the law that applies to a project's impacts on cultural resources at the state level. A project is an activity that may cause a direct or indirect physical change in the environment and that is undertaken or funded by a state or local agency, or requires a permit, license, or lease from a state or local agency. CEQA requires that impacts to Historical Resources be identified and, if the impacts will be significant, that mitigation measures to reduce the impacts be applied.

A Historical Resource, as defined by CEQA, is a resource that:

- is listed in or has been determined eligible for listing in the California Register of Historical Resources (CRHR) by the State Historical Resources Commission, or has been determined historically significant by the CEQA lead agency because it meets the eligibility criteria for the CRHR,
- is included in a local register of historical resources, as defined in Public Resources Code 5020.1(k),
- or has been identified as significant in an historical resources survey, as defined in Public Resources Code 5024.1(g) [CCR Title 14, Section 15064.5(a)].

The eligibility criteria for the CRHR are as follows [CCR Title 14, Section 4852(b)]:

- (1) It 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) It is associated with the lives of persons important to local, California, or national history;
- (3) It 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; or
- (4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, Section 4852(c)]. Resources that have been determined eligible for the NRHP are automatically eligible for the CRHR.

Archaeological sites are usually evaluated under Criterion 4, the potential to yield information important in prehistory. An archaeological test program may be necessary to determine whether the site has the potential to yield important data. The CEQA lead agency, in this case, the County of San Bernardino, makes the determination of eligibility for the CRHR based on the results of the test program.

Assembly Bill 52

Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include tribal cultural resources, the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes.

Section 21074(a) of the Public Resource Code defines Tribal Cultural Resources for the purpose of CEQA as:

- 1) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
 - b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
 - c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a Historical Resource under CEQA, a Tribal Cultural Resource may also require additional consideration as a Historical Resource. Tribal Cultural Resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies initiate consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under

CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures.

AB 52 applies to projects for which a Notice of Preparation was published after July 1, 2015. The Notice of Preparation for the Project was published prior to July 1, 2015, and therefore, AB 52 consultation is not required for the Project. However, consultation with recognized tribes was conducted by the Forest Service in accordance with Section 106 of the National Historic Preservation Act in order to identify resources of concern. This consultation is summarized in Section 3.4.3.2, below.

3.4.2.3 Local

The County of San Bernardino requires that development projects shall include a report prepared by a qualified professional that determines, through appropriate investigation, the presence or absence of archaeological and/or historical resources on the project site and within the project area. The report also provides recommendations for appropriate data recovery or protection measures (Development Code Section 82.12.030 and Section 82.12.040).

The measures may include:

- (A) Site recordation;
- (B) Mapping and surface collection of artifacts, with appropriate analysis and curation;
- (C) Excavation of sub-surface deposits when present, along with appropriate analysis and artifact curation; and/or
- (D) Preservation in an open space easement and/or dedication to an appropriate institution with provision for any necessary maintenance and protection; and/or
- (E) Proper curation of archeological and historical resource data and artifacts collected within a project area pursuant to federal repository standards. Such data and artifacts shall be curated at San Bernardino County Museum which meets the curation requirements set forth in 36 CFR 79, "Curation of Federally-owned and Administered Archaeological Collections, Final Rule", as published in the Federal Register, 12 Sept 1990, or as later amended.

Archaeological and historical resources determined by qualified professionals to be extremely important should be preserved as open space or dedicated to a public institution when possible (Section 82.12.040).

If Native American cultural resources are discovered during grading or excavation of a development site of the site is within a high sensitivity Cultural Resources Preservation Overlay District, the local tribe will be notified. If requested by the tribe, a Native American Monitor shall be required during such grading or excavation to ensure all artifacts are properly protected and/or recovered (Section 82.12.050).

3.4.3 Affected Environment

For the purpose of this analysis the affected environment, also known as the APE, includes the location of the proposed quarry and the haul road right of way (ROW). It should be noted that a possible conveyer belt alignment was included in the original survey; however, that component is no longer included in the project (see Section 2.6.2). The APE is sufficient to ensure that both

direct and indirect effects to cultural resources are considered. The focus is on specific portions of the Project area containing cultural resources as well as all archaeologically sensitive areas that have no known cultural sites, but have the potential for subsurface deposits that have yet to be identified.

