

Thank you for your comment, Pat Flanagan.

The comment tracking number that has been assigned to your comment is SolarM60217.

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Solar Energy Development PEIS  
Comment ID: SolarM60217

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Attachment: Cultural Constraints, CDCA, ASM.pdf

Comment Submitted:

Solar Energy PEIS – Solar Energy Study Areas  
Argonne National Laboratory  
9700 S. Cass Avenue  
EVS/90  
Argonne, IL, 60439 Delivered via electronic mail through the project website.

Re: Scoping Comments on the Solar Energy Study Areas for the Solar PEIS

Please accept these comments on behalf of the Mojave Desert Land Trust. The Land Trust has also signed on to the overall comments and California attachment submitted jointly by The Wilderness Society and the Natural Resources Defense Council. We, however, feel an obligation to offer additional comments on 1) the “light blue” areas in the eastern Mojave Desert, in particular those areas in the Morongo Basin adjacent to the 29 Palms Marine Corp Base including the communities of Twentynine Palms, Wonder Valley, Joshua Tree, and San Bernardino unincorporated county lands, and 2) the lack of meaningful tribal participation at the front end of this large project which could impact, or erase entirely, significant sacred areas.

We are a local land trust with 900 members, using land acquisition, stewardship, and education to protect our desert ecosystem and its cultural and scenic resources. In the past two years we have acquired over 15,000 acres of private land within the desert national parks for transfer to the National Park System.

A cornerstone of our work in the Morongo Basin is the preservation of functioning ecological linkages. Our roadmaps are the South Coast Wildlands reports, in particular the recently released: A Linkage Design for the Joshua Tree – Twentynine Palms Connection. [www.scwildlands.org](http://www.scwildlands.org). The cover of the report has been inserted below for your reference. Shape files for are available from Kristeen Penrod [kristeen@scwildlands.org](mailto:kristeen@scwildlands.org).

Our partners in this effort include Joshua Tree National Park and the 29 Palms Marine Base. The Marine Base is concerned that encroachment by sprawl development at their borders will threaten their ability to train. The National Park is concerned that development adjacent to its boundaries will degrade essential habitat values protected as wilderness within their boundaries. The conservation of wildlife linkages will not only relieve encroachment threats but will support the tourist economy and preserve the quality-of-life values important to residents and business in the Morongo Basin. The Department of Defense, the Department of Interior, local cities and San Bernardino County understand the consequences of becoming island of biodiversity in a sea of development and are investing time in planning and allocating financial resources to avoid this possibility.

1. The “light blue” lands in the Morongo Basin and areas south and east of the 29 Palms Marine Base are identified on the SESA map as non-SESA lands under consideration for solar development. There is great confusion by local communities and water districts as to what this means on a map displaying the PEIS SESAs which we are commenting on. In the Morongo Basin, solar development in the non-SESAs would cause unacceptable and irreparable damage to ecological linkages (see map below), military lands, adjacent federal park lands, and visual resources. Any large scale solar development would use scarce and nonrenewable water supplies and jeopardize the economy of the gateway communities in the Morongo Basin. We suggest that areas outside the SESA boundaries be removed from the map and consideration for large scale renewable energy projects. We concur with the

rational presented by the Wilderness Society and NRDC in their comment recommendation “To avoid unacceptable and irreparable damage to areas like Otero Mesa and other lands which are currently identified in the SESA maps as non-SESA lands under consideration for solar development, BLM should identify appropriate SESAs, designate them as SEZs through the PEIS process, and restrict solar development to those SEZs which are included in the Final PEIS and ROD unless and until a need for additional development areas is shown.”

2. In order to assist our work in the Mojave Desert the Land Trust contracted with Russell Kaldenberg of ASM Planning and Research Collaborative to prepare A Constraints Study of Cultural Resource Sensitivity within the California Desert and map. This document identifies and the map indicates the areas of prehistoric and historic cultural sites important to tribes today. The Constraints study is not a complete listing but incorporates BLM ACECs and other locally identified areas.

The report is attached and a low resolution map is shown below. A high resolution map (11MB) can be sent on request. The Center for Biological Diversity has included this information on their map submittal. The following are a partial list of cultural areas which we believe tribal members, if aware, would respond with concerns.

Pisgah: see Constraints map and explanations

This SESA is situated in a rich cultural area surrounding the Mojave River and dry lakes (Troy, and Cronese) which were inhabited in wetter times as far back as 9,000 years or older. This area needs to be thoroughly inventoried.

#55 Troy Dry Lake, east of Newberry Springs, was the subject of work in the 1950s by Ruth D. Simpson. The area, which has no designation, has been partially inventoried, but most has not been surveyed to professional standards. Based upon information from the San Bernardino County Museum and personal field visits (Kaldenberg), the area contains geoglyphs, habitation sites, lithic scatters, rock art, and isolated hearths on both sides of Interstate 40.(Constraints, page 36)

Iron Mountain: see Constraints map and explanations

The Salt Song Trail (not covered in Constraints) incorporates the sacred landscapes and cultural areas of the Nuwuvi, Southern Piute (14 bands) across four states. These landmarks are described in the Nuwuvi Salt Songs and represent ancient villages, gathering sites for salt and medicinal herbs, trading routes, historic sites, sacred areas, ancestral lands and pilgrimages in a physical and spiritual landscape of stories and songs. Bands outside California may have an interest in siting of energy projects and utility corridors. Source: The Cultural Conservancy, San Francisco State University Department of American Indian Studies. The Salt Song Trail Project – contact Philip Klasky pklasky@igc.org (415) 561-6594.

For additional information on the importance of the Iron Mountain and Ward Valley area contact The Native American Land Conservancy, Kurt Russo, Ex. Dir. frkvalues@aol.com, 800-670-6252.

Riverside East: see Constraints map and explanations

#43 and 44 - Palen Dry Lake and Sidewinder Well ACEC. This area is noted in Constraints (Page 3) as one of those dry lakebeds that have so many cultural resources “that the story of the peopling of the Americans could be told from the material remnants of culture found on their shorelines.”

...Archeologists such as John Cook, Dr. Emma Lou Davis, Dennis Gallegos, Judyth Reed, and Eric Ritter surveyed the area and concluded that all of the shorelines contain significant archeological resources associated with stands of fresh water that once filled the lake. The entire area surrounding the dry lakebed is extremely sensitive. Palen Dry Lake’s geographic area of significance is indiscernible from Sidewinder Well and the polygon indicating the geographic extent of the two ACEC is combined on the map accompanying this document. (Constraints, Page 34)

#47 The South McCoy Mountains was proposed as an ACEC but was rejected because Class L designation would seemingly protect the resources. The McCoy Wash Petroglyph Site was documented by Daniel McCarthy and listed in the NRHP as the result of his Master’s thesis project for the University of California, Riverside. A power line forms the western boundary of the archeological complex. The petroglyph site is just inside the McCoy Mountains wilderness Area. This area is extremely sensitive to any ground disturbance. (Constraints, Page 35)

#48 Ford Dry Lake ...potentially import...should be restudied (Constraints, Page 35)

103d. A purported Papago Creation site north of desert Center has been indicated on the map based upon public concern for the location. Research regarding the site needs to be conducted. (Constraints, Page 45)

We appreciate the opportunity provided to make these remarks, especially your willingness to extend the comment period. This letter in no way implies that the Mojave Desert Land Trust is opposed to renewable energy development in the California Desert. We do, however, want to be part of a solution which locates the most appropriate areas for development. We look forward to being a continuing part of the process.

Sincerely,

Pat Flanagan

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**A CONSTRAINTS STUDY  
OF CULTURAL RESOURCE SENSITIVITY  
WITHIN THE CALIFORNIA DESERT**

*Prepared for:*

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July 2008



# TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
<b>ACKNOWLEDGMENTS.....</b>	<b>iii</b>
<b>PREFACE.....</b>	<b>iv</b>
<b>1. INTRODUCTION AND BACKGROUND .....</b>	<b>1</b>
THE BASIS FOR THE INFORMATION CONTAINED WITHIN THIS REPORT....	1
WHAT INFORMATION HAS BEEN GLEANED FROM THE CALIFORNIA DESERT PLAN? .....	1
CERTAIN TYPES OF SITES SHOULD ALWAYS BE CONSIDERED TO BE SIGNIFICANT .....	2
GENERAL DESCRIPTION OF ARCHAEOLOGICAL RESOURCES CONTAINED WITHIN CDCA .....	4
SOME IMPORTANT DEFINITIONS TO BETTER UNDERSTAND CULTURAL RESOURCE MANAGEMENT (CRM).....	5
What is a cultural resource? .....	5
What is Cultural Resource Management (CRM)? .....	6
What is an historic property?.....	6
What is a cultural landscape?.....	7
What is an Effect Or Affect? .....	7
What is an undertaking?.....	7
What is the State Office of Historic Preservation (OHP)? .....	7
What is a Tribal Historic Preservation Officer (THPO)? .....	8
What is the Advisory Council on Historic Preservation (?). .....	8
HISTORY OF BLM INVOLVEMENT: WHAT HAS AND WHAT HAS NOT BEEN DONE .....	8
THE REGULATORY CONTEXT OF CULTURAL RESOURCE MANAGEMENT .....	12
WHAT HAS TO OCCUR LEGALLY BEFORE A PROJECT CAN BE APPROVED? .....	19
How Does the Public Become Involved?.....	19
WHAT SHOULD TRIGGER PUBLIC REVIEW OR INVOLVEMENT?.....	21
NATIVE AMERICAN INVOLVEMENT IN THE REVIEW OF PROJECTS UNDER NHPA .....	21
SPECIFIC SENSITIVE AREAS WITHIN THE CDCA. ....	22
<b>2. THE IDENTIFICATION AND DESCRIPTIONS OF PLACES THAT     MATTER WITHIN THE CDCA .....</b>	<b>25</b>
IMPERIAL COUNTY .....	25
INYO COUNTY .....	28
KERN COUNTY .....	32
RIVERSIDE COUNTY.....	32

---

# TABLE OF CONTENTS

(continued)

<u>Chapter</u>	<u>Page</u>
SAN BERNARDINO COUNTY .....	36
SAN DIEGO COUNTY .....	42
HISTORIC ROUTES AND OTHER LARGE-SCALE FEATURES.....	42
SITES WITHIN THE CDCA LISTED IN THE NRHP .....	46
<b>3. RECOMMENDATIONS .....</b>	<b>63</b>
<b>4. SUGGESTED READING .....</b>	<b>65</b>
<b>APPENDICES.....</b>	<b>73</b>
APPENDIX A. National Programmatic Agreement Document Among the BLM, ACHP, NSHPOs	
APPENDIX B. California Protocol Agreement Document between California BLM and the California SHPO	
APPENDIX C. BLM ACEC Management Plans – Bound Separately	
APPENDIX D. Map – Located inside back cover posket	

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Many people and organizations assisted in the completion of this document. My gratitude goes to them. Among those who assisted with the vision of producing such a document are Joan Taylor, Elden Hughes, Buford Crites, representatives and staff of the Mojave Desert Land Trust, and many other members of the environmental community in the California Desert. John Cook, Susan Hector, Don Laylander, Jerry Schaefer, Catherine Wright, Marcia Sandusky, Alice Brewster, Zee Malas, Tyshanna Belcher and Russell Tanner from ASM all played an important part in making certain that this study was completed and met standards demanded by those who practice cultural resource management. Dennis Casebier from the Mojave Desert Heritage and Cultural Association, Goffs, California; Clifford Walker from the Mojave Desert Museum in Barstow, Jay von Werlhof from the Imperial Valley Museum, Dee Schroth and Robin Laska from the San Bernardino County Museum and California Historic Resources Information System (CHRIS), Rolla Queen, Ken Wilson, Sally Murray, Wanda Raschkow and Ruth Musser, from the Bureau of Land Management all gave tremendous support in making certain information was available to complete the study. Thanks to one and all.



