

APPENDIX 4.3

Archaeological Resources Assessment

ARCHAEOLOGICAL RESOURCES ASSESSMENT REPORT

EL DORADO HILLS APARTMENTS
UNINCORPORATED EL DORADO HILLS, EL DORADO COUNTY
Development Project A16-0001, Z16-0004, SP86-0002-R-3, PD94-0004-R-3

FOR

IMPACT SCIENCES, INC.
505 14th Street, STE 1230
Oakland, California 94612

AND

IMPACT SCIENCES, INC.
28 N. Marengo Avenue
Pasadena, California 91101

BY

BASIN RESEARCH ASSOCIATES
1933 Davis Street, Suite 210
San Leandro, CA 94577

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ATTACHMENTS

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CORRESPONDENCE

LETTER	Request to Native American Heritage Commission (NAHC) for Review
LETTER	NAHC Response

CHRIS/NCIC SEARCH RESULTS

SEARCH	File No. ELD-16-23 (4/13/2016) (No Confidential Information)
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1.0 INTRODUCTION

This *Archaeological Resources Assessment Report* (ARAR) provides a review of the proposed El Dorado Hills Apartments project located in an unincorporated section of the community of El Dorado Hills, El Dorado County. The approximately 4.56-acre project site, located on the northwest corner of Town Center Boulevard and Vine Street within the Town Center East Commercial Center, is presently vacant (APN 121-290-60-100, 121-290-61-100, and 121-290-62-100). The project site is within the El Dorado Hills Specific Plan (EDHSP), approved in July 1988 by the El Dorado County Board of Supervisors.

The ARAR provides the results of a records search conducted by the California Historical Resources Information System, North Central Information Center (CHRIS/NCIC); a limited literature review; consultation with Native American Heritage Commission (NAHC); an archaeological field review; and, a discussion of potential impacts and proposed mitigation measures. The intent of the ARAR was to determine if cultural resources are present or potentially present within the project site and to present appropriate mitigation measures in accordance with the California Environmental Quality Act (CEQA) and any requirements of El Dorado County. The County of El Dorado is the Lead Agency as defined by CEQA.

2.0 LOCATION AND DESCRIPTION

The 4.56 acre project site is located approximately 560 feet south of US Highway 50 on the northwest corner of Town Center Boulevard and Vine Street within the Town Center East Commercial Center, a Planned Development in El Dorado Hills. The project site is bordered by private roads on the north (Mercedes Lane), east (Vine Street), south (Town Center Boulevard), and by the Town Center Lake to the west. Latrobe Road (El Dorado Hills Boulevard north of US 50), is located approximately 1,200 feet west (T 9 North, R 8 East, part NE ¼ of Section 11; United States Geological Survey [hereafter USGS] Clarksville, Calif. CA 1980, 7.5' quadrangle topographic map,[Figs. 1-3].

The proposed project would develop a multifamily residential project on the approximately 4.56-acre site. The site would be developed with a 4-story, 214-unit apartment complex, comprised of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. A 5-level parking structure located in the middle of the complex would accommodate approximately 383 parking spaces for residents and visitors, with an additional five spaces of surface parking provided. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. The parking structure would be 60 feet in height.

Existing Conditions/Setting

The area surrounding the project site is fully developed and consists mainly of retail/commercial uses. The project site ranges in elevation from approximately 605 to 620 feet above mean sea level and slopes gently east to west. The site is vacant and undeveloped, but indications of previous disturbance, including mass grading are present. The vegetation on the project site is characterized as disturbed, non-native annual grassland; no large shrubs or trees are present on the site.

2.1 AREA OF POTENTIAL EFFECTS (APE)

The Area of Potential Effects (APE) includes all areas where direct or indirect impacts may occur within the project. The horizontal and vertical Area of Potential Effects (APE) of the proposed project site consists of the maximum area of surface and subsurface disturbance with anticipated excavation depths of at least 15 feet the present ground surface.

Site construction would include re-grading to establish necessary pads and foundations, construction of retaining walls and site encroachment (i.e., site access and egress), and installation of underground utility lines (i.e., water, sewer, drainage, and fire sprinkler). Utility lines, which would vary in size and location, would be connected to existing service lines along Town Center Boulevard, Mercedes Lane, and Vine Street.

Construction staging areas and temporary construction work spaces (including equipment, laydown of materials and storage of excavated materials) are anticipated and would occur within the project site. The use of these areas will not result in any subsurface impacts.

3.0 REGULATORY CONTEXT

This report has been prepared to meet applicable California Environmental Quality Act (CEQA) and the Historic Preservation Goals and Policies of the El Dorado County General Plan for historic properties (cultural resources) which require the identification and evaluation of cultural resources that could be affected by the project.

Cultural resources include prehistoric and historic archaeological sites, districts, and objects; standing historic structures, buildings, districts, and objects; and locations of important historic events or sites of traditional and/or cultural importance to various groups. The analysis of cultural resources can provide valuable information on the cultural heritage of both local and regional populations.

Cultural resources may be determined significant or potentially significant in terms of national, state, or local criteria either individually or in combination. Resource evaluation criteria are determined by the compliance requirements of a specific project.

3.1 STATE OF CALIFORNIA

The California Register of Historical Resources (CRHR) (Public Resources Code (PRC) Section 5024.1) is a listing of those properties that are to be protected from substantial adverse change, and it includes properties that are listed, or have been formally determined to be eligible for listing in, the National Register of Historic Places (NRHP), State Historical Landmarks, and eligible Points of Historical Interest. A historical resource may be listed in the CRHR if it meets one or more of the following criteria:

- 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;
- It is associated with the lives of persons important to local, California, or national history;

- 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,
- It has yielded or has the potential to yield information important in the prehistory or history of the local area, California, or the nation.

Historical Resources

Public Resources Code (PRC) Section 21084.1 stipulates that any resource listed in, or eligible for listing in the CRHR, is presumed to be historically or culturally significant. Resources listed in a local historic register or deemed significant in a historical resource survey (as provided under PRC Section 5024.1g) are presumed historically or culturally significant unless the preponderance of evidence demonstrates they are not. A resource that is not listed in or determined to be eligible for listing in the PRC, not included in a local register or historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant (PRC Section 21084.1). This provision is intended to give the Lead Agency discretion to determine that a resource of historic significance exists where none had been identified before and to apply the requirements of PRC Section 21084.1 to properties that have not previously been formally recognized as historic.

CEQA equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment (PRC Section 21084.1) and defines substantial adverse change as demolition, destruction, relocation, or alteration that would impair historical significance (PRC 5020.1).

Archaeological Resources

Where a project may adversely affect a unique archaeological resource, PRC Section 21083.2 requires the Lead Agency to treat that effect as a significant environmental effect. When an archaeological resource is listed in or is eligible to be listed in the CRHR, PRC Section 21084.1 requires that any substantial adverse effect to that resource be considered a significant environmental effect. PRC Sections 21083.2 and 21084.1 operate independently to ensure that potential effects on archaeological resources are considered as part of a project's environmental analysis. Either of these benchmarks may indicate that a project may have a potential adverse effect on archaeological resources.

Tribal Resources

Assembly Bill 52 (AB 52) provides protections for tribal cultural resources.¹ All lead agencies as of July 1, 2015 approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe,² to consult with such tribe regarding the impacts of a project on tribal cultural resources prior to the release of any negative declaration,

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1. AB 52 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3 to, the California Public Resources Code
 2. The Native American Heritage Commission maintains a list of more than 100 federally recognized California tribes and an additional list of tribes not recognized by the federal government but listed as non-recognized California tribes. Both groups have the right to request notification and consultation under the AB 52.

mitigated negative declaration or draft environmental impact report. Under PRC Section 21074, tribal cultural resources include site features, places, cultural landscapes, sacred places or objects that are of cultural value to a tribe that are eligible or listed on the CRHR or a local historic register or that the lead agency has determined to be a significant tribal cultural resource.³

Tribal consultation is to continue until mitigation measures are agreed to or either the tribe or the lead agency concludes in good faith that an agreement cannot be reached. In the case of agreement, the lead agency is required to include the mitigation measures in the environmental document along with the related Mitigation Monitoring and Reporting Program (MMRP) (see PRC Section 21084.3). If no agreement is reached, the lead agency must still impose all feasible measures necessary for a project to avoid or minimize significant adverse impacts on tribal cultural resources (PRC Section 21084.3).