3.4.3.1 Cultural Environment

It is generally believed that human occupation of coastal southern California dates back to at least 10,000 years before present (BP). Four cultural periods of precontact occupation of California during the Holocene Epoch (10,000 years BP to present) are discussed below: the Early Holocene Period, the Early Horizon Period, the Middle Horizon Period, and the Late Horizon Period. During the Early Holocene Period (10,000 to 8,000 years BP), hunters/gatherers utilized lacustrine and marshland settings for the varied and abundant resources found there. Milling-related artifacts are lacking during this period, but the atlatl and dart are common. Hunting of large and small game occurred, as well as fishing. A few, scattered permanent settlements were established near large water sources, but a nomadic lifestyle was more common (Moratto 1984).

Milling-related artifacts first appear in sites dating to the Early Horizon Period (8,000 to 4,000 years BP). Hunting and gathering continue during this period, but with greater reliance on vegetal foods. Mussels and oysters were a staple. This gave way to greater consumption of shellfish in the Middle Horizon Period (4,000 to 2,000 years BP). Use of bone artifacts appears to have increased during this period, and baked-earth steaming ovens were developed. Occupation of permanent or semi-permanent villages occurred in this period, as did reoccupation of seasonal sites. During the Late Horizon Period (2,000 years BP to the time of European contact [approx. AD 1769]), population densities were high and settlement in permanent villages increased (Moratto 1984). Regional subcultures also developed, each with their own geographical territory and language or dialect. These groups, bound by shared cultural traits, maintained a high degree of interaction, including trading extensively with one another.

Ethnographic accounts indicate that the Serrano were the dominant group of Native Americans in the region that includes the Proposed action. The Serrano occupied an area in and around the San Bernardino Mountains between approximately 1,500 and 11,000 feet above mean sea level. Their territory extended west into the Cajon Pass, east as far as Twentynine Palms, north to Victorville, and south to the Yucaipa valley. The Serrano were mainly hunters and gatherers who occasionally fished. Game that was hunted included mountain sheep, deer, antelope, rabbits, small rodents, and various birds, particularly quail. Vegetable staples consisted of acorns, piñon nuts, bulbs and tubers, shoots and roots, berries, mesquite, barrel cacti, and Joshua tree (Bean and Smith 1978).

Partly due to their mountainous inland territory, contact between Serrano and European-Americans was minimal prior to the early 1800s. In 1819, a *Capilla* (chapel) was established near present-day Redlands and was used to help relocate many Serrano to Mission San Gabriel. However, small groups of Serrano remained in the area northeast of the San Geronio Pass and were able to preserve some of their native culture. Today, most Serrano live either on the Morongo or San Manuel reservations (Bean and Smith 1978).

The San Bernardino National Forest began as the San Bernardino Forest Reserve, which was created by President Benjamin Harrison from federal public lands in the San Bernardino Mountains in 1893 (Robinson 1989). However, because large tracts of land had previously been

purchased from the federal government by lumber companies, there were large areas of private land in the mountains that did not become part of the Forest Reserve. These are the areas that were later developed as mountain resort communities. Although the purpose of the Forest Reserves was to protect the watershed, there was no funding for management of the Forest Reserves and, during the 1890s, nothing was done to fight fires or prevent illegal timber cutting and sheep grazing. Forest rangers were finally hired in 1898. The San Bernardino Forest Reserve was combined in 1902 with the San Gabriel Timberlands Reserve in the San Gabriel Mountains and one supervisor was appointed by the General Land Office in the Department of the Interior to manage both reserves. In 1905 the Forest Reserves were transferred to the United States Forest Service in the Department of Agriculture where they were managed by professional foresters. The San Bernardino Forest Reserve became the San Bernardino National Forest in 1907. The San Bernardino National Forest and the San Gabriel National Forest were combined to form the Angeles National Forest in 1908 (Robinson 1989). The San Bernardino National Forest was separated from the Angeles National Forest in 1925. The new boundaries of the San Bernardino National Forest included land outside the San Bernardino Mountains. The western boundary of the San Bernardino National Forest was the Los Angeles – San Bernardino County boundary in the San Gabriel Mountains. The San Jacinto Ranger District in the San Jacinto Mountains was transferred from the Cleveland National Forest to the San Bernardino National Forest (Robinson 1989).

3.4.3.2 Identified Resources

The Cultural Resources Phase II investigation included the survey of approximately 100 acres using 10- to 15-meter transect intervals (project area). The project area included the area to be occupied by the quarry, the haul road leading across Burnt Flat, and the path of the conveyor belt (no longer included in the project), along with a buffer zone on the south side of the quarry. Two areas were not surveyed. The northern portion of the quarry and conveyor route is characterized by slopes ranging in excess of 60 percent and the presence of resources on such slopes is extremely unlikely. Additionally, the proposed haul road had been previously surveyed and re-survey was deemed unnecessary (USDA Forest Service 2009b).