## **PREFACE**

Having an inkling of what is culturally important within the state of California is a concept that is long overdue. During over 30 years of working for three departments of federal service, as well as serving on the California Historical Resources Commission as the Governor's representative for Prehistoric Archaeological Resources during the late 1990s, I was always surprised that the public wrote few comments on cultural resource issues. The exception was that the public often commented on issues related to the modification or impacts on historic era buildings, particularly "California Bungalows." In over three years of serving as a political appointee, there was not a single comment by the public to me as a commissioner on any prehistoric cultural resource. Even attempting to recruit such comments failed. It was the historic built environment that often received passionate comments. Since the prehistoric archaeological sites throughout California are scientifically and culturally important, and in they are in danger of being lost, I often wondered why the public chose not to provide comments. I think that much of the reason for this is that the reviewing public is often confused about prehistoric resources; even the terminology used, such as cultural resource or historic property, is not within the mainstream vocabulary of most people.

This is a first attempt at providing the Mojave Desert Land Trust and other environmental organizations with information that will help them decide when and where to best put their scarce resources to work and to comment upon proposed projects that may affect the significant or important heritage values found within the California Desert. This is not all-inclusive but is a building block from which to make those decisions to provide comments on projects, provide input on land exchanges or sales, and be able to work with agency personnel and talk about the preservation or the removal of historic properties that are important to the local communities found within the broad desert of southern California. The information contained within this report primarily focuses on those resources found on the public lands within the California Desert Conservation Area. The Bureau of Land Management (BLM) is responsible for the management of the resources. This is report documenting the Areas of Critical Environmental Concern (ACEC) established because of important cultural resources. It also contains proposed ACECs that for one reason or another were not adopted by the BLM, and information gathered from professional archaeologists, both working for agencies, academia and consulting fields. Lastly, information presented here was gathered from concerned citizens who care about cultural resources as a part of the overall environmental setting.

There is no law that prohibits the planned destruction of the resources as long as a legal process had been adhered to. However, by using the designated process outlined in the laws that are described in this document, I believe that a more meaningful process can be instituted which allows a better analysis of the impact of proposed projects on cultural resources throughout the California Desert. The attached discussion of identified significant places will help decide which cultural resources should be identified as those that should not be disturbed without very careful planning, review, and consideration. In the vernacular sense, the locations

that are presented in this document are “places that matter, and places that count.” If they are lost to future generations our nation will be the poorer.



# **1. INTRODUCTION AND BACKGROUND**

## **THE BASIS FOR THE INFORMATION CONTAINED WITHIN THIS REPORT**

This document serves as the narrative for an overview of the sensitive cultural resources within the California Desert Conservation Area (CDCA). It is called a Constraints Study because the study uses cultural resource information to identify and locate the known constraints of the numerous polygons that have been placed on maps and discussed within the narrative of this report (See Cultural Resources Constraints Map). The polygons do not display exact boundaries of the cultural resources, but are spots on the map where the public should be able to raise questions to decision-makers about consumptive use of the land as it is impacting important historic, prehistoric, or traditional cultural places. This is not an exhaustive study, rather a starting place for the public to begin understanding the importance of some of the cultural heritage sites located within the CDCA.

## **WHAT INFORMATION HAS BEEN GLEANED FROM THE CALIFORNIA DESERT PLAN?**

The draft, final, and amended versions of the California Desert Plan were used extensively in the preparation of this document. Personal knowledge regarding the cultural resources found in and around the California Desert, perusals of personal notes and remembrances, and interviews with knowledgeable archaeologists, historians, ethnographers, and avocationalists who have knowledge that needs to be captured were extensively used. Some of the folks knowledgeable about the issues have passed on, but to the best of my ability, knowledge important to this study has been documented and was used here. Institutional knowledge from people who know the cultural resources in this huge Desert landscape needs to be recorded while it is possible to do so. The first generation of cultural resource managers is retiring; those hired during the early 1970s have information regarding the vast array of cultural resources found within the study area, and much of their knowledge needs to be preserved while it can be. This could be done through an Oral History program; but that is the subject of another study.

This is not a comprehensive look at all of the cultural resources found within the CDCA, but instead a capsule view of cultural resources that are considered to be particularly important. In this context, “important” means that the resources are significant and that they are sensitive to disturbance from projects proposed on or near them. Disturbance is construed to mean any alteration of the physical cultural resource or its setting. Such effects should be examined and carefully analyzed before disturbance of the resource is permitted. Vandalism or unsanctioned disturbance of the resources is not covered in this document, but this should be discouraged through education, inculcation of conservation ethics, and law enforcement action. In terms of federal preservation law, the resources that are covered here are those listed in or eligible for

listing in the National Register of Historic Places (NRHP), which was created in 1966 by the passage of the National Historic Preservation Act (NHPA). California also has a state Register of Historical Resources. In this document, the two registers are considered to be equivalent.

All archaeological, historical, ethnohistoric, or Native American sites mentioned in the following text are considered to be potentially sensitive even if they have not been studied. There are some caveats concerning sensitivity. Intensively used areas that once contained important cultural resources may now contain only vestiges of those resources, but careful consideration is essential, since many archaeological site contexts are three dimensional: sites may be buried or covered with wind-blown dust.

Interstate highways (I-8, I-10, I-15 and I-40) have traversed through sensitive archaeological sites and probably destroyed many of them before consideration of cultural resources was a mandatory part of environmental analysis. Generally, the Interstate Highway System in California extended across many areas near important archaeological sites but, looking at archaeological site maps at the California Historical Resources Information System (CHRIS), it appears as the highways either avoided extremely sensitive sites or destroyed them in the process of construction. so only remnants of the resources are left. There are exceptions: one that is discussed in this document and that has known cultural resources which is traversed by Interstate 40 is the Troy Dry Lake area. There are undoubtedly others.

## **CERTAIN TYPES OF SITES SHOULD ALWAYS BE CONSIDERED TO BE SIGNIFICANT**

All rock art sites are significant, sensitive, and important both to science and to native peoples. There are thousands of these sites within the CDCA; the majority have not been properly documented. Rock art sites include petroglyphs, which are images chiseled into stone; pictographs, which are images painted on rock surfaces (pictographs can also be painted onto petroglyphs, as is evidenced in the Rodman Mountains); rock alignments, which are just as the phrase suggests; geoglyphs, which are rock alignments that make designs that are often abstract; and intaglios, which are geoglyphs formed by tamping the earth repeatedly so the tamping leaves an impression.

An excellent reference to the rock art of the desert is David S. Whitley's 1996 book entitled "A Guide to Rock Art Sites Southern California and Southern Nevada." One would also need to read volumes 1 and 2 of Jay von Werlhof's "Spirits of the Earth" published in 1987 and 2004, for an overview of the significant geoglyphs found throughout the areas of the desert. The geoglyphs located in the Colorado Desert have been listed in the National Register of Historic Places, but those found throughout the remainder of the California Desert have not been listed in the NRHP. This simply means no one has taken the time to fill out the forms to list them. Several geoglyphs have been identified as Areas of Critical Environmental Concern, particularly in Imperial County, and others such as the large geoglyphs in Panamint Valley were transferred to the National Park Service and are managed by Death Valley National Park.

Many riparian areas, springs, and dry lakebeds contain significant cultural resources, or contained them at one time. Not all dry lakebeds are culturally significant; one has to look at each one on a case-by-case basis. There are dry lakebeds that have few extant cultural resources, and others having so many that the story of the peopling of the Americans could be told from the material remnants of culture found on their shorelines. Lake Cahuilla in the Coachella and Imperial valleys, Searles Lake in the Searles Valley, Troy Lake near Barstow, China Lake near Ridgecrest, Palen Lake near Desert Center, and Panamint Lake near Trona are just a few examples of extinct lakes that may be able to assist in telling this story. These geological features also were significant during the historic era, since many contained surface water in the 1800s, which influenced stage routes to be built to them, or mineral deposits, which attracted historic mining interests, or water close to the surface, which attracted early agricultural ventures. An excellent reference on ancient Lake Cahuilla is the Salton Sea Atlas published by ESRI Press in 2002 and its article on the importance of the lake by Dr. Jerry Schaefer.

Often, the older the archaeological site the more it is valued by scientists. Questions of when North America was occupied and by who is an important question scientifically and for the heritage of some Native Americans. Sites to which Native peoples can trace their lineage or ancestry are significant.

Also, I cannot think of a cemetery, either an aboriginal cemetery or one containing people who immigrated here, that is not significant to someone. California Health and Safety Code, Section 7050.5 makes all burial locations a cemetery, subject to California cemetery laws. When encountering a burial, the county Coroner has to be informed and it is up to the Coroner to determine whether the remains are those of a deceased individual or of a crime victim and whether the individual is suspected to be Native American and if the California Native American Heritage Commission should be contacted.

Reviewers should use the present document cautiously. Any ground-disturbing project needs to have the lands within its Area of Potential Effects (APE) examined prior to any decision made about the effect of land disturbance.

