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Cultural Resource Report

Westside Fire Recovery

Happy Camp/Oak Knoll and Salmon/Scott River Ranger Districts
Klamath National Forest
Siskiyou County, California

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Cultural Resources Resource Report

The purpose of this section is to analyze the Westside Fire Recovery Project in sufficient detail to determine its effects on properties included in or eligible for the National Register of Historic Places (NRHP). This analysis is required under Section 106 of the Historic Preservation Act of 1966, as amended and is accomplished by the Klamath National Forest (Forest) under the *Programmatic Agreement Among the USDA Forest Service, Pacific Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer and the Advisory Council on Historic Preservation (Regional PA) and the Programmatic Agreement Among the Klamath National Forest, California State Historic Preservation Officer and the Advisory Council on Historic Preservation for the Westside Fire Recover Project (Westside Fire Recovery PA)*.

Detailed descriptions of the project alternatives are found in chapter 2 of the Westside Fire Recovery Project draft EIS

Methodology

The National Historic Preservation Act of 1966 as amended “requires federal agencies to take into account the effects of their undertakings on historic properties.” This is accomplished through a four-step process following 36 CFR Part 800, the implementing regulations for Section 106 of the National Historic Preservation Act. The regulations allow alternative procedures for meeting Section 106 to be developed through programmatic agreements. The Pacific Southwest Region of the Forest Service (Region 5) which includes the Forest has entered into a programmatic agreement for complying with Section 106. Additionally, the Forest developed the Westside Fire Recovery PA to address project specific issues and concerns. The Westside Fire Recovery PA allows limited project activities to occur within certain historic properties without adverse effects, as long as project-specific Standard Resource Protection Measures (SRPMs) are applied. The Westside Fire Recovery PA--developed in consultation with the California State Historic Preservation Officer, the Advisory Council on Historic Preservation, and local tribes--tiers to the Regional PA and meets the requirements for compliance under Section 106 of the National Historic Preservation Act.

There are two key parameters for analyzing effects to historic properties. The first parameter is defining an Area of Potential Effect. 36 CFR 800.16(d) defines the Area of Potential Effect, which is essentially the area within which project activities are expected to occur that may affect historic properties. By delineating the area within which effects are anticipated to occur, the scope of analysis is established. The second parameter is determining whether historic properties are present or identified within the Area of Potential Effect. Identification is a three-step process of pre-field research, field surveys, and consultation.

Once the Area of Potential Effect is defined and historic properties within the Area of Potential Effect identified, analyses are conducted to determine if the proposed project will directly or indirectly cause changes in the character or use of the historic properties. If no historic properties are present, there will be no adverse effects. If historic properties are present and any potential adverse effects can be mitigated through project design features or SRPMs, historic properties will not be adversely affected. If historic properties are present and potential adverse effects cannot be mitigated through management or SRPMs, the Forest will prepare a Historic Property Treatment Plan that will stipulate the actions the Forest will take to resolve the effects.

Analysis Indicators

Indicators for analyzing project effects on historic properties are (1) the number of historic properties in the project area that are at risk from project activities and (2) the degree (level) to which the integrity of historic values of these properties may be diminished by the project activities. Direct and indirect effects, as well as the effects of reasonably foreseeable future actions (cumulative effects), that may diminish the integrity of historic properties identified in the area of potential effects are analyzed.

At-risk historic properties are those that are significant and retain integrity and have been identified as being susceptible to adverse effects by specific undertaking activities. The degree to which an at-risk historic property's integrity is diminished by project activities is indicated by relative degree within four categories - negligible, minor, moderate or major. If the project activities would change one or more of the character-defining features and diminish the integrity of the resource to the extent that it would no longer be eligible for listing on the NRHP, the effects would be adverse (the degree of change would be moderate or major). Adverse effects to sites must be resolved in consultation with the State Historic Preservation Office.

Spatial and Temporal Context

Spatial boundaries for the analysis of effects are the Area of Potential Effect as defined by the National Historic Preservation Act and its implementing regulations (36 CFR Part 800). The Area of Potential Effect for this project includes areas within the project area boundaries where treatment activities are proposed and areas used in support of treatment activities. This Area of Potential Effect was chosen because this is the area potentially affected by project activities. Temporal boundaries for the short term are based on the effect being anticipated to occur during or within one to five years of implementation. Long-term effects will occur after the first five years following implementation.