Other California Laws and Regulations

Other state-level requirements for cultural resources management appear in the California PRC Chapter 1.7, Section 5097.5 "Archaeological, Paleontological, and Historical Sites," and Chapter 1.75 beginning at Section 5097.9 "Native American Historical, Cultural, and Sacred Sites" for lands owned by the state or a state agency.

The disposition of Native American burials is governed by Section 7050.5 of the California Health and Safety Code and PRC Sections 5097.94 and 5097.98, and falls within the jurisdiction of the Native American Heritage Commission.

3.2 EL DORADO COUNTY

The Goal, Objectives and Policies and Implementation Program regarding cultural resources in the Conservation and Open Space Element of the *2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief* are provided below (ELDCoPD 2004/2015:155-158, 165-166). The following apply to cultural resources.

PRESERVATION OF CULTURAL RESOURCES

GOAL 7.5: CULTURAL RESOURCES Ensure the preservation of the County's important cultural resources.

OBJECTIVE 7.5.1: PROTECTION OF CULTURAL HERITAGE Creation of an identification and preservation program for the County's cultural resources.

Policy 7.5.1.1 The County shall establish a Cultural Resources Ordinance. This ordinance shall provide a broad regulatory framework for the mitigation of impacts on cultural resources (including historic, prehistoric and

3. The CEQA guidelines do not currently address AB 52 requirements and will be revised by July 1, 2016 to add separate consideration of tribal cultural resources.

paleontological resources) by discretionary projects. This Ordinance should include (but not be limited to) and provide for the following:

- A. Appropriate (as per guidance from the Native American Heritage Commission) Native American monitors to be notified regarding projects involving significant ground-disturbing activities that could affect significant resources.
- B. A 100-foot development setback in sensitive areas as a study threshold when deemed appropriate.
- C. Identification of appropriate buffers, given the nature of the resources within which ground-disturbing activities should be limited.
- D. A definition of cultural resources that are significant to the County. This definition shall conform to (but not necessarily be limited to) the significance criteria used for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) and Society of Vertebrate Paleontology.
- E. Formulation of project review guidelines for all development projects.
- F. Development of a cultural resources sensitivity map of the County.

Policy 7.5.1.2 Reports and/or maps identifying specific locations of archaeological or historical sites shall be kept confidential in the Planning Department but shall be disclosed where applicable.

Policy 7.5.1.3 Cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects. Studies may include, but are not limited to, record searches through the North Central Information Center at California State University, Sacramento, the Museum of Paleontology, University of California, Berkeley, field surveys, subsurface testing, and/or salvage excavations. The avoidance and protection of sites shall be encouraged.

Policy 7.5.1.4 Promote the registration of historic districts, sites, buildings, structures, and objects in the National Register of Historic Places and inclusion in the California State Office of Historic Preservation's California Points of Historic Interest and California Inventory of Historic Resources.

Policy 7.5.1.5 A Cultural Resources Preservation Commission shall be formed to aid in the protection and preservation of the County's important cultural resources. The Commission's duties shall include, but are not limited to:

- A. Assisting in the formulation of policies for the identification, treatment, and protection of cultural resources (including historic cemeteries) and the curation of any artifacts collected during field collection/excavation;

B. Assisting in preparation of a cultural resources inventory (to include prehistoric sites and historic sites and structures of local importance);

C. Reviewing all projects with identified cultural resources and making recommendations on appropriate forms of protection and mitigation; and,

D. Reviewing sites for possible inclusion in the National Register of Historic Places, California Register, and other State and local lists of cultural properties.

Policy 7.5.1.6 The County shall treat any significant cultural resources (i.e., those determined California Register of Historical Resources/National Register of Historic Places eligible and unique paleontological resources), documented as a result of a conformity review for ministerial development, in accordance with CEQA standards.

OBJECTIVE 7.5.2: VISUAL INTEGRITY Maintenance of the visual integrity of historic resources.

OBJECTIVE 7.5.3: RECOGNITION OF PREHISTORIC/HISTORIC RESOURCES Recognition of the value of the County's prehistoric and historic resources to residents, tourists, and the economy of the County, and promotion of public access and enjoyment of prehistoric and historic resources where appropriate.

OBJECTIVE 7.5.4: PROTECTION OF CEMETERIES Preservation and protection of existing cemeteries including access and parking.

4.0 RESEARCH METHODS

4.1 RECORDS SEARCH

A prehistoric and historic site record and literature search for the project site and within a 0.25-mile radius was completed by the California Historical Resources Information System, North Central Information Center, California State University, Sacramento (CHRIS/NCIC File No. ELD-16-23 by Hallam).

4.2 SOURCES CONSULTED

Specialized listings for cultural resources included:

- *Historic Properties Directory for El Dorado County* (CAL/OHP 2012a) with the most recent updates of the National Register of Historic Places (NRHP); California Register of Historical Resources (CRHR); California Historical Landmarks; and, California Points of Historical Interest;
- *National Register of Historic Places* listings for El Dorado County, California (USNPS 2015a-c).
- *Archeological Determinations of Eligibility for El Dorado County* (CAL/OHP 2012b);

- *California Historical Landmarks* (CAL/OHP 1990/2016)
- *California History Plan* (CAL/OHP 1973);
- *California Inventory of Historic Resources* (CAL/OHP 1976);
- *Five Views: An Ethnic Sites Survey for California* (CAL/OHP 1988);
- *California Historical Resources –El Dorado County* [including National Register, State Landmark, California Register, and Point of Interest] (CAL/OHP 2016).
- Various El Dorado County and El Dorado Hills Specific Plan documents:
 - Draft Environmental Impact Report [DEIR] El Dorado Hills Specific Plan* (Jones & Stokes 1987) including Chapter 13, *Cultural Resource Assessment* by Peak & Associates (1987);
 - El Dorado Hills Specific Plan* (Wade Associates and Guzzardo and Associates (1987/1988); lists compiled by the El Dorado Visitors Authority [ELDVA] 2016a-b);
 - Cultural Resources in the Conservation and Open Space Element of the 2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief* (El Dorado County Planning Department [ELDCoPD] 2004/2015); and,
 - Subsequent Initial Study/Mitigated Negative Declaration El Dorado Hills Apartments* (2014 Spanos Corporation, Applicant);
- Historic maps (part US/BLM [GLO] 1856; Godden 1857, Arrowsmith 1860; United States Postmaster General [USPG] 1884; USGS 1980 topographic quadrangle maps).

4.3 INDIVIDUALS, GROUP AND AGENCY PARTICIPATION

The Native American Heritage Commission (NAHC) was contacted by Basin Research Associates (Busby 2016) and conducted a search of the Sacred Lands Inventory for the proposed project (Souza 2016). The NAHC provided a list of five Native American tribes to contact for information. The list was provided to El Dorado County who was initiating SB 18 and AB 52 tribal resources consultation with “. . . tribes that have officially requested for consultation with the El Dorado County” (Wilton Rancheria, California; Ione Band of Miwok Indians of California; and, United Auburn Indian Community of the Auburn Rancheria Indians of California). SB 18 consultation was also undertaken by the County as a General Plan Amendment was also involved (Pabalinas to Kaufman 4/14/2016).

Letters requesting consultation were sent to six individuals/groups on April 28, 2016 by Rommel Pabalinas (Senior Planner, El Dorado County) with additional letters in early May to additional Native Americans on the NAHC list provided to BASIN (Souza 2016).

Cosme Valdez, Interim Executive Officer, Nashville-El Dorado Miwok, Elk Grove;
 Dony Ryberg, Chairperson, T’si-Akim Maidu, Colfax]
 Grayson Coney, Cultural Director, T’si-Akim Maidu, Colfax
 Nicolas Fonseca, Chairperson, Shingle Springs Band of Miwok Indians, Shingle Springs;
 Yvonne Miller, Chairperson, Ione Band of Miwok Indians, Plymouth
 Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn

Rancheria [of California], Auburn
 Wilton Rancheria, California
 Darrel Cruz, THPO, Washoe Tribe of Nevada and California THPO, Gardnerville, NV

No other agencies, departments or local historical societies were contacted regarding landmarks, potential historic sites or structures.