The term APE comes from 36 CFR 800 regulations. In 36 CFR 800.4 (a)(1), the regulation states that, as part of the scoping of a project, the APE must be defined. The APE is defined by the agency in consultation with various interested parties, but always including the State Office of Historic Preservation (OHP). It is a geographically identified area where the project may have effects on significant cultural resources, which, for the purpose of compliance with federal cultural resource laws, are called historic properties. An APE may involve a much greater areal extent of land than those identified to be physically disturbed as the result of a proposed project. As an example, a right-of-way for a power line may be 100 feet in width but, considering potential construction and maintenance activities during the life of the project, the APE may be defined as 500 feet or 1000 feet in width. Or, an APE may be considered to be an identified Cultural Landscape encompassing a viewshed which may be an entire valley or

drainage. Just when and where an APE begins and ends is often determined by dialogues among various entities.

If there are questions concerning an APE, or if a project may affect a significant cultural resource (historic property), the user of this document should consult a cultural resource specialist as a first step in understanding how the APE boundaries were determined. The public can then ask what options may be available to recommend modifying the identified APE.

Many of the identified sites that follow will jump out at the reader as being significant. The reader should remember that less than 12 percent of the desert has been inventoried in the last 35 years. At this rate of survey and documentation, it will take nearly 300 years before we can firmly state that we know everything we need to know about the location and distribution of the sensitive cultural resources of the desert.

## **GENERAL DESCRIPTION OF ARCHAEOLOGICAL RESOURCES CONTAINED WITHIN CDCA**

The Federal Land Management and Policy Act (FLPMA) recognized that the California Desert contains irreplaceable cultural resources within its boundaries. The lands identified by Congress were to be managed as the CDCA. During the development of the California Desert Plan, the Bureau of Land Management (BLM) authorized the hiring of specialists to conduct a sample inventory of the public lands and to document and evaluate archaeological and historic resources. Contracts were also funded to conduct archaeological overviews and random sample surveys within most of the California Desert District. Native American cultural resources were also assessed as “sacred sites” and Native American Traditional Areas. In toto, approximately 1 percent of the CDCA was randomly or purposively inventoried by the BLM to plan for the long-term management of these resources. Predicting that another 4 % of the area had been inventoried by various individuals or organizations over the past 50 years, it appears that approximately 5% of the resources were documented in some manner.

The resources that were studied included the following:

- **Prehistoric Native American** resources, that is, those that exist as the result of people leaving evidence of having lived within the CDCA before the first advent of Europeans. Using current archaeological theory, this would date from approximately 12,000 Years Before The Present (BP) until around 1769 A.D. The first known incursion of Spanish into the California Desert was probably that of Melchior Díaz, who crossed the lower Colorado River in 1540, but a substantial presence came only in the late eighteenth century. Father Serra founded Mission San Diego and traveled up California’s west coast in 1769. The Anza expeditions of 1774 and 1775-1776 crossed the Colorado Desert. In 1776 Father Garcés crossed the Mojave Desert and made contact with the indigenous native peoples. In the California deserts, archaeological sites dating to before 1769 are considered prehistoric.

- **Historic-era** resources are considered ethnohistoric if they contain artifacts identified as being primarily from aboriginal cultures but dating to after European contact.
- Artifacts of historic American (European-based culture) are those that date to after 1769, and generally after 1800. There has been some suggestion that Spanish or Mexican miners may have worked gold and silver mines in the California Desert, for instance at Tumco in the Cargo Muchacho Mountains in Imperial County, in earlier times but there is no documented evidence to support these claim.

Prehistoric sites were described during the BLM inventory stage as villages, temporary camps, utilized shelters/caves, milling stations, lithic scatters, quarry sites, pottery loci (scatters), cemeteries, cremation loci, intaglios, rock alignments, petroglyphs, pictographs, trails, roasting pits, isolated finds, cairns, and the catch all, “others”.

Historic sites were classified as towns, camps, homesteads, roads, trails, mines, railroads, graveyards, trash dumps, military sites, and “others”.

By the end of 1980, 14,200 archaeological sites were known, of which 2,903 were documented as a result of the Desert Plan inventory (see Volume D, Final Environmental Impact Statement and Proposed Plan, Appendix VII Cultural Resources and Appendix VIII Native American, September 1980). The BLM felt comfortable that it knew the location of approximately 5 percent of the archaeological sites within the CDCA. Today, the figures vary from 7 to 15 percent. There has been no general inventory of the CDCA since the time of the Desert Plan; most of the inventory work has related to looking for archaeological sites as the result of proposed projects such as power lines, pipelines, wind projects, mines, dumps, and other ground-disturbing activities.

## **SOME IMPORTANT DEFINITIONS TO BETTER UNDERSTAND CULTURAL RESOURCE MANAGEMENT (CRM)**

### **What is a cultural resource?**

For the purposes of this document, a cultural resource is an archaeological site or place, an historic site or place, a place important to Native peoples in the California Desert because of its association with the sacred or the traditional, or any place important to Americans as a location containing a vestige of something important to carrying on a vestige of their American culture.

It can be defined as a place with physical manifestations of culture or with intangible resources, such as a landscape where a *creator* discussed in the lore of Native peoples did something, lived, or died. Such places are present within the CDCA. They are identified as “Traditional Cultural Places” or shortened to TCPs.



Some people would say the Integretron, built in the 1950s near Giant Rock in Johnson Valley, San Bernardino County is a special place (although it is not listed here, because it is on private land) and would be considered a traditional cultural resource by people who consider Mr. George Van Tassel, an extraordinary individual and to have been a representative of their point of view regarding extra-terrestrial contacts in the desert.

Still, others may think of the Loskot Meteorite fields near Baker, California, as a cultural resource even though it is not cultural but a physical location. Mt. Shasta, in Northern California and Tecate Peak (Cuchama) along the Mexico/California border, are both physical landmarks that are cultural resources because of their use by people as places that matter to the lives of individuals and/or groups. The Topock Maze, an unusual series of rock alignments near Needles, California could be an important TCP due to the practices which created it and Edom Hill near Palm Springs could be a TCP because it is associated with Coyote Stories which have been important to Cahuilla people.

However, with the above caveat, most people think of a cultural resource as a place such as an archaeological site with physical remains that someone left of their use of the location. That is how agencies and the general public generally treat it.

### **What is Cultural Resource Management (CRM)?**

Cultural Resource Management is a relatively young discipline in the United States. It is essentially, a process of identifying, evaluating and administering (managing) the scarce elements of the cultural heritage. Often equated with archaeology, CRM in fact includes a range of types of feature including, but not limited to: “cultural landscapes, archaeological sites, historical records, social institutions, expressive cultures, old buildings, religious beliefs and practices, industrial heritage, folklife, artifacts [and] spiritual places.”

These resources do not exist in a vacuum, of course. Instead they are situated in an environment where people live, work, have children, build new buildings and new roads, require sanitary landfills and parks, need safe and protected environments. Dr. Thomas F. King has written extensively and very clearly about cultural resource management in a series of books, some of which are identified in the References Section of this study. Instead of calling practitioners of this discipline archaeologists, they are often generically called “Cultural Resource Management Specialists or Cultural Resource Specialists.” Throughout much of the world cultural resource management is a synonym for historic preservation.

### **What is an historic property?**

It is a cultural resource that may be a district, site, building, structure, or object and that is either listed or eligible for listing in the NRHP according to the criteria found within 36 CFR 60. The term relates to the NHPA and is not generally used outside of contexts involving compliance with federal historic preservation laws. It is used in this document as interchangeable with significant cultural resource.

## **What is a cultural landscape?**

Thomas F. King, in his 2007 book entitled “Saving Places That Matter,” defined it as “a broad term embracing a range of landscape types, other times to refer to a landscape that has some kind of special cultural value, such as a battlefield or a landscape associated with the traditions of an Indian tribe or other community.” The landscapes within the California Desert can be as varied as an archaeological sites situated on an alluvial fan, the World War II-era Desert Training Center and associated tank tracks found on the impacted desert pavement, or the archaeological sites associated with the visually identifiable Lake Cahuilla shoreline. There are also landscapes, for example, associated with Route 66, the 20 Mule Team Borax Road, and the Panamint Valley Geoglyphs.

## **What is an Effect Or Affect?**

These two words are always used in federal CRM reports and are linked to federal regulations dealing with reviews under Section 106 of the NHPA. Federal regulations will be discussed later in this document. These terms generally mean that there is an impact to a resource, in this case a cultural resource or historic property. There are many types of effects to cultural resources: effects from noise, impacts on the viewshed, and direct, indirect, or even perceived effects, such as a purported social impact to the property. For landowners there can also be an economic effect to a property caused by an undertaking. The words effect and affect is a homophone pair and are often used interchangeably but incorrectly. Effect is a noun and affect is a verb. Example: “What are the effects of the project to archaeological sites?” How did the project affect the archaeological site?” Had the writers of the regulations stuck with the word impact, describing results of projects to resources would have been much simpler for most people. In the jargon of CRM an action can only affect a historic property listed in or eligible for listing in the NRHP.

## **What is an undertaking?**

This has nothing to do with an undertaker or mortician. It is federal jargon within the Section 106 process of the NHPA that indicates that a land use action is proposed. When the project is approved it is often stated that the undertaking was approved, or Section 106 requirements were completed for the undertaking. It is something the federal agency undertakes or does.

## **What is the State Office of Historic Preservation (OHP)?**

OHP is the state agency, headed by the state official who is designated by the governor, that administers programs under the NHPA. This office must be consulted with under the NHPA in every step of the Section 106 process. The authority of the SHPO is limited to lands within their state. Projects that involve more than one state are generally governed by a Programmatic Agreement document signed by the various involved states, agencies and the Advisory Council on Historic Preservation. The State Historic Preservation Officer is referred as the SHPO (in the western U.S., pronounced “Ship-O”; in the eastern U.S. generally pronounced “Sha-Poh.”

## **What is a Tribal Historic Preservation Officer (THPO)?**

The THPO serves the same function as the SHPO for lands contained within tribal lands. Like SHPOS, THPOS have no regulatory authority outside of their reservation. THPOS often have interest in the cultural resources outside their reservation boundaries because the archaeological sites on lands outside of their reservations can be attributed to the ancestors of members of tribe. The National Park Service designates a tribe as a THPO after the tribe makes an application. The THPO is pronounced as “Thip-O” or “Tip-O.” Several tribes have been approved as THPOS within the CDCA. These include: the Agua Caliente, Big Pine, Bishop, and Timbisha tribes.

## **What is the Advisory Council on Historic Preservation (?)**

It is an independent federal agency established as a result of the NHPA that oversees and issues regulations for Section 106 review. It is also referred to as the Advisory Council or just the Council. The Council negotiates agreement documents on Section 106 undertakings including agency responsibilities to tribes. The Council is advisory and cannot approve or deny a project based upon identified or affected resources. They may only comment on effects of the undertaking.