In addition to the 2009 survey conducted by the Forest Service, consultation with Tribal members from the Morongo Band of Mission Indians and the San Manuel Band of Mission Indians was initiated in 2011 (USDA Forest Service 2011a and USDA Forest Service 2011b). This consultation was conducted to identify any Traditional Cultural Properties (TCPs) and traditional resources that might not have been identified by means of records searches and surveys. To date, one verbal response has been received from the San Manuel Band of Mission Indians. After aiding in the Cultural Resources Phase II investigation in 2009, Daniel McCarthy was employed as the Head of Cultural Resources for the San Manuel. Through personal communication with the Forest Service via email, Daniel McCarthy indicated that the Tribe had no concern over the project (Sapp 2012).

Current information on cultural resources is based on previous survey and site data for the project area as well as the results of the recent survey conducted specifically for the project (USDA Forest Service 2009b). A total of three historic period sites were recorded as a result of the field survey: an electrical transmission line, the former Mohawk Mine, and a former Forest Service system road. These resources are summarized below.

Electrical Transmission Line

The electrical transmission line (Site P36-020876) consists of two sections of the line located within the South Quarry area. One segment, consisting of six double pole stumps, extends across Burnt Flat. The second segment consists of eight stumps extending along the same alignment from Burnt Flat towards Marble Canyon. The poles of this transmission line have been felled, with the stumps remaining in their original location. In several, but not all locations, the poles are located immediately adjacent to the stump. A piece of hardware on the top of one of the poles bore the markings: Pat-1-744-674//Saint Louis MA/LCABLE (McCarthy 2009a). The resource is related to the introduction of electricity into Victorville-Hesperia area.

Mohawk Mine

Although information about the former Mohawk Mine (P36-020877) is sparse, it is known that it was worked from the 1920s until 1946, and produced lead, zinc, silver and gold (McCarthy and Sapp 2009). What remains of the mine consists of an adit believed to be 700 feet in length, tailings, a concentration of milled lumber at the entrance of the adit, and piping toward Burnt Flat. The milled lumber may be the remains of a privy, and the piping was likely placed to deliver water from the spring at Burnt Flat. Today sulfur and arsenic can be smelled at the mine entrance, and a source of hematite was observed. There is, however, no evidence of prehistoric Native American use.

The remains of a cabin and a water retention feature were observed near the spring on Burnt Flat. The cabin likely belonged to the miner(s) who worked the Mohawk Mine. These features were noted on the P36-020877 site record (McCarthy and Sapp 2009).

Forest Service System Road 3N04

Site P36-020878 is the former FS System Road 3N04. This road originally provided access to Burnt Flat and the former Mohawk Mine (McCarthy 2009b). The road was not noted on the Angeles National Forest map of 1915, but it does appear on the USGS 1:62,500 scale Lucerne Valley map of 1947. On this map, 3N04 provided the only access to Burnt Flat and the Mohawk Mine.

The road originated at the southwestern boundary of Arrastre Flat, where it branches from FS road 3N16. It extends to the northeast, across Union Flat. From the northern boundary of Union Flat, 3N04 descended down to Burnt Flat and on to the former Mohawk Mine. By the late 1980s the portion of the road crossing Arrastre and Union flats had been decommissioned and another route to Burnt Flat (3N02) was assigned.

The northern portion of the quarry was not surveyed as a result of excess slope and the presence of resources in these areas is extremely unlikely, also due to the steep slope. The three historic resources were recorded as a result of the intensive pedestrian survey of the remaining approximately 100 acres of the APE. None of these three properties are potentially eligible for the NRHP or CRHR, and the likelihood of additionally cultural resources within the Project area is considered low (USDA Forest Service 2009b).

3.4.4 Environmental Consequences

3.4.4.1 Impact Analysis Approach

The purpose of the cultural heritage analysis under CEQA and Section 106 of NEPA is to 1) identify cultural resources within the Project area, 2) evaluate the resources according to the Criteria discussed in Section 3.4.2 above, and 3) determine the severity of affects (if any) that the proposed or alternative actions may have on cultural resources listed on or determined eligible for listing on the NRHP or CRHR. Three types of potential impacts are considered: direct, indirect, and cumulative.