4.4 ARCHAEOLOGICAL FIELD INVENTORY

Mr. Christopher Canzonieri (M.A.), Basin Research Associates, an archaeologist meeting the Standards of the Secretary of the Interior for Archaeology, completed a pedestrian survey of the project site on April 15, 2016.

5.0 SUMMARY BACKGROUND CONTEXT⁴

5.1 ENVIRONMENTAL SETTING

The project is situated at the ecotone or "edge area" between the eastern edge of the Sacramento Valley and the Sierra Nevada foothills. The climate is Mediterranean with hot, rainless summers and cool winters with 6-20 inches of rainfall and fog (Storer and Usinger 1963:27 in Windmiller 2010:5).

In general the study area is hilly, grassland with scattered oaks and gallery forests of mixed trees along seasonal waterways. Kuchler (1977) maps the project and surrounding as Blue oak-digger pine forest. The project site elevation is 600 feet above mean sea level (msl) (USGS 1980 Clarksville). Intermittent Carson Creek runs through the study area bifurcating south of the project north of Latrobe Road. Carson Creek is joined/joins Screech Owl Creek just south of Clarksville (e.g., USGS 1980 Clarksville).

The native subsurface profile below the fill generally consists of soft sandy silts with minor organic material underlain by very dense metavolcanic rock. The permanent groundwater table is generally below 100 feet of the existing site grades. However, perched water may exist within fractures or on top of the metavolcanic rock below the fill during and following the rainy season due to the relative impermeable nature of the underlying rock.

5.2 NATIVE AMERICAN - Prehistoric

Prehistoric site types include midden deposits (culturally affected soil generally caused by human occupation), bedrock mortars, lithic scatters, ground stone fragments, quarries, as well as petroglyphs and/or pictographs, etc. Sites with prehistoric components are generally located along drainages, on flat ridges and terraces, in areas that contain oak woodlands with rock outcrops and usually on elevated ground slightly away from the water courses

4. This section relies on previous reports for the project area including: the 1987 Peak *Cultural Resource Assessment of the El Dorado Hills Project* incorporated into and included as Appendix G in the 1987 Jones & Stokes (1987) *Draft Environmental Impact Report [DEIR] El Dorado Hills Specific Plan*., and *Silva Valley Parkway Interchange* by Windmiller (2010). See the latter reports for a more exhaustive treatment.

Early investigations at the Oroville Dam along the Feather River in Butte County have defined the cultural sequences for the region known as the Mesilla, Bidwell, Sweetwater, Oroville, and Historic cultural complexes. The Oroville assemblage and Auburn Ravine material culture⁵ appear to reflect prehistoric era diffusion from the higher Sierra and Great Basin and also the Sacramento Valley (e.g., Moratto 1984:297, 299, Table 7.6, 299-304 with Cook 1955).

Mesilla Complex 1000 B.C. and A.D. 1

This complex reflected a highly mobile group, who occupied the foothills, possibly seasonally. The atlatl and dart, as well as processed food tools such as bowl mortars and millingstones, indicate the hunting-gathering economic organization of this complex. The presence of *Haliotis* and *Olivella* shell beads, along with charmstones, bone pins, and spatulae show contact with Sacramento Valley cultures.

Bidwell Complex A.D. 1 and 800

Relatively permanent villages with smaller task groups who moved out to hunt deer and smaller game, fish (with nets), as processing of hard seeds and acorns (millingstones and likely wooden mortars), and collected freshwater mussels. Large slate and basalt projectile points continued, and carved steatite vessels for cooking were added to the food processing inventory while handstones still predominated over mortar and pestles. The dead were buried in flexed, dorsal or lateral positions.

Sweetwater Complex A.D. 800-1500

Olivella bead and *Haliotis* ornament types coupled with the industry of steatite cups, platter, bowls, and tubular smoking pipes are markers of this phase. Small, lightweight projectile points reflect the use of bow and arrow in use by A.D. 800. About ca. A.D. 1000 interments “evolved” from flexed to extended or semi-extended.

Oroville Complex A.D. 1500 to Epidemic of 1833

The phase has been attributed to the protohistoric Maidu. Bedrock mortars, likely used earlier, were important for acorn processing, while other seed-grinding implements remained unchanged. Oroville Complex markers consist of incised bird bone tubes, gorge hooks, gaming bones, and clamshell disk beads. A number of different types of structures including large circular dance houses were present. Burials were tightly flexed on their sides, occasionally under stone cairns

Historic Complex 1833 onward

The initial contact period during the early 19th century resulted in the epidemic of 1829-1833 with an estimated mortality of approximately 75% resulting in Native American village abandonment. As a consequence, the material record of the survivors and their subsequent acculturation as well as their immediate descendants is notably sparse.

5. An archaeological record spanning three millennia was identified at the Auburn Reservoir, at site CA-PLA-101 (e.g., Crew 1970, Ritter 1970b).

5.2 NATIVE AMERICAN - Ethnographic

The aboriginal inhabitants of the project area belonged to a Native American group known as the *Nisenan*, sometimes referred to as the *Southern Maidu*, who occupied the drainages of the Yuba, Bear, and American rivers and the lower drainages of the Feather River from the Sacramento River on the west to the crest of the Sierra Nevada in the east. The northern boundary has not been clearly delineated while the southern extent is a few miles south of the American River (Kroeber 1925:393; 1929:253; Wilson and Towne 1978:388). The Nisenan were Penutian speakers; three Nisenan dialects were distinguished by Kroeber (1925) – the Northern Hill Nisenan, Southern Hill Nisenan (or Foothill) and the Valley Nisenan (Wilson and Towne 1978:387).

The locations of ethnographic Hill and Valley Nisenan villages were similar, though the foothill Nisenan village sites were smaller. Hill Nisenan villages were located on ridges and large flats along major streams while Valley Nisenan villages were built on low, natural rises along streams and rivers or on gentle slopes with a southern exposure. The village or community group controlled a certain territory and for the most part village locations followed large streams and ridges in the mountains. Villages varied in size from three to seven houses to 40 to 50 houses with an acorn granary. These areas were generally associated with bedrock mortars for acorn processing. A dance house was also a feature of major villages. Family groups often lived away from the main village. In addition to villages, other occupation and use sites included seasonal camps, quarries, ceremonial grounds, trading sites, fishing stations, cemeteries, river crossings, and battlegrounds [*sic*], well-established trails and physiographic features (Wilson and Towne 1978:388-389; Windmiller 2010:9-10).

No known Native American villages, trails, traditional use areas or contemporary use areas have been identified in, adjacent or near the project. However, researchers often differ as to the locations of villages.

Nisenan village sites mapped by Littlejohn (1928) in the vicinity of the project consist of the *Bamon* at Shingle Springs, *Yo hi mu* and *Tu lul* near Shingle Springs, *Po lun kit* near Clarksville and *Wapumi* at Latrobe (Littlejohn 1928:44-46 in Windmiller (2010:10).

Bennyhoff (1977:165, Map 3) places the project within the territory of the *Wapumne* of the Foothill Nisenan near Shingle Springs (*Bamon*, e.g., approximately 8 miles east of the project). The *Wapumne* appear to have been Valley Nisenan who moved from the American River (north of the project) to the Cosumnes River between 1843 and 1846. The *Wapumne* appear to have moved to Latrobe between 1847 and 1870 and at least some *Wapumne* were at Latrobe ca. 1878 (ca. 8 miles south of the project) (Bennyhoff 1977:86, 92).

Wilson and Towne (1978) map of Tribal territory with selected major villages includes *Bamon* (#53), *Polunkit* (#54), and *Wapumni* (#56) [*Wapumne*] (1978:388, Fig. 1).

Payen (1961) notes that “. . . a Nisenan group from Carson Creek (CA-ELD-80/H?) that moved five miles southwest of Clarksville to Walltown⁶ under pressure from miners on

6 About midway south of U.S. 50 and north of Rancho Murrieta in Sacramento County.

Carson Creek during the early part of the gold rush”. Cultural ties continued with the Walltown Nisenan group attending dances and ceremonies at *Po lun kit* (CA-ELD-918/H and field no. V-45?). Another move occurred in the 1870s when under duress the native people relocated to *Palmul* at Michigan Bar on the Cosumnes River (Payen 1961:6, 18 in Windmiller 2010:10).