## **HISTORY OF BLM INVOLVEMENT: WHAT HAS AND WHAT HAS NOT BEEN DONE**

Archaeological inventory and data gathering, artifact collection, the gathering of ethnographic accounts, and some levels of historic preservation have occurred within the greater California Desert since Europeans occupied the deserts. First, the desert was a place to cross to get to the gold fields of California or to the transportation centers along the coast. The accounts of such explorers as Garcés, Jedediah Smith, U.S. Army Captain Carlton, the Anza Expedition and the Manly Party of Death Valley Forty-Niners sparked an interest in the desert due to its desolation and the potential for instant riches.

Miners and homesteaders made their ways and focused their energy on mineral deposits and spring sites. These were the same spring sites that had been occupied by the Native American inhabitants of the land. The aboriginal inhabitants were moved from the most productive lands, leaving their artifacts and their remains, and subsequent technologies were left behind with every episode of land use. By the early 1900s large tracts of the land had gone into private ownership through purchase, homesteading, or railroad grants (alternate sections of land for 20 mi. north and south of the railroad). Communities sprang up to meet the needs of the railroad, agriculture, mining, or recreation. During the 1940s the military used desert lands in order to prepare for World War II. Nearly 2,000,000 acres of land were withdrawn from the Public Lands, which were then administered by the Government Land Office (GLO), the predecessor to the BLM.

With the close of WWII, technology such as the conversion of the Jeep from military to civilian use and the advent of other off-road vehicles such as motorcycles opened up the desert to intense recreation. Some of the recreation, particularly north of Los Angeles, near Barstow, and near El Centro, was considered to be extremely destructive and caused Congress to mandate that BLM administer its lands more effectively. In 1976, FLPMA became the organic act for the BLM, and among other things, it charged the agency to locate and manage archaeological sites for the public benefit.

The first archaeologist hired as a BLM employee was either Herrick “Rick” Hanks who was hired in California or Richard Fike who was hired by the BLM in Utah. The issue has been the subject of a friendly debate between the two for the past three decades. Both “Rick” and “Rich” were hired in 1972. Prior to that, the National Park Service (NPS) approved scientific permits for work on BLM lands. They authorized the only legal archaeology undertaken on public lands by recognized institutions under the American Antiquities Act of 1906. Much illicit collecting and excavation occurred, but the activity was largely unmanaged due to a lack of federal staff.

The earliest systematic archaeological surveys conducted by an organization in the California desert was by the Archaeological Survey Association of Southern California (ASA), which was formed in 1947. Much of ASA’s work was undertaken on the public lands. Sometimes they had permits issued by the NPS, but frequently they did not. They sometimes catalogued, mapped, and wrote about the work they did, but often they did not do so; their interest was in locating and saving the resources, not in what is now called curation. Curation of the artifacts they collected was not systematic.

The ASA archives are now housed as the ASA Foundation (ASF) at SRI in Redlands, California due to the generosity of money willed to the ASA by Ruth DeEte Simpson. Over the past few years, the collections have been made available to scholars, with some stipends to help fund research. As of this writing the ASF plans to dissolve and transfer its collections to the Department of Anthropology at California State University San Bernardino. The long-term challenge of these collections, as is the case with many early archaeological collections, is that the records were not well managed; the documentation of surveys, excavations, and cataloguing of artifacts were inconsistent and often lacked oversight. There will always be information gaps in their archival data because the people responsible for collecting the materials are now deceased and the records are gone; some were lost, others were never completed or retrieved from volunteers, and still others may have been destroyed as a result of a number of calamities such as in a legendary house fire which supposedly burned an inordinate amount of Mojave Desert collections in the 1960s.

When the BLM began staffing for the cultural resource component of the California Desert Plan, they faced almost 100 years of undocumented and haphazard collection of artifacts from sites, nearly 60 years of the NPS issuing permits for scientific investigation, and nearly 30 years of intensive collecting by the ASA and other local archaeological societies, museums, and clubs. The Desert Plan Staff (DPS) had to collect existing data and verify them in the field.

It also had to develop a standardized approach to information collecting and compile it in a useable format. The archaeologists devised a system of randomly placed sample transects; first the transects were quarter mi. squares (160 acres), then the system changed to survey units 1/16 mi. wide and 1 mi. long (80 acres).

This survey work was done before the advent of global positioning systems (GPS), using a compass and, if the surveyors were lucky, a 7.5-minute USGS quad map. Sometimes the maps used were 15-minute quads. Accuracy was “the best one could do under the circumstances.” Transects sometimes fell on inhospitable terrain such as the side of mountains in the Whipple Mountains, or on the dry playa of Palen Lake. Other times as a result of random sampling significant areas such as North Searles Valley, the Sierra Nevada Canyons, or parts of the Lake Cahuilla shoreline were omitted. Less than 5 percent of the California Desert was inventoried, which meant that BLM needed to learn about 95 percent of the landscape.

Many of the publically important or sensitive sites had been known for a long time; Corn Spring, in Riverside County, even had a county historical plaque permanently adhered among the petroglyphs panels. These known resources were a part of the database that was gathered before going into the field. Some spectacular sites were found by using the random sample transects, such as the work done by Eric Ritter, Richard Brook, and their crew in Saline Valley and Ritter’s identification of a standing wickiup and ethnohistoric-era pictographs in the Panamint Mountains.

Largely, though, the work of identifying the wide variety of cultural resources in the desert was to remain to be done during the implementation phase of the California Desert Plan, requiring money, staff, libraries, management plans, and research and management drive. It did not happen that way. American politics changed significantly in 1980, and the funding needed to implement the Plan was not allocated. Instead, a piecemeal approach was undertaken, and to this day, much of the archaeological identification effort relies on staff archaeologists in field offices, working with volunteers and site stewards, documenting archaeological resources, or else it relies on project-specific data collected by archaeologists working on behalf of proponents for projects such as power lines, gas lines, highway expansions, wind energy proposals, or solar energy projects.

The bulk of data in the CHRIS database have been collected as a result of proposed projects. Due to a general lack of federal funding, many of the idealistic goals of the Cultural Resources Element of the California Desert Plan have not been realized. It is not due to any lack of interest on the part of staff archaeologists. There are simply too many projects to review to be a proactive, as the mandates require. Conflicting interests are often at odds in multiple-use agencies such as the BLM or the US Forest Service; many of the decisions are politically driven, as the designation of Areas of Critical Environmental Concern (ACECs) and their boundaries often were. Mining, recreation, energy corridors, grazing issues, and other concerns have sometimes compromised the boundaries of ACECs, which are often modified, based upon public input. An example of an ACEC designation that recognized that much more extensive areas of public land contain archaeological resources is Corn Spring in the

Chuckawalla Mountains, where the area of known archaeological resources is several times larger than the ACEC. The boundary reflects the interplay between multiple-use determinations and the protecting resources during any public process. The recognition of archaeologically sensitivity areas were implied by the designation of ACECs and by the processes which were to occur as the California Desert Plan was implemented. As noted, this did not occur, and the identification process is still in progress nearly more than 35 years after the Department of the Interior recognized the need to identify and protect the desert's cultural resources.

The CDCA planning efforts produced significant archaeological reports edited first by Desert District Archaeologist Eric Ritter and then by Russell Kaldenberg. Nearly 20 volumes of archaeological data were published. These have been reproduced and made available again by Coyote Press of Salinas, California. Key general documents on the results of the work undertaken by the Desert Plan staff include:

- The Draft California Desert Conservation Area Plan Alternatives and Environmental Impact Statement, published in February 1980
- The Final Environmental Statement and Proposed Plan: California Desert Conservation Area, published in September 1980
- The California Desert Conservation Plan 1980, As Amended, published in March 1999

The Plan's discussion of cultural resource significance is found in Volume D, Appendix D, Volume VII, Part 4, which is the section that dealt with Cultural Resource Sensitivity/Significance Determinations. The sections states:

The concept of significance has been used in most laws, directives and regulations pertaining to cultural resource management (see Part 12) and is the key to the Sensitivity Mapping Record (which was developed for use in the Draft Plan) developed by staff. Inasmuch as each archaeological site contains bits and pieces of information that may enhance our understanding of past human activities, each site is potentially significant. However, it is generally accepted that defining significance of an archaeological phenomena requires some frame of reference, problem orientation, or geographic, temporal or other content. In the course of DPS's sensitivity analysis, locations or small regions containing or believed to contain one or a complex of sites were deemed more or less significant following the attached criteria.

The criteria employed in the sensitivity analysis were discussed in form order. Since the criteria were designed for the determination of areas of (1) very high, (2) high, and (3) moderate, low, or unknown cultural resource sensitivity/significance, comments were added which indicated that "because of the nature of the plan and the cultural resource inventories to date, the resources in all cases were given the benefit of the doubt." The approach then was "a liberal evaluation of significance because so much of the desert is simply unknown in terms of prehistoric or historic remains" (Volume VIII, Part 2, pg 32-33).

The criteria used to evaluate sensitivity were by broad desert subregions and were defined by the following criteria:

- 1) site density
- 2) site variance
- 3) site distribution
- 4) site diversity
- 5) site complexity
- 6) uniqueness/rarity of the resource
- 7) current field research interests
- 8) potential scientific use
- 9) aesthetic values for recreation
- 10) integrity of the surrounding environment
- 11) socio-cultural (ethnic) use or concern
- 12) historic-ethnohistoric documentation, which was also called heritage interest.

For example, using criterion 1, site density, a mathematical model based upon the data that were collected found that the highest-ranking geographic subregion was the Anza-Borrego and Yuha areas, because they had the highest site densities. The Southwestern Great Basin, Mojave Basin, eastern Colorado Desert and western Colorado Desert subregions were high, and the lowest rankings based entirely on site density were the central Colorado Desert (generally east of Indio to the Colorado River) and the northeast Mojave (near the Nopah Range).

In order to reach a conclusion as to the significance of resources in the CDCA according the Desert Plan, each of the variables was combined with intuitive and judgmental knowledge of the geographic regions studied and polygons were drawn indicating the areas of significance and sensitivity.

This pioneering effort formed the basic framework for identifying sensitive cultural resources and for managing them. This management framework is still used today to identify and manage the cultural resources of the CDCA. It has withstood the test of time, but as discussed previously, monies have come only sparingly.

## **THE REGULATORY CONTEXT OF CULTURAL RESOURCE MANAGEMENT**

The Antiquities Act of 1906 (34 Stat. 225, 16 U.S.C. 431-433) marked the beginning of American governmental policy concerning historic preservation on public lands. It established that no person may appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument or any object of antiquity on lands owned or controlled by the federal government without permission of the governmental department having jurisdiction over the lands on which such antiquities are located. Criminal penalties in the form of fines and/or imprisonment were established for those found guilty of violating this provision. The act established the authority of the Secretaries of the Interior, Agriculture, and War (now Defense) to issue permits to

qualified institutions for the study of such ruins and collection of materials covered under the act.