Direct impacts to cultural resources are those associated with Project construction, maintenance, and decommissioning. These usually include destruction or physical alteration of a resource and indirect impacts usually affect the integrity of setting of eligible resources. Both direct and indirect effects can be adverse if they significantly alter the qualities that make a resource eligible for the NRHP or CRHR. Not all effects are adverse, as evidenced by a finding of no adverse effect.

Cumulative impacts to archaeological resources in the Project vicinity could occur if any other existing or proposed projects, in conjunction with the proposed Project, had or would have impacts on resources that, considered together, would be significant. An individual action when considered alone may not have a significant effect, but when its effects are considered in sum with the effects of other past, present, and reasonably foreseeable future actions, the effects may be significant.

Three historic cultural resources were identified as a result of the Cultural Resources Phase II inventory. All three of these are located on federal land and are subject to review under Section 106 of the NHPA. Although none of these resources are located on privately-owned land, the County of San Bernardino is the CEQA Lead Agency for the Project; therefore, the resources are also subject to evaluation under CEQA.

CEQA Significance Criteria

Under CEQA, impacts on cultural resources would be significant if the resources are eligible for the CRHR (are historical resources) and if Project construction activities would materially alter the characteristics that made the resource eligible.

Appendix G of the State CEQA Guidelines suggest that lead agencies evaluate the potential significance of cultural resources impacts of a project by considering whether the project would:

- Cause a substantial adverse change in the significance of a historical resource;
- Cause a substantial adverse change in the significance of an archaeological;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb any human remains, including those interred outside of formal cemeteries.

Historical Resources are defined as buildings, structures, districts, sites, or objects that are listed in or considered eligible for listing in the California Register of Historical Resources (CRHR) or is on a local (city or county) inventory of historical resources (California Code of Regulations,

Title 14, Section 15064.5). Thus, historical resources are cultural resources that are eligible for inclusion in the CRHR.

NEPA Analysis Approach

Under Section 106, effects on cultural resources on federal land would be adverse if the resources are eligible for the NRHP (are historic properties) and if project construction activities would materially alter the characteristics that made the resource eligible through diminishment of its integrity, including integrity of setting for resources eligible under Criteria A, B, or C as defined above in Section 3.4.2.1.

3.4.4.2 Alternative 1 – Proposed Action

Direct and Indirect Impacts

Three cultural resources were recorded within the APE for Alternative 1 – Proposed Action: an electrical transmission line (P36-020876), the former Mohawk Mine (P36-020877), and Forest Service Road 3N04 (P36-020878).

Electrical Transmission Line

The electrical transmission line (P36-020876) consists of a total of 14 pole stumps, all of which appear to be a continuation of the same line. Eight of the 14 pole stumps are located within the South Quarry area of the Proposed Action APE. All eight of these pole stumps would be destroyed through mining activity during quarry excavation. The remaining six pole stumps are located on Burnt Flat and would not be affected by the Alternative 1 – Proposed Action.

Because the transmission line is not associated with any significant events or phase of local, regional, or national significance or with any significant persons, the power line is not recommended eligible for the NRHP under Criteria A or B or the CRHR under Criteria 1 or 2. Wood pole transmission lines do not embody distinctive construction techniques or unique characteristics, do not represent the work of a master, and do not contain high artistic value. As a wood-pole line similar to many others across California, site P36-020876 is, therefore, not recommended as eligible for the NRHP under Criterion C or CRHR under Criterion 3. Furthermore, all of the wood poles have been felled and only the stumps remain. The transmission line has no potential to contribute important information to our understanding of local or regional history and it is not recommended eligible for the NRHP under Criterion D or CRHR under Criterion 4. Concurrence was sought from SHPO in 2009, and received in 2010 (USDA Forest Service 2009c and Office of Historic Preservation 2011). Because the transmission line is not a historic property under Section 106 of the NHPA, or a historical resource under the CRHR or CEQA, the destruction of the pole stumps with Alternative 1 – Proposed Action would not have an adverse effect on historical properties under NEPA and a less than significant impact would occur.