In 1833, a great epidemic, probably malaria, swept through the Sacramento Valley with an estimated 75% mortality among native populations. In contrast the mountain groups, including the Nisenan appear to have been spared. In addition, the Valley Nisenan endured missionization by the Spanish and vagaries associated with early European settlement. Captain John Sutter settled in Nisenan territory in 1839 and, in part due to the decimated populations and cultural disruption, made alliances with Miwok on the Cosumnes River followed by the surviving remnants of the Valley Nisenan. Thus becoming a source of labor for Sutter and others in the region (Cook 1955b:312, 322; Wilson and Town 1978:396).

The Hill/Mountain Nisenan were impacted irreparably by the aftermath of the discovery of gold in January 1848 near the Nisenan village of *Culloma* (former Sutter’s Mill, present-day Coloma, about 18.6 miles northwest of the project) and in March 1848 at Mormon Island (Sacramento County) on the south fork of the American River (now under Folsom Lake north of the project). Thousands of miners killed native populations and destroyed their villages in the pursuit of gold. The Nisenan who survived subsequently engaged in agriculture, logging, ranching and “domestic pursuits”. In spite of the impact of the gold rush and United States government polices descendants of the Nisenan reside in Placer, Nevada, Yuba, and El Dorado counties (Gudde 1975:225; Wilson and Towne 1978:397; Kyle 2002:75-76).

Kroeber (1925, 1929, 1932), Littlejohn (1928), Beals (1933), Heizer and Hester (1970), and Bennyhoff (1977), Wilson and Towne (1978, 1979) as well as Peak & Associates (1987), Jones & Stokes (1987), and Windmiller (2010) provide additional ethnographic information.

5.3 HISTORIC PERIOD

No recorded Hispanic and/or American Period resources were identified in the project area as part of the CHRIS/NCIC records search conducted for the proposed project.

5.3A Hispanic Period

The Spanish philosophy of government in northwestern New Spain was directed at the founding of presidios, missions, and secular towns with the land held by the Crown (1769-1821). The later Mexican Period (1822-1848) policy stressed individual ownership of the land (Hart 1987).

No known Spanish expedition trails/routes can be placed in the general project area (e.g., Beck and Haase 1974; Cook 1955:68).

None of the Spanish Era concessions (title held by crown) or Mexican Era land grants made between 1841 and 1846 included grants within El Dorado County (Beck and Haase 1974:#24; Kyle 2002:75).

American and Hudson's Bay Company trappers began trapping and establishing camps in Nisenan territory in the 1820s. Later, a number of Mountain Men proceeded along the periphery of the Sacramento River and also ventured along the American River. Fremont and his party travelled along the South Fork of the American River in 1844 (Beck and Haase 1974:#43; #46; Egan 1977:212-213; Wilson and Towne 1978:396).

5.3B American Period⁷

The Gold Rush (1848) along with trails and roads to/from the gold fields and provisioning was the first major historical event to impact the area followed by the admission of the State of California to the union on September 9, 1850. Other key factors in the growth of the region include agriculture and ranching, the construction of local railroads through the general study area (1864) and the opening of the transcontinental railroad in 1869.

El Dorado County is one of the original 27 California counties. The Middle Fork of the American River forms the northern county boundary, the South Fork of the American River flows about mid-county; and, the Cosumnes River/South Fork of the Cosumnes River forms the southern county boundary. Coloma, the initial county seat, was replaced by Placerville in 1857. The county population has increased coincident with the growth of metropolitan/greater Sacramento, the state capitol of California and county seat of Sacramento located approximately 20 miles west of the project (Coy 1973:btwn 96-97; Kyle 2002:74).

The 1856 General Land Office plat (GLO) for T9N R8E shows "Clarkson's Village", Clarksville in the southwest quadrant of Section 1 on the north side of a trail/road (present-day White Rock Road) through the study area. Clarksville is likely mapped as "Clarkson" on Goddard's 1857 *Map of the State of California* (Gudde 1975:74). The 1860 Arrowsmith *Map of the American River and Natoma Water & Mining Comp.y.s Canals* shows both Clarksville and Mormon Tavern. The latter is State Landmark No. 699 - the "Mormon Tavern – Overland Pony Express Route in California." Located south of Mormon Island on the old Clarksville–White Rock Emigrant Road, it opened in 1849 and was a Pony Express stop in 1860-1861. The current location as mapped by Peak & Associates (1987) is within the alignment of U.S. Highway 50 in the far SE corner of Section 2 of T9N R8E (Gudde 1975:226; CAL/OHP 1990:41, SHL #699; Peak & Associates 1987:G-7, G-18, Map 5; Kyle 2002:84).

Clarksville, located approximately 1.7 miles east/northeast of the proposed project served as a way station on the old Clarksville-White Rock Emigrant Road for emigrants and gold rush mining town that quickly developed into a regional trading center for nearby). The road is identified as the Placerville Road by Peak (1987:G6). In 1874, a Grange was established at Clarksville (Peak 1987:G-7). The "Clarksville" post office was established in July 1855 and discontinued in August 1924, only to be re-established in February 1927 and later moved to Folsom City in May 1934 (Patera 1991:42). Mormon Tavern did not merit a post office (e.g., Patera 1991). The U.S. 50 Highway from Sacramento to Placerville passed through Clarksville

7 This section focuses on major features in the study area. See Peak & Associates (1987) and Windmiller (2010) for a more comprehensive regional context.

until 1939. The decline of Clarksville as a service center for the region was due to the re-routing of the highway north of the town as well as the construction of a modern supermarket and other facilities elsewhere (Peak & Associates 1987:G-7; Kyle 2002:84).

The Coloma Road, marked out in 1847-1848 by Sutter and his men along the South Fork of the American River ran from Sutter's Fort (Sacramento) to present-day Folsom and into El Dorado County. It's approximate alignment was later followed by the railroad and US Highway 50 (CAL/OHP 1990:43, SHL #748; Kyle 2002:76; Windmiller 2010:5).

The Placerville & Sacramento Valley Railroad alignment through the general study area was in operation from 1864 onward. At the time, the alignment proceeded from Sacramento/Folsom to White Rock (about 2.3 miles southwest of the project) and continued as far south to its terminus at Latrobe (about 8.0 miles south/southeast of the project). Later construction extended the rails northeasterly to Shingle Springs (about 8.0 miles east) and eastward. As a result of rail transportation bypassing the town, Clarksville lost most of its freighting business (e.g., USPG 1884; Peak & Associates 1987:G-7; Robertson 1998:187, 192; Kyle 2002:84; Walker 2009:Map CA-12).

El Dorado Hills, a relatively recent El Dorado County community, is located 22 miles east of Sacramento and continues to expand. This unincorporated "census-designated place (CDP)" of 42,108 residents in 2010 is within a generally rural area, and reportedly includes "... the longest surviving section of the Lincoln Highway, the first U.S. transcontinental highway", the predecessor of present-day US Highway 50. The post office was established in September 1962 as an independent rural station and shortly thereafter in 1966 became a rural branch. In 1977 it was reclassified as community post office of Folsom (located in Sacramento County, about 8 miles northwest of the project) (Patera 1991:64, 250).

The proposed project is located within part of the northeast quadrant of Section 11 in T 9 North, R 8 East, part NE ¼, just east of the cemetery associated with the historic Mormon Tavern and townsite of Clarksville (USGS 1980 Clarksville).

6.0 PRE-FIELD IDENTIFICATION RESULTS

No prehistoric, combined prehistoric/historic or historic sites have been recorded or reported within or adjacent the project. Twenty-three (23) archaeological reports are on file at the CHRIS/NCIC within the 0.25 miles of the proposed project site.

6.1 RECORD SEARCH RESULTS (CHRIS/NCIC File No. #PLA-15-101)

No prehistoric, combined prehistoric/historic or historic sites have been recorded or reported within or adjacent the project site. Five cultural resources sites have been recorded within 0.25 miles of the project site (Hallam 2015; see Attachments). These include two road alignments, a rock wall, the Mormon Hill Historic District and the Clarksville (Mormon Tavern) Cemetery.

Recorded Archaeological Sites

No archaeological sites and/or built environment resources have been recorded in or adjacent to

the proposed project. Five historic era sites have been recorded within, partly within 0.25 miles of the proposed project.

P-09-000012 – a road to the Clarksville Cemetery.

P-09-000015 – dry laid rock wall along part of White Rock Road.

P-09-000809 – segment of the old White Rock Road/Sacramento-Placerville Road, Mormon Hill Road, Lincoln Highway.