The permit system authorized under the 1906 act was substantially revised by the 1979 Archaeological Resources Protection Act (ARPA; Public Law 96-95; 16 U.S.C. 470aa-mm), which defined much more clearly what was meant by archaeological resources, established severer penalties for the illegal removal of resources located on public lands or Indian lands, and in Section 4 refined the definition of who is qualified to obtain a permit for “furthering archaeological knowledge in the public interest.” Permits are issued to qualified individuals and firms to document and evaluate archaeological resources pursuant to the tenets of the NHPA.

The Historic Sites Act of 1935 (49 Stat U.S.C. 666, 16 U.S.C. 461-467) declared “it is national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.” The Department of the Interior was directed to secure, collate, and survey sites and buildings commemorating or illustrating the history of the United States. This law was the basis for the establishment of the Historic American Buildings Survey/Historic American Engineering Records, the Historic American Landscapes Survey, and the National Historic Landmarks Program. The Act directed tablets to be placed at historic or prehistoric places of national or archaeological significance.

The National Historic Preservation Act (NHPA) (Public Law 89-255, 16 U.S.C. 470, et seq.), as amended more than 20 times, is the foundation for the practice of historic preservation and cultural resources management in the United States. Congress found, among other declarations, that:

- “the spirit and direction of the Nation are founded upon and reflected in its historic heritage:”
- “the historical and cultural foundations of the Nation should be preserved...in order to give a sense of orientation to the American people;”
- “historic properties significant to the Nation’s heritage are being lost...;”
- “preservation...is in the public interest...;”
- “increased knowledge of our historic resources [and] the establishment of better means of identifying and administering them...will improve...planning...;”
- It is necessary for the Federal Government to accelerate its historic preservation programs and activities.
- “It shall be the policy of the Federal Government, in cooperation with other nations and in partnership with the States, local governments, Indian tribes, and private organizations and individuals to...provide leadership in the preservation of the prehistoric and historic resources of the United States...administer federally owned,



administered or controlled prehistoric and historic resources in a spirit of stewardship for the inspiration and benefit of present and future generations...contribute to the preservation of nonfederally owned prehistoric and historic resources.” (16 U.S.C. 470, 470-1).

NHPA established the NRHP and the President’s Advisory Council on Historic Preservation (ACHP), and provided that states may establish State Historic Preservation Officers to carry out some of the functions of NHPA. Most significantly for federal agencies responsible for managing cultural resources, Section 106 of the act directed that “The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register.” Section 106 also affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking (16 U.S.C 470f).

36 CFR 800 implements Section 106 of NHPA. It defines the steps necessary to identify historic properties (those cultural resources listed in or eligible for listing in the NRHP), including consultation with federally-recognized Native American tribes to identify resources of concern to them; to determine whether or not they may be adversely affected by a proposed undertaking; and the process for eliminating, reducing, or mitigating the adverse effects. Resolution of adverse effects may require development of agreement documents between consulting and interested parties to an undertaking.

Section 110 outlines the responsibilities of federal agencies to establish programs to identify, record, evaluate, and nominate properties under their jurisdiction to the NRHP. Agencies often develop internal guidance, in concert with the local SHPO and the ACHP, which implements Sections 106 and 110 of NHPA. The BLM has codified its implementation of NHPA in a series of manuals that are identified as 8100-8170.

36 CFR 60.4 defines criteria for determining eligibility for listing in the NRHP. BLM evaluates the significance of cultural resources identified during inventory phases in consultation with the SHPO to determine if the resources are eligible for inclusion in the NRHP. Cultural resources may be considered eligible for listing if they possess integrity of location, design, setting, materials, workmanship, feeling, and association and meet one or more of the criteria:

- Criterion A: associated with events that have made a significant contribution to the broad patterns of America’s history
- Criterion B: associated with the lives of persons significant to our past
- Criterion C: embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic value or

represents a significant and distinguishable entity whose components may lack individual distinction

- Criterion D: has yielded or may be likely to yield information important in prehistory or history.

As an example, the BLM in Nevada has facilitated the evaluation of cultural resources by devising state level Manuals with specific as agreed upon guidelines for inventorying and determining the eligibility of prehistoric and historic sites. The guidelines supplement the NRHP criteria for evaluation and provide consistency on BLM lands across the state. These “Cultural Resource Inventory General Guidelines” have been revised to keep pace with current developments in the field of cultural resource management.

BLM in California relies upon the National BLM 8100 Series Manuals and the various State of California Guidelines for Cultural Resources along with a series of agreement documents signed by the California State Director and the California State Historic Preservation Officer. These are supplemented by Instruction Memoranda which are regularly sent to the various Field Offices.

The National Trails System Act of 1968, as amended (16 U.S.C. 1241 et seq.) established a national trails system and provided that federal rights in abandoned railroads may be retained for trail purposes. Emigrant Trails that cross the CDCA include the Old Spanish Trail and the De Anza Trail. These National Historic Trails are managed by the BLM and the National Park Service.

The National Environmental Policy Act of 1969 (NEPA), as amended (P.L. 91-190, 42 U.S.C. 4321-4347 et seq.) was enacted “to declare a national policy which will encourage productive and enjoyable harmony between man and his environment.” Section 101 (42 U.S.C. 4331 (b)) directs the federal government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate federal plans, functions, programs, and resources to the end that the Nation may “preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity, and variety of individual choice.”

The BLM also recognizes the importance cultural resources through FLPMA (sometimes referred to as BLM’s organic act) (PL 94-579, 90 Stat, 2743). FLPMA recognizes the following:

- The public lands (will) be managed in a manner that will protect the quality of scientific, scenic, historical...and archaeological values
- Multiple use means management of the public lands so that they are utilized in the combination that will best meet the present and future needs of the American people...those needs are including but not limited to scientific and historic values

- Areas of Critical Environment Concern may be identified to protect and prevent irreparable damage to important historic, cultural or scenic values (43 U.S. C. 170).
- Title VI of FLPMA, Section 601 (1) states that the California desert contains historical, scenic, archaeological, environmental, biological, cultural, scientific, educational, recreational...resources that are uniquely located adjacent to an area of large population
- Title VI of FLPMA, Section 601 (2) states the California desert environment is a total ecosystem that is extremely fragile, easily scarred, and slowly healed; and that
- (3) the California desert environment and its resources, including certain rare and endangered species of wildlife, plants, and fishes, and numerous archaeological and historic sites are seriously threatened....
- The Cultural Element of the California Desert Plan (1980:22) states “Prehistoric and historic remains within the California Desert are being depleted at a rate which approaches 1 percent per year. Significant losses of paleontological values area are also apparent. These remains represent a national treasure with importance to the public, scientists, Native American, and others. Preservation and protection or proper data recovery is essential.” The element then identifies goals, planned actions and implementation procedures.
- The Native American Element of the California Desert Plan (1980:26) states “Prominent features of the CDCA landscape, wildlife species, prehistoric and historic sites of occupation, worship, and domestic activities, and many plant and mineral resources are of traditional cultural values in the lives of the Desert’s Native people. In some cases these resources have a religious value. Specific sites or regions may be important because of their role in ritual or the mythic origin of an ethnic group. These values will be considered in all CDCA land-use and management decisions.” Goals are then outlined and actions planned and methods of implementation procedures are discussed.

In 1999, the Desert Plan was reprinted. During this time period the Plan Goals were reexamined. The Cultural Resources Element goals were changed from:

- 1) Conduct inventory to the fullest extent possible to broaden the archaeological and paleontological knowledge of the California Desert and to further the achievement of the following goals;
- 2) Protect and preserve to the greatest extent possible representative samples of the full array of the CDCA’s cultural and paleontological resource for the benefit of scientific and socio-cultural use by present and future generations;
- 3) Ensure that cultural and paleontological resources are given full consideration in land use planning and management decisions;

- 4) Manage cultural and paleontological resources so that their scientific and socio-cultural values are maintained and enhanced;
- 5) Ensure that the Bureau's activities avoid inadvertent damage to cultural and paleontological resources; and
- 6) Achieve proper data recovery where adverse impacts may not be avoided,

to:

- 1) Broaden the archaeological and historical knowledge of the CDCA through continuing inventory efforts and the use of existing data. Continue the effort to identify the full array of CDCA's cultural resources,
- 2) Preserve and protect representative sample(s) of the full array of the CDCA's cultural resources,
- 3) Ensure that cultural resources are given full consideration in land use planning and management decisions, and ensure that BLM authorized actions avoid inadvertent impacts;
- 4) Ensure proper data recovery of significant (National Register quality) cultural resources where adverse impacts can [sic] (cannot) be avoided.
- 5) Ensure that paleontological resources are given the consideration in land use planning and in management decisions,
- 6) Preserve and protect a representative sample of the full array of the CDCA's paleontological resources,
- 7) Ensure proper data recovery of significant paleontological resources where adverse impacts cannot be avoided or otherwise mitigated (1999:22).

The American Indian Religious Freedom Act (AIRFA) of 1978 (Public Law 95-341, 42 U.S.C. 2996 and 1996a) establishes the policy of the United States to protect and preserve for the American Indian, Eskimo, Aleut, and Native Hawaiian the inherent right of freedom to believe, express, and exercise their traditional religions. The BLM has a responsibility to Native Americans to ensure compliance with this act.

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA; 32 U.S.C. 3001 et seq.) provides a process for federal agencies to consult with Native Americans for the excavation and/or removal of "cultural items", including human remains, funerary objects, sacred objects, and objects of cultural patrimony. It also provides a process for federal agencies to return cultural items to lineal descendants and culturally affiliated tribes. BLM's 8120 manual guides the process.

*The Programmatic Agreement Among the Bureau of Land Management, Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers*

*Regarding the Manner in Which BLM Will Meet its Responsibilities Under the National Historic Preservation Act* (BLM's national PA) defines how the BLM will carry out its legal mandates under Sections 106, 110, and 111 (a) of NHPA through the agreed upon mechanisms in the national PA (see Appendix 1).

*The State Protocol Agreement Between BLM California and the California State Historic Preservation Office (OHP)* describes the means by which the BLM will conduct its cultural resources management program and details the manner in which the California SHPO and BLM California will interact and cooperate to implement the various laws and guidance for historic preservation in California (see Appendix 2).

