

# **DISCOVERY AND MONITORING PLAN**

**for**

**A Class III Cultural Resource Inventory of Approximately Nine Miles of Fiber Optic Right-of-Way for Plumas Sierra Rural Electric Cooperative's Mid-Mile Fiber Project, Washoe County, Nevada and Sierra and Lassen Counties, California**

*Prepared for*

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*Submitted to*

**Department of Commerce, National Telecommunications and Information Administration**

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and

**Bureau of Land Management**

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## **Introduction**

This document represents a Discovery and Monitoring Plan (Plan) for the evaluation and treatment of previously unknown or unexpected discoveries of cultural resources that may be encountered during construction of the Plumas Sierra Rural Electric Cooperative Fiber Optic Line in Washoe County, Nevada and Lassen and Sierra Counties, California. This Plan was prepared at the request of the Bureau of Land Management (BLM). The objectives of the Plan are to 1) protect existing and known archaeological sites and historic properties in the vicinity of proposed ground disturbing activities; 2) establish procedures (pursuant to 36 CFR 800.13) to be implemented should previously unidentified archaeological sites that appear to meet one or more National Register criteria be encountered during ground disturbing activities (herein a “discovery”); and 3) set forth a plan of action that conforms with the Native American Graves Protection Act (NAGPRA) for discoveries of human remains or items of cultural patrimony.

Regulations for the protection of cultural resources on public and tribal land include the Archeological Resource Protection Act (ARPA) codified at 43 CFR 7; and the American Graves Protection and Repatriation Act (NAGPRA) codified at 43 CFR 10 that protects Native American funerary items and/or physical remains. In addition, ARPA provides for the assessment of criminal and/or civil penalties for damaging cultural resources, human remains, items of cultural patrimony, and sacred objects or funerary items. In addition to federal laws, various state antiquities laws may also be relevant.

## **Protection of Known Archaeological Sites**

Between April 13 and May 5, 2011, Western Cultural Resource Management, Inc (WCRM) conducted a Class III Cultural Resources Inventory of approximately nine miles on both private and BLM-administered lands located between Reno, Nevada and Hallelujah Junction, California. The Class III project area encompasses only the area where surface disturbance would occur, as identified in the NTIA APE. A file search was performed as a part of the Class I preliminary research for the entire 183-mile long project area.

The Class III cultural resources inventory resulted in the identification and documentation of six previously unrecorded archaeological sites and 11 isolated finds. Additionally, six previously recorded sites were relocated and updated as necessary. The newly recorded sites consist of three historic debris scatters and three prehistoric lithic scatters. The updated previously recorded sites consist of segments of the old U.S. Highway 395 route, a historic debris scatter, a multi-component site (Old Evans Ranch), and three prehistoric lithic scatters. Of the twelve sites, one is recommended as NRHP eligible (the old U.S. Highway 395 route, site CA-LAS-2232-H); two

sites are recommended as “unevaluated” (prehistoric site C04 and previously recorded site 46-720H, the old Evans Ranch); the remaining nine sites are recommended as Not Eligible.

### **Archaeological Monitor**

Archaeological monitoring by a qualified cultural resources specialist is necessary to ensure that there are no adverse impacts to significant cultural resources during project construction. Monitors should be present during construction in the vicinity of all NRHP eligible or unevaluated sites and all other ground disturbing activities.

Monitors should have appropriate regional experience as well as experience on historical, architectural, and Native American resources. Archaeological monitors will be equipped with the necessary field equipment to map and document any inadvertent finds or non-compliance incidents. The monitor will keep daily logs on monitoring locations and results and will regularly prepare reports of unanticipated finds, NRHP evaluation recommendations, and mitigation decisions for the Project Archaeologist. The Project Archaeologist will submit a report to the lead federal agencies and the client.

### **Native American Monitor**

Government-to-government consultation with the Reno-Sparks Indian Colony and the Susanville Indian Rancheria (a direct connect partner) is ongoing concerning the current project; the presence of a tribal monitor has been requested by the Reno Sparks Indian Colony. If a tribal monitor is approved and available, reporting of results would be discussed and documented in a letter agreement between the NTIA, the BLM, and the Tribes.

### **Operator Training**

As part of the Construction Award documents, Plumas Sierra Rural Electric Cooperative (PSREC) will provide pre-construction training to the successful bidder and relevant PSREC personnel. The purpose of this training is to inform operators and supervisors of the provisions of Archaeological Resource Protection Act (ARPA) and the civil and criminal penalties for collecting artifacts and cultural materials or damaging archaeological sites on public lands. The training will also instruct operators and supervisors on the types of cultural materials that are likely to be discovered and the manner in which materials that require tribal monitor's inspections are identified. The monitor is present due to potential cultural resources sensitivity; however, in the event that a monitor is not present and an inadvertent discovery is identified (whether it is artifacts, features or human remains), work will halt within 100 meters of the construction and the BLM will be contacted immediately.

## **Unexpected Discoveries**

The potential exists for locating unanticipated discoveries during the installation of underground fiber cable. If discoveries are made, the BLM Carson City Field Office Manager and archaeologist, and SHPOs, will be notified within one business day of the discovery. A method of integrating the discovery into a data recovery plan will be proposed by the BLM, SHPO, and the archaeological consultant, and presented to NTIA.

Discoveries will require that all activity in the vicinity of the find ceases and notification be made to the Field Manager, Carson City Field Office, by telephone with written confirmation to follow, immediately upon such discovery. The location of the find will not be publicly disclosed and if present, human remains will be secured and preserved in place until a Notice to Proceed is issued by the authorized officer. The BLM would be responsible for contacting the NTIA, consulting tribes, Caltrans and/or NDOT, and the SHPOs.

A written letter of notification will be submitted to the BLM within three days concerning the discovery of human remains pursuant to NAGPRA. If private lands are involved, the Nevada Indian Burial Law (NRS 383.170) or the California Native American Historical, Cultural and Sacred Sites Act (California Public Resource Code, §5097.9); Archaeological, Paleontological and Historic Sites (California Public Resource Code, §5097, et seq.); Health and Safety (California Public Resource Code, §7050.5) may be relevant. For this federal undertaking, the construction is primarily on federal or federal/state right-of-way lands so the applicable federal laws concerning the inadvertent discovery of human remains are NAGPRA and ARPA.

## **Treatment of Discoveries**

The discovery of archaeological deposits that appear to meet one or more of the National Register criteria or contribute to the significance of known sites constitutes a discovery. When a discovery is made, the BLM will be contacted. The BLM will contact the coroner (if human remains are involved) and consult with the SHPOs and appropriate tribes. An evaluation of cultural resources or human remains will be conducted to determine the nature and areal extent of the deposit. Measures to restrict access to sensitive resource areas will be addressed. The cultural resource consultant shall provide the BLM with adequate documentation concerning the discovery including IMACS or California Parks and Recreation site forms (for previously unrecorded site); for known sites, site forms will be updated.

A formal treatment plan for major discoveries may be warranted. The BLM in consultation with SHPO and Tribes will make a determination and approve proposed treatment following receipt of adequate documentation.

Following the disposition and treatment, a Notice to Proceed will be issued when all decisions concerning the disposition and treatment have been met.