P-09-001670 – Mormon Hill Historic District including mines/quarries/tailings and farms/ranches as well as P-09-004204, the Clarksville Cemetery.

P-09-004204 – Clarksville Cemetery, also known as the Mormon Tavern Cemetery [or the Old Mormon Cemetery] within the Mormon Hill Historic District [P-09-001670]. The cemetery is located within Specific Plan Area Q at 1500 White Rock Road.

Compliance Reports

Twenty-three (23) archaeological reports are on file at the CHRIS/NCIC within 0.25 miles of the project site. However, only three reports associated with the *El Dorado Hills Specific Plan* on file with the CHRIS/NCIC include the proposed project location.

Cultural Resource Assessment of the El Dorado Hills Project, El Dorado County California (Peak & Associates 1997/MS #3755D) [Appendix G in Jones & Stokes 1987].

A Determination of Eligibility and Effect on the Cultural Resources Within the El Dorado Hills Project Area (Peak 1998/MS #3755).

Addendum To: A Determination of Eligibility and Effect on the Cultural Resources Within the El Dorado Hills Project Area (Peak 1998/MS #3755B)

Listed Historic Properties

No listed local, state or federal historically or architecturally significant structures, landmarks or points of interest have been identified in or adjacent to the proposed project site.

6.2 EL DORADO HILLS SPECIFIC PLAN

The project is within the Village T area of the El Dorado Hills Specific Plan (Wade and Guzzardo 1987). The specific plan area was subject to an archaeological literature and field review in 1986 and 1987 by Peak & Associates for the *DEIR for El Dorado Hills Specific Plan* (CHRIS/NCIC #3755D).

Twenty-nine (29) archaeological sites and 31 isolated features were recorded by Peak & Associates (1987) for the specific plan area. Site types/components included both prehistoric and historic archaeological resources, features, structures and buildings.⁸ No archaeological

8. Resources included midden locations, bedrock mortars, isolated cabin/structures, mining/ranching complexes, rock fences/walls; prospect pits/glory holes, surface artifacts/historic debris, wells, ditches, dams, and roads. Most of the recorded resources date to the historic era. The various lists compiled by Peak & Associates excluded the Clarksville Cemetery (formally recorded in 2001 (P-09-004204); isolated mining

testing was conducted within the Village T area (Jones & Stokes 1987:2-2, Fig. 13-1, 13-17, Table 13-4).

6.3 NATIVE AMERICAN CONSULTATION (see Attachments)

The Native American Heritage Commission (NAHC) was contacted by Basin Research Associates (Busby 2016) for a search of the Sacred Lands Inventory for the proposed project. The NAHC provided a list of locally knowledgeable Native American for further consultation which was undertaken by Mr. Rommel Pabalinas , Senior Planner, El Dorado County. Consultation is in progress.

7.0 ARCHAEOLOGICAL FIELD INVENTORY [see Figs. ***]

Mr. Christopher Canzonieri (M.A.), an archaeologist meeting the Standards of the Secretary of the Interior for Archaeology, conducted a pedestrian survey of the 4.565 acre project parcel on April 15, 2016.

Field transects were oriented north-south and spaced approximately three meters apart. Native and invasive grasses and flowering plants were present throughout. As a result surface visibility of varied within the project area with approximately 25-50%.

As noted previously, the project site had been subject to mass-grading as part of development in Town Center East Commercial Center. Observed sediment consists of light yellowish brown clayey silt with cobbles, pebbles, and gravel; with a higher concentration of rock at the south end. The cobbles, pebbles, and gravel appear to represent a former alluvial fan leading to the now channelized tributary of Carson Creek.

No evidence of prehistoric or historic artifacts or occupation or potentially significant architectural features were observed during the field inventory. The clearly demarcated historic Clarksville Cemetery, also known as the Old Mormon Cemetery, is located approximately 850 feet north-northeast of the northeast corner of the project.

8.0 FINDINGS

This report was prepared to identify cultural resources which may be listed, determined or potentially eligible for inclusion on the CRHR within the project site. The following findings apply:

- The records search completed by the CHRIS/NCIC was negative for recorded and/or reported resources within or adjacent to the proposed project site.
- No known ethnographic, traditional or contemporary Native American use areas and/or other features of cultural significance have been identified in or adjacent to the project site.

related features such as prospect pits, glory holes, tailings that could not be dated or associated with specific individuals, etc.; and piles of rock associated with the clearing of fields

- No known Hispanic Period expeditions, adobe dwellings, or other structures, features, etc. have been reported in or adjacent to the proposed project site.
- No American Period archaeological sites have been recorded or reported in or adjacent to the project site.
- No evidence of significant prehistoric or historically significant archaeological resources or potentially significant architectural resources was observed during the field review within the project site. Mass-grading undertaken as part of the development in Town Center East Commercial Center has removed extensive surface and subsurface disturbance.
- No listed, determined or pending CRHR resources have been identified in or adjacent to the project site.
- No local, state or federal historically or architecturally significant structures, landmarks, or points of interest have been identified within or adjacent to the project site.
- The project site is located in a general area of moderate sensitivity for prehistoric and historic resource based on a review of previous studies and archaeological field inventories. However, The project site has been badly disturbed by mass grading associated with preparation for a previous projects that has removed and relocated previous surface and subsurface sediments associated with the project location.

9.0 CULTURAL RESOURCE IMPACTS AND PROTECTION MEASURES

No recorded archaeological resources are present within the project alignments. Potential impacts to unknown, buried prehistoric and historic archaeological resources are identified. Two protection measures are recommended to mitigate to less-than-significant impacts associated with any unexpected archaeological discoveries, including Native American burials, during future ground-disturbing activities.

9.1 IMPACTS

9.1A Definition of Impacts

The California Environmental Quality Act states that a project that may cause a substantial adverse change in the significance of a cultural resource may have a significant effect on the environment. Substantial adverse change in the significance of a cultural resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired. The significance of a cultural resource is materially impaired when a project:

Demolishes or materially alters in an adverse manner those physical characteristics of a cultural resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or,

1. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of cultural resources pursuant to Public Resources Code Section 5020.1(k) or its

identification in a cultural resources survey meeting the requirements of Public Resources Code 5024.1(g), unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or,

2. Demolishes or materially alters in an adverse manner those physical characteristics of a cultural resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of the California Environmental Quality Act.

9.1B Potential Project Impacts

The project could potentially affect as yet unknown prehistoric cultural resources within the project site. Potential impacts include:

Impact CR-1: The potential to cause a substantial adverse change in the significance of archeological resources.

- Construction operations could result in the inadvertent exposure of buried prehistoric or historic archaeological materials⁹ that could be eligible for inclusion on the California Register of Historical Resources (Public Resources Code Section 5024.1)

-
9. Significant prehistoric cultural resources are defined as human burials, features or other clusterings of finds made, modified or used by Native American peoples in the past. The prehistoric and protohistoric indicators of prior cultural occupation by Native Americans include artifacts and human bone, as well as soil discoloration, shell, animal bone, sandstone cobbles, ashy areas, and baked or vitrified clays. Prehistoric materials may include:

- a. Human bone - either isolated or intact burials.
- b. Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors).
- c. Artifacts including chipped stone objects such as projectile points and bifaces; groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and, shell and bone artifacts including ornaments and beads.
- d. Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), distinctive changes in soil stratigraphy indicative of prehistoric activities.
- e. Isolated artifacts

Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include.

- a. Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.).
- b. Trash pits, privies, wells and associated artifacts.
- c. Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.).
- d. Human remains.

In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian and other ethnic or racial groups are potentially significant. Such features or clusters of artifacts and samples include remains of structures, trash pits, and privies.

and/or meet the definition of a unique archeological resource as defined in Section 21083.2 of the Public Resources Code.

- This significant impact would be reduced to a less-than-significant impact with implementation of Measure CM-1 which requires the review, identification, evaluation and treatment of any significant archaeological finds by a Professional Archaeologist at the time of discovery. This measure will be implemented in accordance with state law and the El Dorado County General Plan.

Impact CR-2: The potential to disturb any human remains, including those interred outside of formal cemeteries.