*"America's Priceless Heritage: Cultural and Fossil Resources on Public Lands, California, 2003"* is an excellent overview of the BLM's heritage resources in California. It provides a statistical overview through Fiscal Year 2002 of the CRM program accomplishments made on the approximately 17 million acres of public lands administered by the Bureau.

Executive Orders (EO) which are important for managing cultural properties include:

- EO 11593 Protection and Enhancement of the Cultural Environment (May 13, 1971) which directed federal agencies to locate, inventory, nominate and protect federally owned cultural resources eligible for listing in the NRHP and to ensure that their plans and programs contribute to preservation and enhancement of non-federally owned resources. The date to complete the directed tasks was 1973.
- EO 12898 Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994) directed agencies to make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. This is seen to include analyzing the effects of undertakings on Native Americans' their traditional use areas and their cultural resources.
- EO 13006 Locating Federal Facilities on Historic Properties in Our Central Cities (May 21, 1996) encouraged federal facilities to be located within historic buildings or districts rather than constructing new facilities.
- EO 13007 Indian Sacred Sites (May 21, 1996) established access to and ceremonial use of Indian sacred sites by Indian religious practitioners on federal lands. The federal agencies shall avoid adversely affecting the physical integrity of such places and maintain the confidentiality of the sites. A sacred site is defined as "any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site."

- EO 13175 Consultation and Coordination with Indian Tribal Governments (November 9, 2000) directs federal agencies to consult with and have government-to-government relationships with Indian Tribes. It also calls for reports to address any changes necessary to accommodate access to and ceremonial use of Indian sacred sites; procedures to implement or proposed to facilitate consultation with appropriate Indian tribes and religious leaders; and the expeditious resolution of disputes related to agency action on Federal lands that may adversely affect access to, ceremonial use of, and physical integrity of sacred sites.

## **WHAT HAS TO OCCUR LEGALLY BEFORE A PROJECT CAN BE APPROVED?**

Section 106 of NHPA, as amended, and 36 CFR 800 must be complied with. This means that before spending any federal money on any project, the agency must conduct a cultural resource analysis which may lead to an on-the-ground inventory to see if any cultural resources are present that may be eligible for inclusion in the NRHP.

This means that any time a project is proposed for any given parcel of land, by any federal agency requiring an expenditure of federal funds, or requiring the issuance of a permit or a license, cultural resources must be considered. A professional archaeologist either working for the agency or under permit to the BLM must examine records maintained at a CHRIS repository and usually those at local museums. Then, based upon the gathered data, usually the specialist has to look at the ground, prepare a report, and evaluate the archaeological sites against the standards set forth in 36 CFR 60 and the BLM 8100 Manuals. The methods of assessing the cultural resources must be in compliance with stipulations agreed to in the Programmatic Agreement Document signed between the BLM and the California SHPO.

The APE, as described earlier, must be identified. It must have boundaries. A CRM Specialist, on behalf of the federal agency, must evaluate any potential historic property, which may be affected as a result of the proposed project. You should keep in mind that the agency only has to evaluate and mitigate the effects of projects related to sites eligible for inclusion in the NRHP. Cultural resources not eligible for listing in the NRHP can be protected through the various guidelines in BLM manuals and codes of federal regulation.

### **How Does the Public Become Involved?**

The public is an important aspect of the project. The regulations state that an agency must consult with the SHPO and Indian tribes; they also state that an agency may consult with a concerned property owner or an organization. The regulations are somewhat murky here, since consultation slows down projects. 36 CFR 800.16(f) states that “Consultation means the process of seeking, discussing, and considering the views of other participants, and where, feasible, seeking agreement with them regarding matters arising in the section 106 process.”

The Secretary's '*Standards and Guidelines for Federal Agency Preservation Programs pursuant to the National Historic Preservation Act*' provide further guidance on consultation.

An interested party, which means a person or any organization that may construe itself as a stakeholder in a proposed undertaking (or project), may have to be consulted with. Or, it may identify itself as a group that wants to be consulted with. The regulations that provide for this opportunity are found at 36 CFR 800.2(c)(5) and again are not as explicit as they might be but they are meant as guidance which is usable by organizations or individuals who have a stake in the outcome of the decision on an undertaking. The regulations state: "Certain individuals and organizations with a demonstrated interest in the undertaking may participate as *consulting parties* due to the nature of their legal or economic relation to the undertaking or affected properties, or their concerns with the undertaking's effect on historic properties." This says that the interested public has a right to know how and what cultural resources will be impacted before a decision is made.

In many cases it would serve the interest of organizations or individuals to request to be Consulting Parties to any action that may adversely affect historic properties. The request should be directed at the local BLM field manager, not to the local archaeologist. The archaeologist is never the decision maker. Sometimes it might be useful to have the request for participation to come from an attorney. Attorney letters seem to get more attention than a letter from the general public.

The request should be respectful but forceful, according to the recommendations of Thomas F. King (see "Saving Places that Matter: A Citizen's Guide to the National Historic Preservation Act," 2007). Becoming a Consulting Party may mean that the party will be signatory to a Memorandum of Agreement that could involve the SHPO as well as the BLM. In general terms, a Consulting Party to the undertaking/action has the authority to terminate the agreement, so everyone involved will want to make certain that all of the agreed conditions of the project regarding historic properties (and also Native American concerns) are implemented. If one party of the Consulting Parties withdraws from the agreement document the entire document becomes null and void and the must be renegotiated before the project can proceed.

In some cases the SHPO will work with the BLM and interested parties closely but will negotiate with the interested public to become a participant in historic preservation as a Concurring Party and not a Consulting Party. The responsibilities are similar with one huge difference. If an individual or organization is invited to become a Concurring Party if they do not sign the agreement document and the Consulting Parties sign the document the agreement is implemented. Also, if a Consulting Party to the agreement decides to withdraw from the agreement, the agreement is still in effect and the agreed upon conditions of the document are not modified.

The difference between a Consulting and a Concurring Party is the level of the involvement allowed to the stakeholder. If a Consulting Party withdraws from the agreement document, the entire MOA is voided by the Consulting Party's action. If a Concurring Party decides they no

longer support the agreed upon approach or wish to terminate their involvement, the document is still in effect and the lead agency does not have to renegotiate the terms of the document.

It is highly recommended that if an interested party desires to fully participate in the process that they write letters to the SHPO and to the BLM early in the process requesting the level of involvement that they are seeking. It is unlikely that either the OHP or BLM will contact anyone asking them to become technically involved. Their workload generally prohibits this type of proactive approach and they might not know who or which organization has a significant level of interest in the project. It is certain that they will not know if the public is interested in the project if they are not contacted through letters or via the telephone.

## **WHAT SHOULD TRIGGER PUBLIC REVIEW OR INVOLVEMENT?**

Any proposal that results in ground disturbance or disruption to an archaeological site or its setting, including Native American religious and cultural values, may be a trigger for public concern and subsequent review. Historically, the public has often not commented on effects to archaeological sites, and sites have been destroyed or seriously impacted because of a lack of public involvement. Sometimes the public feels that archaeological sites are secret and they cannot know about them. Sometimes agencies feel that it is all scientific data that the public would not be concerned with or cannot understand. These assumptions are not correct. The public and organizations that care about resources should be able to understand the effects of any undertaking to cultural resources.

Information concerning the location of archaeological sites are protected from the Freedom of Information Act disclosure under section 9 of ARPA and Section 304 of NHPA, but when archaeological sites are subject to impact as a result of a project supported by agency decisions, the public is a part of the decision-making process and has a right to know that historic properties will be impacted or destroyed and to comment on the project. If the agency refuses to comply with a request to provide data adequate enough to understand where the historic properties are located and what will be impacted, letters to the Keeper of the NRHP and the ACHP stating the concerns of the interested party might be appropriate.

## **NATIVE AMERICAN INVOLVEMENT IN THE REVIEW OF PROJECTS UNDER NHPA**

The use of the terms Native American, Indians or American Indians within this document is meant to be interchangeable. Most of the legislation dealing with Indians issues use the term “Indian” and not Native American. There are exceptions. Before 1871 the United States entered into treaties with the various tribes as though they were independent nations. Since 1871 tribes have been recognized through various other legal means such as legislation,



Presidential proclamations (Executive Orders), or by petitioning to the Acknowledgement branch of the Bureau of Indian Affairs (BIA).

Indian Tribes are specifically mentioned in laws such as ARPA, AIRFA, NAGPRA, and the various Executive Orders dealing with places of importance to American Indians. Most of the laws deal explicitly with “federally recognized Indian Tribes” which are classified by the United States government as being domestic dependent sovereign nations. Out of over 560 recognized tribes in the United States, there are over 100 federally recognized tribes within or adjacent to the state that were its native inhabitants at the time of contact. One of the most unusual is the Modoc Tribe of Oklahoma which was forced from California to Oklahoma in 1873 after the Modoc War. They are California’s only removed tribe.

The CDCA contains over thirty federally recognized tribes. The Timbisha in Death Valley were recognized in 1983 and were landless until they received 7,700 acres of land in 2000 through the Timbisha Homelands Act.

California also has many non-federally recognized Indian people, many of which continue to petition for federal recognition. The Kawaiisu, the Kawaaymii, and the Tejon Indians are just three examples of historical/cultural tribes with ties to the CDCA who have not been granted federal recognition. The federal government generally differentiates between federally recognized and non-federally-recognized tribes in their responsibilities and interaction with them. Some programs of the BIA do not differentiate. For the purposes of cultural resource management, the BLM works with the unrecognized groups also; however, they sometimes fall through the proverbial crack because BLM is a federal agency and non-federally recognized tribes do not appear on lists provided to them by the BIA. The California Native American Heritage Commission provides updated information on the unrecognized tribes as “most likely descendants” for the purposes of cultural resource management and project coordination.

Indian tribes must be consulted, and information must be requested that would assist in making a sound management decision as to whether the project should be approved as designed. Indians do not have to respond, and it is a burden for many of them to do so. Many of the tribes lack staff or resources to respond to the many letters agencies send. Just because they do not respond does not mean they have no interest in the project. However, an agency cannot take into consideration the viewpoints of tribes unless they respond. The ACHP has become more proactive to ensure that agencies give Native Americans lead-time for consultation. There is no established time frame within the CFRs for response by tribes.

## **SPECIFIC SENSITIVE AREAS WITHIN THE CDCA.**

Sensitive areas within the CDCA are those areas and/or cultural resources that are extremely important to science, history, or the values of people who live in or care about the historic values of the CDCA. Again, this listing is not exhaustive, but it is a building block, and new places that count should be added as they are discovered. This list generally excludes locations

within designated wilderness areas, within property managed by the NPS, the Forest Service and the State or County Park System. It also does not include Indian traditional use areas or sacred sites except, as they are common knowledge or have been adopted as an ACEC by the BLM's planning process. Places special to American Indians are generally identified by Indians to a trusted individual and locations can change as a result of spiritual beliefs related to visions or healing ceremonies. Often, unless there is a threat to a particular place, the locations are not revealed to non-Indians.