Affected Environment

The affected environment for the Westside Fire Recovery Project broadly consists of steep, rugged mountains, incised by numerous rivers and creeks. The isolating effects of this landscape have resulted in a diversity of natural resources that have been sought and used by humans for thousands of years. Evidence of past use is spread across the project area but is concentrated into those areas people used most intensively, such as terraces, benches, areas along the rivers and their tributaries and areas where resources such as plants, animals or mineral were exploited relatively easily. A record of human presence is found across the landscape in the material remains left behind which comprise a record of irreplaceable and non-renewable resources related to past human life and land use. This record includes historic properties as well as locations of cultural importance to local Native American groups.

Although few archaeological investigations into the prehistory of the project area have been conducted, Pilot Ridge, the foundational study for the interior North Coast Ranges revealed evidence of 8,000 years of human occupation and highlighted a forager subsistence- settlement pattern that required frequent moves of entire social units to locate resources. Archaeological site distributions shifted over time, in response to climatically induced vegetation shifts, and produced generalized artifact assemblages (Hildebrandt and Hays 2007).

The project lies within the ancestral territories of groups from the Shastean Complex, specifically the Scott River and Klamath River Shasta, as well as the Karuk Tribe. Like most tribes in

California, the Shastean and Karuk people were engaged in a seasonal subsistence rounds. The people would foray out from permanent village sites throughout the year as resources became available for harvesting and processing. When resources had been procured, individuals and families would return to the village sites and store the supplies for future use. The project area has numerous culturally significant plant stands (e.g. tanoaks, bear grass, hazel, huckleberry) within and adjacent to natural openings, plantations and meadow areas. Important species were often managed and enhanced by tribes through the use of fire.

Euro-Americans entered into Siskiyou County in 1827, with regular forays into the area by the early 1840s. With the 1851-1852 gold strikes, the gentler-slopes/lower-elevations of the Klamath Mountain watersheds steadily became transformed into an intensively exploited and densely populated landscape. By the 1870s, large-scale hydraulic mining of the region's placer deposits began. From the 1870s into the early twentieth century, systems of high ditches, head boxes, iron-pipe penstocks, "giant" nozzles, huge sluice systems, and the other accoutrements of "hydraulicking" transformed many of the project-area's stream bottoms into a landscape of vast, linear 'washing pits' (the mined-out areas of ancient alluvium) located within, adjacent, and parallel to the stream courses. The project area encompasses portions of several historic mining districts.

Livestock operations arose in support of the miners and later expanded as fluctuating mining populations stabilized and communities became more settled. With the creation of the National Forest Preserves in 1905, most of the project area became part of the Klamath National Forest. By the 1950s the timber industry assumed a prominent role in the use of the landscape. During its prominence, until the passage of environmental laws in the late 1960s and early 1970s, this industry extracted vast stands of timber from the Forest, the effects of which are still visible across the landscape. Recreation in the form of hunting, fishing, rafting, hiking and camping has been and continues to be a key component of the land use within the project area.

Approximately 75 percent of the Area of Potential Effect has never been surveyed for historic properties, though about 80 percent of this area has slopes greater than 30 percent. There are 159 recorded sites within the Area of Potential Effect. At the time of publication, no Traditional Cultural Properties or Scared Sites had been identified within the Area of Potential Effect. Most, if not all, archaeological sites within the project area have been affected to some degree by various agents of disturbance, whether environmental processes, land management actions and/or public use.

Environmental Consequences

Using the analysis indicators outlined above, each alternative is considered based on the proposed management actions and their potential level of effects to historic properties and cultural resources. If an action alters in any way the characteristics that qualify the property or resource for inclusion on the NRHP, it is considered to have an effect. An effect can be direct or indirect, beneficial or adverse. Effects are "adverse" when the alterations diminish one or more of the seven elements of a historic property's integrity (location, design, setting, materials, workmanship, feeling, or association). The degree (level) to which the integrity is diminished by the proposed actions are classed into four categories that are based upon relative degree – negligible, minor, moderate, major. A "no adverse effect" occurs when the project has an effect on the resource but is not harmful to the characteristics that qualify the resource for inclusion on the NRHP. A finding of "no adverse effect" may also occur if the effects of the proposed project can be reasonably

predicted and project design features or SRPMs can be used to avoid or minimize potential adverse effects to historic properties (Regional PA, Stipulation 7.8(b)). SRPMs are provided in the Regional PA, Appendix E; additional project-specific SRPMs are provided in the Westside Fire Recovery PA.

Under the National Historic Preservation Act, Section 304 and the Archaeological Resources Protection Act of 1979, Section 9a, the disclosure of information revealing the location or character of historic or archaeological resources is prohibited when this information would open the resources or their settings to a substantial risk of harm, theft, or destruction. Therefore, discussion of the effects of this project is generalized to types of historic properties and cultural resources rather than individual properties or resources. Project design features are sufficient to protect these resources while not disclosing their locations. Management and/or SRPMs are prescribed at the individual property or resource level and are documented in the Archaeological Survey Report for this project (R2014-05-05-2188-0).