- Previously unknown Native American human remains could be exposed during ground disturbing construction operations associated with soil removal. Construction operations could result in the inadvertent exposure of buried prehistoric or protohistoric (ethnographic) Native American human remains.
- This significant impact would be reduced to a less-than-significant impact with implementation of Measure CM-2 which requires that the treatment of human remains and or associated or unassociated funerary objects during any soil-disturbing activity must comply with applicable state law for Native American burials.

9.2 RECOMMENDED PROTECTION MEASURES

The following protection measures shall be implemented in concert with any specific requirements of El Dorado County.

Measure CM-1

- (a) El Dorado County shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources including prehistoric Native American burials.
- (b) The project proponent shall retain a Professional Archaeologist on an “on-call” basis during ground disturbing construction for the project to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under the California Environmental Quality Act (CEQA).
- (c) If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less-than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery among other options. The completion of a formal *Archaeological Monitoring Plan* (AMP) may be recommended by the Project Archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of

the AMP will be determined by the County of El Dorado and treatment of any significant cultural resources shall be undertaken with the approval of the project proponent and the city.

- (d) A *Monitoring Closure Report* shall be filed with the County of El Dorado at the conclusion of ground disturbing construction if archaeological and Native American monitoring of excavation was undertaken.

Measure CM-2

The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the El Dorado County Sheriff-Coroner and the County of El Dorado.

In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission, is required who shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98).

The project sponsor, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

10.0 MANAGEMENT RECOMMENDATIONS

It is the considered opinion of Basin Research Associates, based on a review of pertinent records, maps and other documents including a field inventory that the proposed project can proceed as planned in regard to prehistoric and historic archaeological resources.

No subsurface testing for buried archaeological resources appears necessary at this time as the previous mass excavation appears to have significantly reduced the potential for subsurface cultural resources.

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Windmiller, Ric (Consulting Archaeologist, Auburn, CA)

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- 2011a Silva Valley Parkway Interchange. Cultural Resources Inventory and Evaluation El Dorado Hills, El Dorado County, California. Sections 1, 2, 11 & 12, T.9N, R.8E MDM, Clarksville 7.5' USGS Quadrangle. Approximately 197 Acres. Revised, March. Prepared for Mark Thomas & Company, San Jose. MS on file, 11274, CHRIS/NCIC, California State University, Sacramento
- 2011b Continuation Sheet [update], P-09-001670 (Mormon Hill Historic District). On file, CHRIS/NCIC, California State University, Sacramento.
- 2014 Continuation Sheet [update], P-09-000809 (Trinomial: CA-ELD-721H; segment of old White Rock Road/Lincoln Highway). Forms on file, CHRIS/NCIC, California State University, Sacramento.

Abbreviations

n.d. no date

v.d. various dates

N.P. no publisher noted

n.p. no place of publisher noted

CHRIS/NCIC, California State University, Sacramento is used for material on file at the California Historical Resources Information System (CHRIS), North Central Information Center (NCIC), California State University, Sacramento.

ATTACHMENTS

FIGURES

- FIGURE 1 General Project Location
- FIGURE 2 Project Location (USGS Clarksville, Calif. 1980)
- FIGURE 3 Project Area - Aerial View
- FIGURE 4 View north of project area
- FIGURE 5 View southwest at project area from adjacent hill

CORRESPONDENCE

- LETTER Request to Native American Heritage Commission (NAHC) for Review
- LETTER NAHC Response

CHRIS/NCIC SEARCH RESULTS

- SEARCH File No. ELD-16-23 (4/13/2016) (No Confidential Information)