## 2. THE IDENTIFICATION AND DESCRIPTIONS OF PLACES THAT MATTER WITHIN THE CDCA

These are areas and/or cultural resources that are extremely important to science, history, or the values of people who live in or care about the cultural history of the CDCA. Again, this listing is not exhaustive, but it is a building block, and new places that count should be added as they are identified. The following are generally alphabetically by county. Exceptions are broad classes of cultural resources that are located throughout the CDCA.

### IMPERIAL COUNTY

1. **San Sebastian Marsh (Harpers Well) ACEC** contains remains from Native American occupations and scattered artifacts. Explorer Juan Bautista de Anza visited the area in 1774 when some 400 Native people lived in a single village there and provided water for travelers. The area has also brought “treasure hunters” to the area looking for buried Spanish plunder and the quest for the lost Spanish ship that supposedly sailed into the south end of the Salton Sea and was trapped in the receding waters of Lake Cahuilla.
2. **Coyote Mountains ACEC** in western Imperial County contains very old cultural materials in a dissected wash area to the east of the Coyote Mountains. The area has been heavily impacted by off-highway vehicle (OHV) activity. It is a sensitive cultural area and should be managed as such.
3. **Yuha Basin is an ACEC** in southwestern Imperial County that has been studied for many years by Jay von Werlhof. He considers it to be one of the most important areas to study prehistoric aboriginal occupation in western North America. Trails, geoglyphs, lithic scatters, occupation areas, and historic emigrant trails dot the area. Some fencing has occurred, and a portion of the Yuha Basin has been listed in the NRHP for its geoglyphs as a portion of the Colorado Desert Geoglyph District. A previously unknown geoglyph was located as recently as April 2008.
4. **Indian Pass ACEC** is one of the most significant complexes of surface archaeological sites in the California desert. The location of the cultural resources, in the Chocolate Mountains in eastern Imperial County, has been known for at least 90 years. The archaeological resources include trails, cleared circles, petroglyphs, potsherds, firepits, lithic scatters, tools, and locations that are identified as Quechan trails of dreams, religious locations that are found nowhere else. The area has been threatened by OHV activity, general camping, prospecting, and large-scale mining. Casual use by “snowbirds” can also affect the important cultural resources here.
5. **East Mesa ACEC** is another area linked to ancient Lake Cahuilla. This portion of the Lake Cahuilla shoreline is located north of Interstate 8 and west of the Coachella Canal. Sand and gravel operations have threatened the resources, as has geothermal

development. This area should be considered as a portion of a Lake Cahuilla management plan area.

6. **The Plank Road ACEC.** This area is considered to be eligible for listing in the NRHP and is designated by the BLM as an ACEC due to the historic engineering accomplishments it represents. The Plank Road was one of the first automobile roadbeds used between World War I and the mid 1920s. It is believed to be the only wooden automobile road still existing in the United States. A segment 6.5 mi. long runs through the southern end of the Algodones Dunes. A portion of it has been set aside as a kind of a landmark. Many of the boards have been used in campfires over the years, and it is not certain how much of the resource remains. It warrants another look to see if it has any integrity.
7. **Pilot Knob ACEC** was nominated by the Desert Plan staff to protect archaeological and Native American values located around Pilot Knob, which is a sacred Mountain to the Quechan Indians. Geoglyphs, sleeping circles, trails, and habitation sites are situated within and near this ACEC. Geoglyphs have been listed in the NRHP's Colorado Desert Geoglyph nomination; include the horse geoglyphs immediately west of Pilot Knob.
8. **Golden Basin-Rand ACEC** was set aside to better manage intaglios in eastern Imperial County that are extremely fragile. When the Desert Plan was developed, it was believed that the only way to save these vulnerable resources from destruction was by withdrawing the area from mineral development, fencing the intaglios, and monitor them from the air. The intaglios are also referred to as the Snyder geoglyphs
9. **Tumco Historic Site** was recommended as an ACEC by the Desert Plan staff in order to provide protection for the historic mining district. It is also a ritual area for the Quechan and Cocopa tribes. The ACEC designation was rejected because it was felt that attention would be called to the resources if it were designated.

Today, BLM El Centro has a web site dedicated to Tumco. The web site says that Tumco "is an abandoned gold mining town and is also one of the earliest gold mining areas in California. It has a history spanning some 300 years, with several periods of boom and bust. Gold was first discovered by Spanish colonists as they moved northward from Sonora, Mexico. According to legend, two young boys came into their camp one evening with their shirts filled with gold ore. These muchachos cargados (loaded boys) were the namesake for the Cargo Muchacho Mountains, where the Tumco deposits occur. Following the first discovery of gold, numerous small mines were operated by Mexican settlers for many years. In 1877, the Southern Pacific Railroad completed the Yuma to Los Angeles line of its transcontinental route. With the presence of the mountains, a gold rush into the area began. This initial rush to stake mining claims soon gave way to mining companies that moved into the area purchased claims and developed the mines on a large scale. A 12-mile wood pipeline pumped over 100,000 gallons of water from the Colorado River per day, and the railroad carried mine timbers from northern Arizona for use in the expansive underground workings. Ultimately, over 200,000 ounces of gold was taken from the mines in the area. Tumco

was a typical mining town of its day. Historical accounts talk of rich eastern investors, unscrupulous charlatans and colorful characters in the raucous townsite and the mining boom ultimately leading to financial ruin. The Tumco townsite went through several periods of boom and bust and, although the town site has long been abandoned, gold mining was recently conducted near the western end of this valley. This latest episode in the history of Tumco began in early 1995, when American Girl Mining Joint Venture began operations near the site of some of the early mines in the area. Although little can be seen of Tumco, during the boom time of the 1890's, it supported a population of at least 500 people and the 40 and 100 stamp mills of the mine produced \$1,000 per day in gold." No mention is made of the Native American significance. The Desert Plan states it is an area of significance to Native people.

10. **Lake Cahuilla No. 2 ACEC** was nominated by the BLM in order to protect two extensive aboriginal habitation sites along the shoreline of ancient Lake Cahuilla in east-central Imperial County. This should be included in an overall area of sensitivity for what is left of the Lake Cahuilla shoreline in Riverside and Imperial counties.
11. **Lake Cahuilla No. 3 ACEC** was nominated in order to protect a very large complex site within what was an undisturbed area of prehistoric sites along the old shoreline of Lake Cahuilla near the ACEC designated as Lake Cahuilla No. 2. This should also be grouped into an overall larger area encompassing what remains of the visible Lake Cahuilla shoreline and its associated artifacts and features.
12. **Lake Cahuilla No. 5 ACEC** was nominated because of its association with ancient Lake Cahuilla. This ACEC is bounded on the west by the All American Canal and developed agricultural fields, on the south by State Route 98, on the north by Interstate 8, and on the east by a utility line. This should also be added to the Lake Cahuilla shoreline sensitivity area as needing special protection.
13. **Lake Cahuilla No. 6 ACEC** was nominated by the Desert Plan staff in order to protect the extensive prehistoric campsites situated along the ancient Lake Cahuilla shoreline. It is located in Imperial County, bounded on the north and west by the All American Canal and on the south by Mexico. This is an area that is significant to local Native American tribes, and a portion of the area was the subject of a cultural landscape analysis in 2002 by Dr. Jamie Cleland.
14. **Southwest Lake Cahuilla Recessional Shoreline National Register District** is located near Salton City on lands withdrawn by the U.S. Navy. The district contains archaeological resources ranging from rock rings and fish traps to habitation sites and was listed in the NRHP in 1999 as a condition of the return of the lands to BLM El Centro management. This is an important array of significant cultural resources and should be carefully protected by the BLM.
15. **Plaster City archaeological sites** were proposed by the Desert Plan staff as being important enough to warrant ACEC designation. The area is composed of alluvial flats with gravel ridges dissected by small washes. The known cultural resource values represent an important aspect of human occupation in the region and are composed of

habitation camps, lithic scatters, and human cremation locations. The area is located south of the town of Plaster City and north of Interstate 8.

## INYO COUNTY

16. **Panamint Valley**, north of Trona, is wedged between the Argus Mountains of China Lake Naval Air Weapons Station and the Panamint Mountains which form the western boundary of Death Valley National Park. Much of valley itself and the foothills of the Slate, Argus, and Panamint mountains are managed by BLM. The Desert Protection Act of 1993 transferred the northern portion of Panamint Valley, including Lake Hill Island, north of Highway 178, to the National Park Service. Much of the valley contains geoglyphs and has seen limited study by Dr. Emma Lou Davis, Daniel McCarthy, and Jay von Werlhof, and most recently by Julie Burcell and Judyth Reed. The area also contains cairns, massive lithic quarries and lithic reduction sites, aboriginal trails, trail markers, and 11 easily identifiable landforms in the southern portion of Panamint Valley that were islands when water stood in the lake. These land forms sit due west of the Briggs Gold Mine and are very visible. Recent radiocarbon dates have provided an age of over 4,000 years for one of the sites. Obsidian and yellow chert dominate the lithic materials which are found scattered throughout the valley. These materials were used prehistorically to make stone tools. Historically Panamint Valley was also important. The Manly Party of 1849 traversed it, leaving two of their party in its vicinity. The boom town of Ballarat (where a cemetery containing the remains of Seldom Seen Slim Ferge lies on private property) is situated in Panamint Valley. The 1880s town of Reilly is on its western edge, complete with several dozen rock structures, and the Remi Nadeau Shotgun Road runs most of the length of the valley. James Barnes conducted M.A. research on the townsite of Reilly and at the Anthony Mill ruins in the foothills of the Argus Mountains. The site has been interpreted by the BLM, but most of Panamint Valley has not been inventoried to professional standards. Sentiment exists among some to have the entire valley as far as the China Lake Navy boundary added to Death Valley National Park. The Desert Plan staff recommended that Warm Sulphur Spring and Ballarat be identified as an ACEC. The ACEC would have included the Panamint Stage Station, as well as Post Office Spring. The Stage Station was stabilized and fenced by the National Park Service on behalf of the BLM. The "Chinese Wall" and the townsite of Reilly have also been stabilized by the NPS. The townsite of Ballarat is privately owned. Many of its buildings were made with using tamped earth. Few buildings remain. The Ballarat Cemetery is still in use and contains the burial sites of people such as "Seldom Seen Slim" Ferge.
17. **North Searles Lake**, north of Trona and sandwiched in between the Argus Mountains and the Slate Range, contains some of the best intact Pleistocene/Holocene lake sediments, particularly where the stream flow exited Homewood Canyon and deposited sediments against the Slate Range. Artifacts include geoglyphs, massive lithic reduction

areas, aboriginal trails and rock rings. No formal inventory has ever taken place on BLM lands. Immediately south of the BLM holdings, on China Lake Naval Air Weapons Station, is one of the largest stone cairn complexes known in the Mojave Desert. This complex continues into Pilot Knob Valley and was informally inventoried by Dr. Gerald Smith. Based upon casual observation, it appears as these resources may all be related in time. Kish LaPierre has recently studied the stone cairn complex just off the BLM Searles Lake boundary for a Masters thesis at California State University, Bakersfield. Jim Fairchild has informally noted many sites during his 45 years working with the Searles Valley Minerals Company and as a geologist his interests focus on the distribution of lithics.