Alternative 1

Direct Effects and Indirect Effects

There would be no direct effects to archaeological sites because no management actions would be implemented. However, there would also be no actions taken in the project area to reduce fuels or fire-weakened trees from within and around archaeological sites. Tree-mortality, such as that resulting from wildfires, puts historic properties and cultural resources at risk. When trees are left to fall naturally, these trees may damage or destroy site features or displace the same when uprooting (e.g. rock walls, house pits). The effects of tree fall are often compounded by erosion which can bury or displace cultural deposits, fuel loading if left on the ground (see below), and accelerated decay as previously unexposed surfaces become exposed. Lack of road roadside hazard treatments may also affect linear resources through erosion, and blowouts where culverts are plugged creating negative effects to morphological features. Therefore, a possible indirect adverse effect resulting from alternative 1 is the continued risk of damage to sites from wildfire, tree fall and erosion. At particular risk are large scale historic mining sites (tens to hundreds of acres) consisting primarily of earthen and rock features (e.g. hydraulic headwalls, ditches, raceways, waste-rock piles, processed sediment deposits, roads, etc.). The indirect, short-term effects to archeological resources would be negligible but indirect, long-term effects would be moderate to major.

There would be no direct effects to traditional use areas because no management actions would be implemented. However, fire-adapted plants may not be enhanced if low intensity prescribed fire is not used in the project area. The result is indirect adverse effects through the long-term degradation or loss of these species that then reduces opportunities for tribal members for gathering, hunting and other subsistence opportunities over time. These effects would be moderate to major.

Cumulative Effects

Under alternative 1, fuels loads will increase through time and increase the potential for high intensity and high severity wildfires. High intensity fire within the project area will destroy features/components of sites and as fire-weakened trees continue to fall, the damage and destruction of these effects will continue to accumulate. Additionally, the lack of roadside hazard treatments may result in increased erosion and plugged culverts, especially after high precipitation

events. High intensity fire, widespread tree fall, erosion and blowouts would result in the loss of NRHP values to archaeological sites, and result in a moderate to major effects. The degradation of traditional-use areas and plants will accelerate over time, resulting in the loss of culturally important places and plant communities. With these losses, the ability for local tribal communities to sustain their traditions and cultures is compromised. The cumulative effects would be moderate to major.

Alternative 2

Direct and Indirect Effects

Alternative 2 includes actions that have the potential to effect 159 previously recorded historic properties and an unknown number of unrecorded historic properties and cultural resources.

Salvage Harvest and Roadside Hazard Tree Removal

There would be no direct effects to historic properties as the result of salvage harvest and roadside hazard tree removal because actions would not be, for the most part, implemented within the boundaries of these sites. The Westside Fire Recovery PA allows limited project activities to occur within the boundaries of certain types of historic properties. For example, harvest activities will be allowed when implemented from existing roads within historic archaeological sites following SRPM and project design features as will the use of specific types of existing landing (e.g. located within the debris field of large hydraulic mines). However, even when using SRPMs and project design features to reduce the risk of adversely affecting historic sites, the potential for direct effects still exists if there is subsurface material present (when operating within site boundaries). While a site locality is recorded to the archaeologist's best ability, the possibility of unrecorded material can still exist, especially if the site has not been tested. The need to create as little ground disturbance as possible can prevent potential subsurface artifacts, if present, from exposure, displacement or damage.

The removal of dead and dying trees from within and adjacent to historic properties and cultural resources results in direct and indirect beneficial effects; these effects are moderate to major in both the short and long term.

Fuels Reduction

There would be no direct effects to historic properties as the result of fuels reduction because actions would not be, for the most part, implemented within the boundaries of these sites. Prescribed fire will not occur within site boundaries, and other types of fuel reduction, if occurring in site boundaries will be conducted under the provisions of the Regional PA. For example, brush would be removed by hand and piled outside of the site boundaries.

The use of SRPMs to reduce or mitigate adverse effects to historic properties and cultural resources may however foster conditions that result in indirect effects. By avoiding or not treating within site boundaries, a higher fuel load is left within the site compared to surrounding areas. Intense fire may damage or destroy combustible artifacts or permanently alter materials susceptible to heat or flame within a site. Not only do "leave" areas increase the risk that future fires will burn with higher intensity within a site's boundary, they direct the public's attention to these areas which may result in increased looting and vandalism. These indirect adverse effects to historic properties are minor in the short term but moderate to major in the long term.