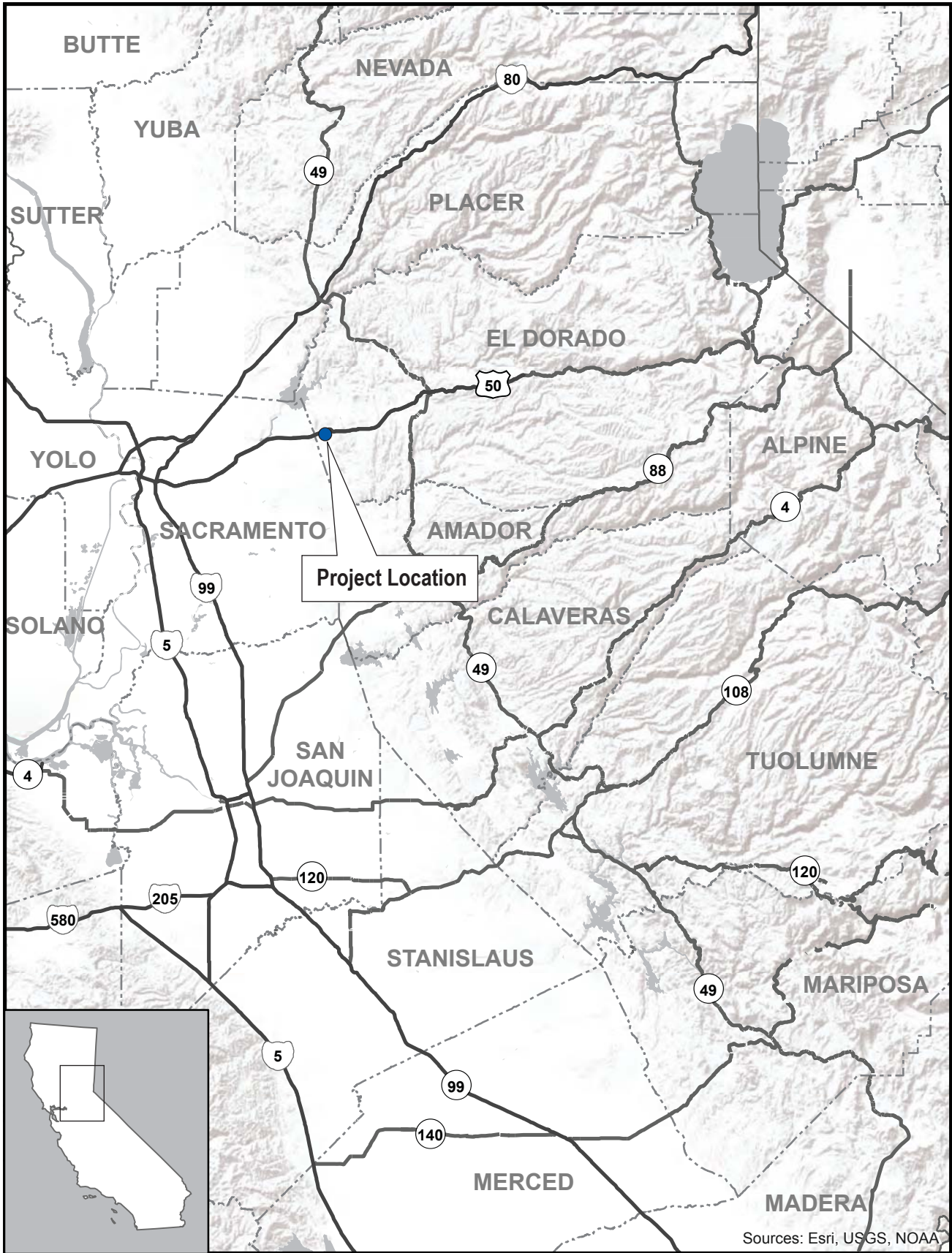


Figure 1: General Project Location

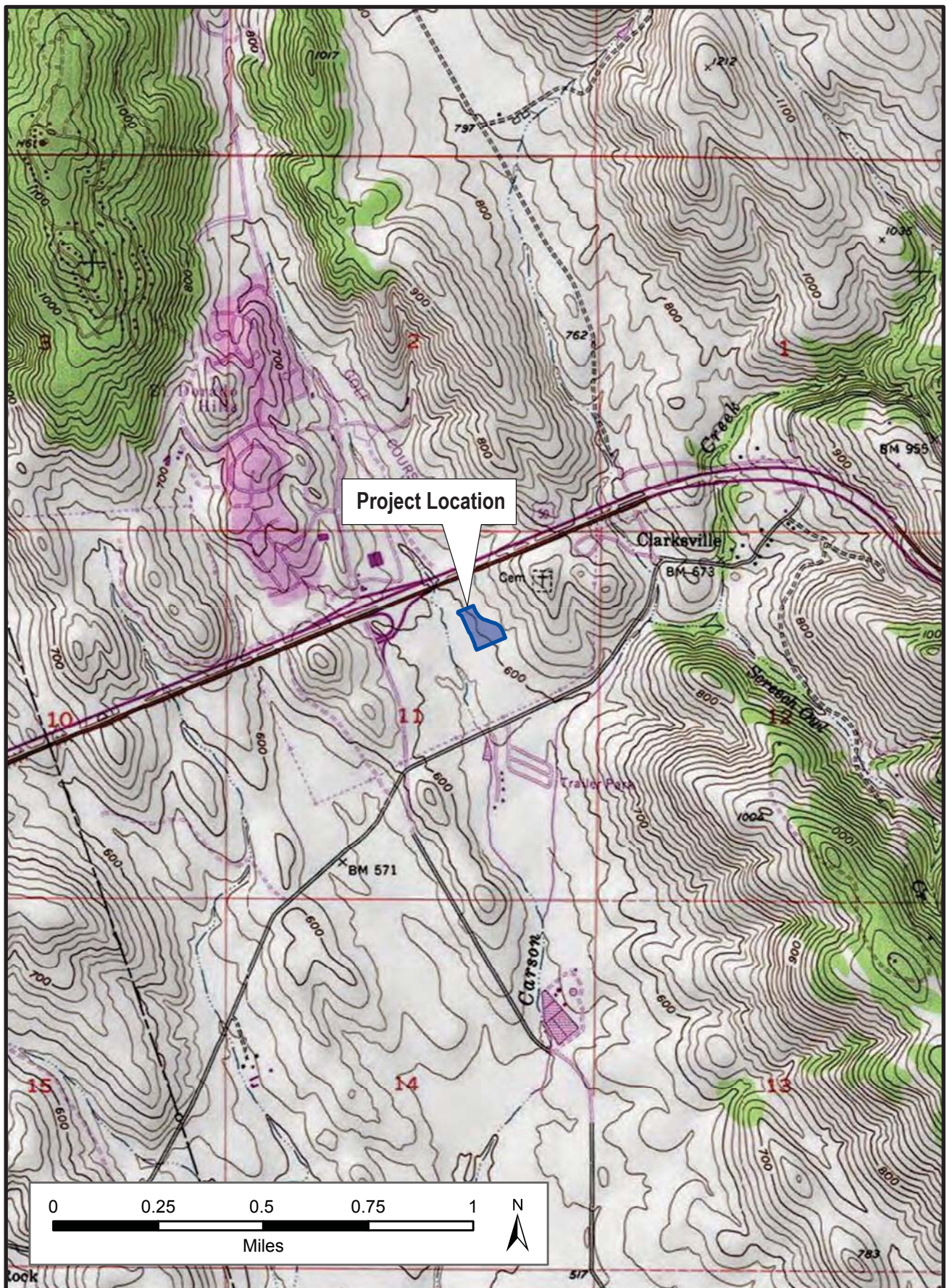


Figure 2: Project Location (USGS Clarksville, Calif. 1980)

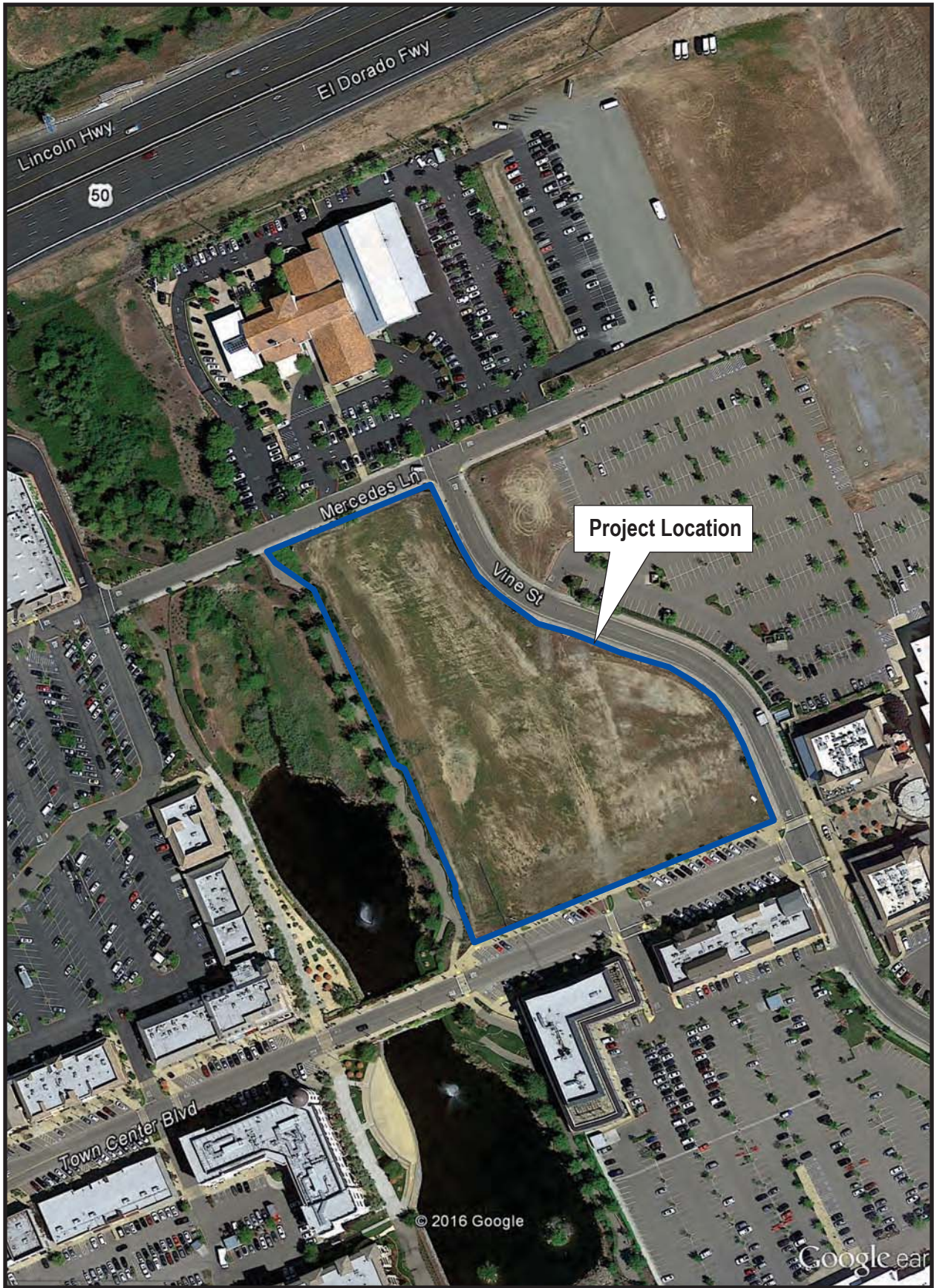


Figure 3: Project Area - Aerial View



Figure 4: View north of project area



Figure 5: View southwest at project area from adjacent hill

**Sacred Lands File & Native American Contacts List Request
NATIVE AMERICAN HERITAGE COMMISSION**

1556 Harbor Boulevard, STE 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: El Dorado Hills Apartments, unincorporated City of El Dorado Hills

County: El Dorado

USGS Quadrangle Name: USGS Clarksville, Calif. 1980

Address: Northwest corner of Town Center Blvd and Vine Street within the Town Center East Commercial Center in El Dorado Hills

Township: 9N, **Range:** 8E, Section 11

Company/Firm/Agency: Basin Research Associates

Contact Person: Colin I. Busby, PhD, RPA

Street Address: 1933 Davis Street, STE 210

City/Zip: San Leandro, CA 94577

Phone: (510) 430-8441 x202

Fax: (510) 430-8443

Email: basinres1@gmail.com

Please scan and fax the response to basinres1@gmail.com

Project Description:

General Plan Amendment adding a new policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units/acre to a maximum of 55 dwelling units/acre for the 4.565 acre site within the Town Center East Planned Development area identified as APNs 121-290-60, -61, -62.

CEQA EIR required for GP Amendment. County of El Dorado is completing SB 18 and AB 52 requirements. However, client has also asked that BASIN contact the NAHC as well.

Project is a multi-family apartment complex. The project area appears to have a low sensitivity for both prehistoric and historic cultural resources due to prior clearing and grading. The surrounding area has been undergoing commercial development since late 2000. The former stream channel to the west of the parcel has been modified and converted into a pond development with decorative fountains.