Mohawk Mine

The Mohawk Mine (P36-020877) was active from the 1920s until 1946 and produced lead, zinc, silver and gold (McCarthy and Sapp 2009). Located east of the South Quarry location, the mine consists of an adit, tailings, a concentration of milled lumber (possibly the remains of a privy), and piping (likely placed to deliver water from the spring at Burnt Flat). The remains of a cabin and a water retention feature were observed near the spring on Burnt Flat. These features were noted on the P36-020877 site record, and likely belonged to the miner(s) who worked the

Mohawk Mine (McCarthy and Sapp 2009). The only remaining intact feature of the former Mohawk Mine is a partially blocked adit with associated tailings. The miner's cabin no longer exists on Burnt Flat and, although the milled lumber located in front of the adit may represent a privy, it too has been destroyed.

The period of significance for the gold rush in the adjacent Holcomb Valley area began in 1860 and ended in approximately 1905. The Mohawk Mine was a later development and, therefore, not associated with important events or persons that were part of the gold rush. The mine is not associated with any other significant events or phase of local, regional, or national significance and it is unknown who owned or operated either the cabin or the mine itself. Therefore, the Mohawk Mine is not recommended eligible for the NRHP under Criteria A or B or the CRHR under Criteria 1 or 2. Adit mines and tailings do not embody distinctive construction techniques or unique characteristics, do not represent the work of a master, and do not contain high artistic value. Mines similar to the Mohawk mine are ubiquitous across California, and site P36-020877 is, therefore, not recommended as eligible for the NRHP under Criterion C or the CRHR under Criterion 3. Furthermore, the miner's cabin no longer exists and the remaining features do not have the potential to contribute important information to the understanding of local or regional history and it is not recommended eligible for the NRHP under Criterion D or the CRHR under Criterion 4. Concurrence was sought from SHPO in 2009, and received in 2010 (USDA Forest Service 2009c and Office of Historic Preservation 2011). The former Mohawk Mine is not a historic property under Section 106 of the NHPA, or a historical resource under the CRHR or CEQA. Alternative 1 – Proposed Action would not directly affect the mine, and indirect effects to the mine's setting would not be adverse or significant.

Forest Service System Road 3N04

Former Forest Service System Road 3N04 (P36-020878) originally provided access to Burnt Flat and the former Mohawk Mine (McCarthy 2009b). While the road retains sufficient integrity, it is not located within the APE and does not meet any of the four criteria for either NRHP or CRHR eligibility. As stated above, the period of significance for the gold rush in the area lasted from 1860 to approximately 1905. Forest Service System Road 3N04 road was part of later developments and, therefore, is not associated with important events or persons that were part of the gold rush. It is not eligible under NRHP Criterion A or CRHR Criterion 1 because it is not associated with an important event or phase of local, regional, or national significance. It is not eligible under NRHP Criterion B or CRHR Criterion 1 because it is not associated with an important person in history. The road is not eligible under NRHR Criterion C or CRHR Criterion 3 because it is not an example of fine craftsmanship nor is it an archetype. There are many Forest Service roads of the same character. Finally, it is not eligible under NRHP Criterion D or CRHR Criterion 4 because there is no potential for data recovery of artifacts or features that would provide any new insight into the history or prehistory of the area. Concurrence for these determinations was sought from SHPO in 2009, and received in 2010 (USDA Forest Service 2009c and Office of Historic Preservation 2011). Forest Service System Road 3N04 is not a historic property under Section 106 of the NHPA, or a historical resources under CRHR and CEQA. Alternative 1 – Proposed Action would not directly affect the road, and indirect effects to the road's setting would not result in an adverse or significant impact to a historical property or a historical resource.

None of the three resources identified in the Project area are historic properties (eligible for the NRHP) or historical resources (eligible for the CRHR). Therefore, construction of Alternative 1

– Proposed Action would not cause any adverse direct or indirect effects to historic properties under NEPA, and no impacts to historical resources would occur under CEQA.

Cumulative Impacts

The APE for this project was more than 100 acres, and was intended to be sufficient to evaluate direct, indirect, and cumulative effects. Because no historic properties or historical resources were identified within the Project APE, the construction of Alternative 1 – Proposed Action would not contribute to cumulative impacts on historic properties or historical resources.

Mitigation Measures

All three of the cultural resources recorded within the Project area have been determined to be not eligible for the NRHP or CRHR. Because the implementation of Alternative 1 – Proposed Action would not result in effects to historic properties or impacts to historical resources, no mitigation measures for cultural resources are required.

Residual Impacts after Mitigation

No mitigation measures are required; therefore, there will be no residual impacts to any identified historic properties or historical resources as a result Alternative 1 – Proposed Action.