Any identified traditional-use areas, if left unmanaged or avoided, often become choked with brush and downed fuels, which limit their potential use and the quality and/or quantity of any materials sought at these locations. Without fire, these areas may also lose important settings and viewsheds, rendering them unsuitable for use in cultural practices. These indirect adverse effects to historic properties are minor in the short term but moderate to major in the long term.

Site Preparation and Planting

Site preparation and planting activities create significant ground disturbance which would result in direct adverse effects to historic properties and cultural resources if allowed to occur within site boundaries. As such, SRPMs and project design features will be used to prevent these activities from occurring within site boundaries. There will be no direct or indirect adverse effects as the result of site preparation and planting, in either the short or long term.

Cumulative Effects

Reducing the likelihood of a high intensity wildfire through proposed actions within the Area of Potential Effect, combined with similar types of other projects already implemented or implemented in the reasonably foreseeable future, will result in a cumulatively beneficial effect to historic properties and cultural resources that are moderate to major. However, for those historic properties and cultural resources avoided by treatments both under the proposed actions and by actions in the reasonably foreseeable future, there will be moderate to major cumulative effects.

Alternatives 3, 4 and 5

Direct and Indirect Effects

The direct and indirect effects of alternatives 3, 4 and 5 are essentially the same as the effects described under alternative 2.

Cumulative Effects

The cumulative effects of alternatives 3, 4 and 5 are the same as the effects described under alternative 2.

Comparison of Effects

Under alternative 1, there would be no direct effects to historic properties or cultural resources because no management actions would be implemented. There would be moderate indirect, short-term effects to historic properties, and moderate to major indirect long-term effects to historic properties and cultural resources.

Under alternatives 2, 3, 4 and 5, there would be no direct adverse effects from project activities in the short or long term; there would be direct beneficial effects as the result of salvage harvest and roadside hazard tree removal. Indirect adverse effects are created when historic properties and cultural resources are avoided, thereby creating “leave” islands. These effects are minor in the short term but moderate to major in the long term. Indirect beneficial effects result in both the short and long term as the likelihood of damage and destruction to resources is decreased when dead trees are salvaged and fuel loads reduced in the surrounding areas.

Reducing the likelihood of a high intensity wildfire and tree-fall within the Area of Potential Effect, combined with similar types of other projects already implemented or implemented in the reasonably foreseeable future will result in a cumulatively beneficial effect to historic properties and cultural resources that are moderate to major. However, for those historic properties and

cultural resources avoided by treatments both under the proposed actions and by actions in the reasonably foreseeable future, there will be moderate to major cumulative effects.

Compliance with law, regulation, policy, and the Forest Plan

All action alternatives adhere to applicable heritage resource laws, regulation, policy, and the Forest Plan). Documentation of the effects of each alternative in this report meets legal compliance. The Forest Plan consistency checklist, displayed on the project website, identifies the Forest Plan Standards and Guidelines that apply to this project and related information about compliance with the Forest Plan.

The Native American Graves Protection Act of 1990, Executive Order 13007, entitled Indian Sacred Sites, and Executive Order 13175, entitled Consultation and Cooperation with Indian Tribal Governments provide direction on the protection of cultural resources in federal land management decisions. Both federally recognized and non-federally recognized tribes were contacted early in project planning and were engaged throughout the planning process, in accordance with the National Historic Preservation Act, NEPA and other laws, regulations and policy. Tribal engagement is summarized in chapter 1 of the draft EIS, in the *Public Involvement* section. Consultation was conducted with the Karuk Tribe, Quartz Valley Indian Reservation, and the Confederated Tribes of the Siletz. The Forest conferred with the Shasta Indian Nation and the Shasta Nation, Inc.

Written and verbal comments received during tribal consultation were considered when refining the proposed action and while developing project alternatives; many tribal concerns were incorporated in these alternatives. Consultation with the tribes regarding the proposed project is on-going.

Literature Cited

Hildebrandt, William R. and John R. Hayes. 2007 Settlement Pattern Change in the Mountains of Northwest California: A View from Pilot Ridge. In *There Grows a Green Tree*, Greg White, et. al., editors. Center for Archaeological Research, Davis, Publication 11.

U.S.D.A. Forest Service. 2015 Programmatic Agreement Among U.S.D.S Forest Service, Klamath National Forest; California State Historic Preservation Officer and the Advisory Council on Historic Preservation Regarding the Westside Fires Recovery Project.

U.S.D.A. Forest Service. 2013 Programmatic Agreement Among U.S.D.A Forest Service, Pacific Southwest Region (Region 5), California State Historic Preservation Officer, Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Processes for Compliance with Section 106 of the National Register of Historic Preservation Act for Management of Historic Properties by the National Forests of the Pacific Southwest Region.