04/18/16

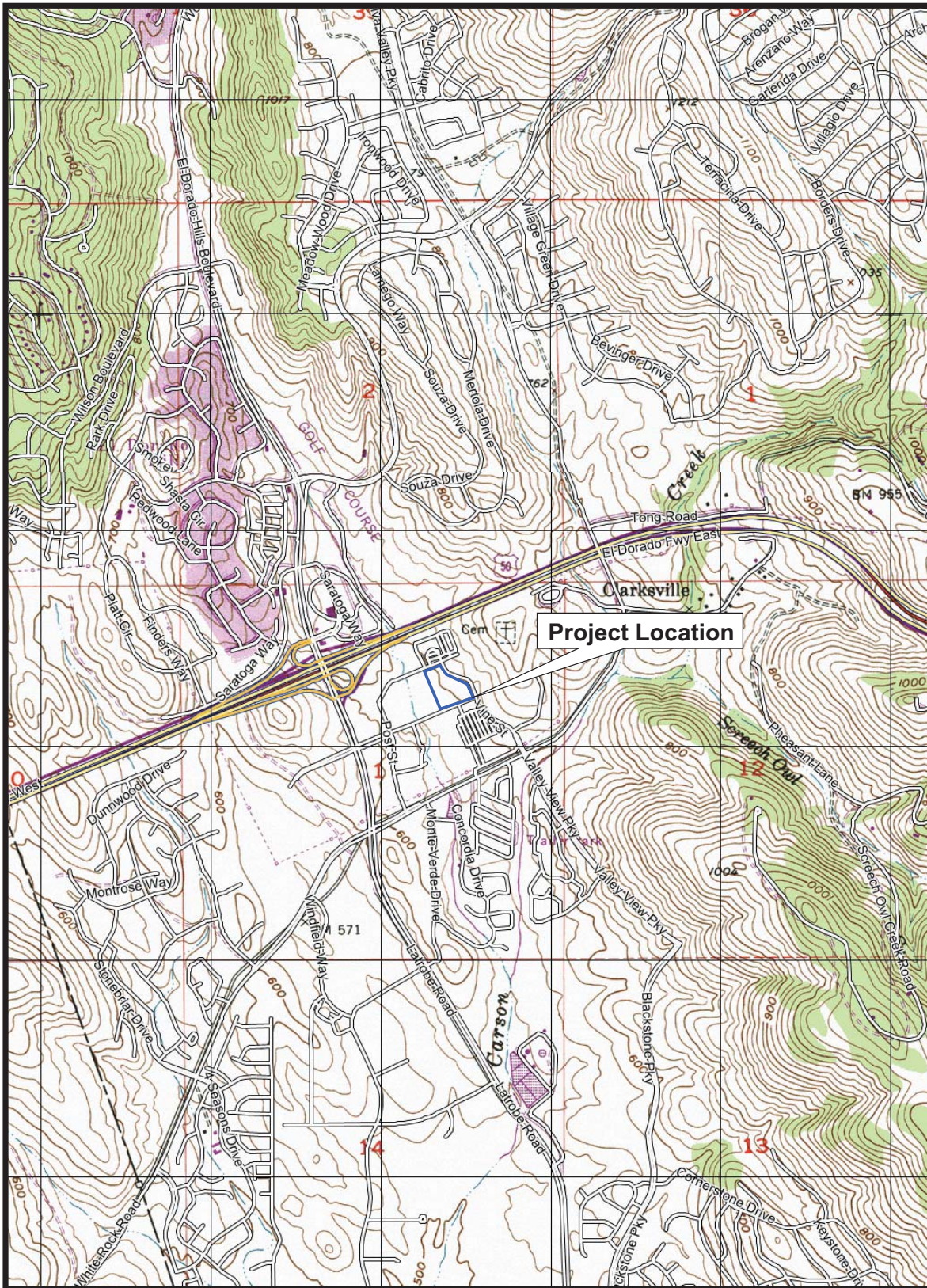


Figure 1: Project Location T9N R8E (USGS Clarksville, Calif. 1980)

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 FAX



April 27, 2016

Colin Busby
Basin Research Associates

Sent by Email: basinresfax@gmail.com
Number of Pages: 3

Re: El Dorado Hills Apartments, Clarksville, El Dorado County

Dear Mr. Busby:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced project.

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the NAHC for the purpose mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.3.1(d))

The law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.3.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC requests that lead agencies include in their notifications information regarding any cultural resources assessment that has been completed on a potential "area of project affect" (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - If the probability is low, moderate, or high that cultural resources are located in the APE.

- Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
- Any report that may contain site forms, site significance, and suggested mitigation measures.
- All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. A search of the SFL was completed for the USGS quadrangle information provided with negative results.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the case that they do, having the information beforehand will help to facilitate the consultation process.

Lead agencies or agencies potentially undertaking a project are encouraged to send more than one written notice to tribes that are traditionally and culturally affiliated to a potential APE during the 30-day notification period to ensure that the information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at my email address: Sharaya.souza@nahc.ca.gov.

Sincerely,



Sharaya Souza
Staff Services Analyst

**Native American Heritage Commission
Tribal Consultation List
El Dorado County
April 26, 2016**

Ione Band of Miwok Indians
Yvonne Miller, Chairperson
P.O. Box 699 Miwok
Plymouth , CA 95669
administrator@ionemiwok.org
(209) 245-5800 Office

Nashville-El Dorado Miwok
Cosme Valdez, Interim Chief Executive Officer
P.O. Box 580986 Miwok
Elk Grove , CA 95758
valdezcom@comcast.net
(916) 429-8047 Voice/Fax

Shingle Springs Band of Miwok Indians
Nicholas Fonseca, Chairperson
P.O. Box 1340 Miwok
Shingle Springs , CA 95682 Maidu
nfonseca@ssband.org
(530) 387-1400

United Auburn Indian Community of the Auburn Rancheria
Gene Whitehouse, Chairperson
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
(530) 883-2390 Office

Washoe Tribe of Nevada and California THPO
Darrel Cruz, Cultural Resources Department
919 Highway 395 South Washoe
Gardnerville , NV 89410
darrel.cruz@watshoetribe.us
(775) 782-0014
(775) 546-3421 Cell

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of 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 applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed El Dorado Hills Apartments, Clarksville, El Dorado County.



4/13/2016

NCIC File No.: ELD-16-23

Donna M. Garaventa
Basin Research Associates
1933 Davis Street, Suite 210
San Leandro, CA 94557

Note: 0.25 mile search area

Re: El Dorado

The North Central Information Center received your record search request for the project area referenced above, located on the Clarksville USGS 7.5' quad. The following reflects the results of the records search for the project area and a ¼-mile radius:

As indicated on the data request form, the locations of resources and reports are provided in the following format: custom GIS maps shapefiles hand-drawn maps

Resources within search area:	P-9-12 P-9-15 P-9-809 P-9-1670 P-9-4204
Reports within search area:	2588 2599 2963 3634 3672 3713 3715 3735 3755 3756 7279 7465 8119 8924 10119 11091 11191 11274 11323 11543

- Resource Database Printout (list):** enclosed not requested nothing listed
- Resource Database Printout (details):** enclosed not requested nothing listed
- Resource Digital Database Records:** enclosed not requested nothing listed
- Report Database Printout (list):** enclosed not requested nothing listed
- Report Database Printout (details):** enclosed not requested nothing listed
- Report Digital Database Records:** enclosed not requested nothing listed
- Resource Record Copies:** enclosed not requested nothing listed
- Report Copies:** enclosed not requested nothing listed

- OHP Historic Properties Directory:** enclosed not requested nothing listed
- Archaeological Determinations of Eligibility:** enclosed not requested nothing listed
- CA Inventory of Historic Resources (1976):** enclosed not requested nothing listed
- Caltrans Bridge Survey:** enclosed not requested nothing listed
- Ethnographic Information:** enclosed not requested nothing listed
- Historical Literature:** enclosed not requested nothing listed
- Historical Maps:** enclosed not requested nothing listed
- Local Inventories:** enclosed not requested nothing listed
- GLO and/or Rancho Plat Maps:** enclosed not requested nothing listed
- Shipwreck Inventory:** enclosed not requested nothing listed
- Soil Survey Maps:** enclosed not requested nothing listed

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Sincerely,

Nathan Hallam
 Coordinator, North Central Information Center