3.4.4.3 Alternative 2 – Partial Implementation

Direct and Indirect Impacts

Three cultural resources were recorded within the Project area: an electrical transmission line (P36-020876), the Mohawk Mine (P36-020877), and Forest Service Road 3N04 (P36-020878). The electrical transmission line (P36-020876) consists of a total of 14 pole stumps, all of which appear to be a continuation of the same line. Eight of the 14 pole stumps are located within the quarry plan of the Partial Implementation APE. All eight of these pole stumps would be destroyed with Alternative 2 – Partial Implementation. The remaining six pole stumps are located on Burnt Flat proper, and would not be affected by the Alternative 2 – Partial Implementation.

As described in Section 3.4.4.2, above, the transmission line is not a historic property under Section 106 of the NHPA, or a historical resource under CRHR. Therefore, the destruction of the pole stumps with Alternative 2 – Partial Implementation would not have an effect on historic properties under NEPA, and would have no impact on a historical resource under CEQA.

The Mohawk Mine (P36-020877) is located east of the Alternative 2 – Partial Implementation quarry location. As discussed in Section 3.4.4.2, above, the mine is not a historic property under Section 106 of the NHPA and is not a historical resource under the CRHR and CEQA.

Alternative 2 – Partial Implementation would not directly affect the mine, and indirect effects to the mine's setting would not be an effect on historic properties under NEPA or an impact on historical resources under CEQA.

Former Forest Service System Road 3N04 (P36-020878) originally provided access to Burnt Flat and the Mohawk Mine (McCarthy 2009b). While the road retains sufficient integrity, it is not located within the Project APE and does not meet any of the four criteria for either NRHP or CRHR eligibility. Alternative 2 – Partial Implementation would not directly affect the road, and indirect effects to the road's setting would not be an effect on historic properties under NEPA or an impact on historical resources under CEQA.

None of the three resources identified in the Project area are historic properties (eligible for the NRHP) or historical resources (eligible for the CRHR). Therefore, Alternative 2 – Partial Implementation would not cause any adverse direct or indirect effects to historic properties under NEPA, and no impact to historical resources would occur under CEQA.

Two sites in California and one site in Nevada have been identified as potential off-site sources for high-grade limestone. One of those sites in California (Omya's Amboy site) is an existing site with permitted and approved mining operations that considered the effects to cultural resources. The other potential off-site sources do not have existing permits, but effects to cultural resources would be considered during any environmental review required to permit and approve mining operations at those locations.

Cumulative Impacts

Because no historic properties or historical resources were identified within the Project APE, the construction of Alternative 2 – Partial Implementation would not contribute to cumulative impacts on historic properties or historical resources.

Mitigation Measures

All three of the cultural resources recorded within the Project area have been determined to be not eligible for the NRHP or CRHR. Because the implementation of Alternative 2 – Partial Implementation would not result in effects to historic properties or impacts to historical resources, no mitigation measures for cultural resources are required.

Residual Impacts after Mitigation

No mitigation measures are required; therefore, there will be no residual impacts to any identified historic properties or historical resources as a result Alternative 2 – Partial Implementation.

3.4.4.4 Alternative 3 – No Action/No Project

With the implementation of Alternative 3 – No Action/No Project, the site would not be developed according to the proposed Plan of Operation, and none of the build alternatives (Alternatives 1 or 2) would be implemented. The electrical transmission line (P36-020876) pole stumps would not be removed with this alternative. No impacts to cultural resources would occur.

Two sites in California and one site in Nevada have been identified as potential off-site sources for high-grade limestone. One of those sites in California (Omya's Amboy site) is an existing site with permitted and approved mining operations that considered the effects to cultural resources. The other potential off-site sources do not have existing permits, but effects to cultural resources would be considered during any environmental review required to permit and approve mining operations at those locations.

Cumulative Impacts

With this Alternative 3 – No Action/No Project, no impacts to the cultural resources within the Project area would occur. However, the use of an off-site quarry to provide high-grade limestone to the Cushenbury cement plant may affect unidentified cultural resources, depending on the location of the quarry. Additional cultural resource investigations would be required when a project location is determined.

Mitigation Measures

No impacts to cultural resources would occur with this alternative, and no mitigation measures are required. However, the use of an off-site quarry to provide high-grade limestone to the Cushenbury cement plant may affect cultural resources identified during project specific investigations. Mitigation measures should be considered at that time.

Residual Impacts after Mitigation

No mitigation measures are required; therefore, there will be no residual impacts to any identified historic properties or historical resources as a result Alternative 3 – No Action/No Project.