18. **The East Front of the Sierra Nevada Mountains in Inyo and Kern Counties.** From Mojave to Lone Pine, nearly every eastwardly draining canyon contains middens that are deep, stratified, rich in artifacts and data, and have been the subject of looting over the past 100 years. Seed grinding sites are visible on many of the large granitic outcrops, containing both bedrock mortars, bedrock metates, and grinding slicks. The Los Angeles Aqueduct and associated transmission lines transit through many of the sites. Many of the sites area also known to contain prehistoric cemeteries. A report by URS, Chico, California, documents several hundred prehistoric sites and evaluates their importance to California prehistory.
19. **Slate Range Geoglyphs.** These may be the highest-elevation geoglyphs in the Mojave Desert and may be contain alignments that are both historic and prehistoric. The vista from the site includes North Searles and South Panamint valleys. The immediate area contains a number of prehistoric aboriginal trails as well as nineteenth and twentieth century mining trails and associated cairns. The entire Slate Range has not been surveyed; however, BLM archaeologists and Dr. David Whitley have done casual inventory. The sites are extremely fragile.
20. **Fish Slough ACEC.** It is a large administrative unit, co-managed by several organizations and government entities. Its primary focus is habitat, with rare fish and unusual vegetation standing out within interesting geological structures, but as it is within the Volcanic Tablelands east of the Sierra Nevada, it also contains Native American petroglyphs and other sensitive archaeological sites. The entire area is a significant feature within the desert landscape.
21. **Surprise Canyon ACEC** is situated adjacent to the Death Valley National Park. It has been the center of significant controversy as to access rights to Panamint City, which is within Death Valley National Park. While the issues surrounding the use of the old road into the Panamint Mining District have overshadowed the other issues, historic mining remains, ethnohistoric archeological sites, and other historic sites are located on both sides of the washed-out road. The area should be considered as significant for historic mining from the 1880-1930s and for Native American pinyon-collecting activities. Pictographs dating to the 1880s are on both sides of the road within the NPS-managed lands, and are also likely to exist within the uninventoried BLM-administered parcels. The entire Panamint Mountains range is significant and needs to be fully analyzed.



22. **White Mountain City ACEC** is located in the foothills of the White Mountains, at the northeast end of Deep Springs Valley. The area contains a large prehistoric village site with petroglyphs and a rock shelter with pictographs. White Mountain City was also a short-lived mining town dating to the late nineteenth century. Remains of stone buildings are still in evidence. Julian Stewart described the petroglyphs in the 1920s.
23. **Rose Springs ACEC** is the archaeological type site for the Rose Springs (Haiwee) Tradition. It was the subject of a doctoral dissertation by Robert Yohe, now at California State University, Bakersfield, and has been excavated both legally and illegally for over a century. The site is a complex containing deep, rich midden resulting from hundreds of years of occupation, burials, and bedrock milling. It is covered with lithic scatters, primarily originating from the Sugarloaf obsidian quarry. Lying east of Highway 395, it has been affected by the construction of the Los Angeles Aqueduct and pumping station. The site should be listed in the NRHP as a place of national archaeological importance.
24. **Fossil Falls ACEC** is both a BLM campground and a site with a high concentration of midden material, trails, and rock art. It was prehistorically connected to the Rose Springs site. Disturbance has occurred to the site through looting, campground construction, and camping use over the past several decades. However, the site is still important, and additional disturbance might affect its overall integrity. It is open to public visitation. The site was listed in the NRHP in 1980.
25. **Great Falls Basin is an ACEC** in the Argus Mountains that was nominated for its wildlife and recreation uses. The area saw significant use by Native Americans and by the Trona Potash Company in the late 1800s and in the 1900s as a source of domestic water. This may be Providence Springs as identified by the Manly party in 1849, water from which saved the lives of the members of the party. It is a significant resource culturally as well as for wildlife. The nearby Indian Joe Spring is in public ownership and it is also significant for its riparian and historic component. Over 3,000 pounds of fruit was collected in June 1917 from Indian Joe Springs.
26. **Salt Creek Hills ACEC** contains prehistoric and historic archaeological sites. It is a large riparian vegetation zone and supports a variety of important wildlife habitat and archaeological properties with midden areas representative of long-term habitation. It was found to be important to Native peoples as well as for its scientific values.
27. **Portuguese Bench** is situated on the eastern flank of the Sierra Nevada west of the Coso Volcanic cones. The sites contain deep midden indicating long-term occupation. They were test excavated in the early 1990s by UCLA and were the subject of a Master's thesis by Dr. Mark Allen. The archaeological sites are very significant to the prehistory of the area.
28. **Amargosa Rings** just south of Shoshone were reported in *Desert Magazine* and by the San Diego Museum of Man as aboriginal rock rings. Debate has occurred over the decades as to whether they were aboriginal or related to borax mining. In either case,

they are significant features on the landscape. Bill Mann discussed them in his books regarding historic sites to visit in the Mojave Desert.

29. **South Owens Lake-Keeler Area** contains prehistoric and ethnohistoric site material including rock cairns that have burials. These burials may be the result of U.S. cavalry and Indian interaction in the late 1800s. This area is particularly sensitive.
30. **Olancha Dunes** was an area that Numic peoples used for gathering plant materials. It is a dune system that is open to unfettered OHV use. As the sands shift, they cover and uncover archaeological materials. A recent inventory by ASM Affiliates found very few archaeological sites. Native peoples of the Great Basin have indicated the area could be significant to their traditions. It may be a Traditional Cultural Property, that is, a place important in group cultural identity, and it should be studied as such.
31. **The Amargosa River ACEC** is located in Inyo and San Bernardino counties. It was set aside by the BLM for wildlife habitat purposes, but also includes riparian related cultural resources and elements of the Tidewater Tonopah Railroad. The archaeological sites range from the earliest era of human occupation about 12,000 years ago to the ethnographic present when Chemeuhevi and Mohave peoples occupied the area.
32. **The Volcanic Cones** are located on the northwest side of China Lake Naval Air Weapons Station, north of Little Lake on the east side of Highway 395. The area includes dense obsidian scatters and habitation sites. The cones left from the volcanic activity are being mined for the commercial rock and pumice contained within them. New obsidian sources, such as the Stewart Obsidian source near the Coso Geothermal facility, are frequently identified by chemical source analysis.
33. **Zinc Hill, Inyo County, near Darwin, California** was proposed for nomination as an ACEC by the Desert Plan Cultural Resources Group. It was not designated as such because it was placed in a Class L designation and it was proposed to be listed in the National Register of Historic Places and for a National Architectural and Engineering Record to be completed for its historic components. There is no evidence that this has happened. The town of Darwin itself is significant historically. The Anaconda Copper Company produced a significant amount of copper ore through the middle of the 20<sup>th</sup> century. Their historic plant and employee housing is a significant feature on the landscape. The Darwin Cemetery is still used. Among its patrons are Elizabeth Mecham, desert historian, and numerous Native Americans who called the Coso Range their home.
34. **Cerro Gordo** is another mining community nestled in the pinyon juniper forest just west of Saline Valley. The town itself is privately owned but the surrounding landscape is public lands. Historic buildings and a cemetery contribute to its historic setting. The ACEC was set aside to provide protection for historic resources scattered throughout it as well as the biotic community. The Saline Valley Salt Tram is located within the ACEC. One of the associated buildings has been stabilized in the past decade. According to information provided by the BLM, the ACEC was transferred to the National Park Service. The map provided by BLM on the internet looks otherwise.

## KERN COUNTY

(See also #18, above.)

35. **The Jawbone/Butterbredd Canyon ACEC** is nestled against the South Sierra Nevada and extends east into the Joshua Tree woodland zone of the Mojave Desert. The area is considered to be significant to the Kawaiisu Indians who once lived in the area. OHV groups have used the area extensively, as it abuts an OHV Open Area. Still, the area has significant archaeological resources including pictographs, campsites, lithic scatters and historic resources including work camps for the construction of the Los Angeles Aqueduct and Civilian Conservation Corps watering tanks built during the 1930s. A recent report by URS, Chico, California details the significance of the archaeological resources. Other recent work has been conducted by archaeologists from Ancient Enterprises and by students from California State Polytechnic University, Pomona. Archaeological sites continue to be regularly impacted by recreational use.
36. **Last Chance Canyon ACEC** was listed in the NRHP in 1972. It is more than 100 mi.<sup>2</sup> and is located in the Black Hills, El Paso Mountains, and Last Chance Canyon, east of Highway 14. The site diversity is high, including villages, cryptocrystalline quarries, camp sites, burial areas, rock art sites, lithic scatters, milling stations, stacked stone structure, rock shelters, cremations, and historic mining evidence dating from the 1860s to the 1940s. The area includes resources found within a much larger area, bordered by Red Rock Canyon State Park. In earlier times a petrified forest existed on its western flanks. Recent research by archaeologists Dr. Alan Garfinkle, Alexander Rogers, and Dr. Brian Dillon (UCLA) indicates that the area is one of the most significant in the Mojave Desert. Burro Schmidt's Tunnel is situated in the area and has drawn wide public attention; it is listed in the NRHP as a twentieth century mining site. At the top of El Paso Peak are large rock rings which appear to be related to prehistoric ceremonies. Historic rock hounding activities are notable at some of the opal quarries. The patented Old Dutch Cleanser Mine operated from 1923-1947, quarrying pumicite and seismotite which was used as a household cleaner and as an additive to cement and paint.

## RIVERSIDE COUNTY

37. **The Lake Cahuilla Shoreline** (also in Imperial County) is possibly one of the most important archaeological site complexes in the western U. S., but is in danger of being lost. Lake Cahuilla filled much of the Coachella and Imperial valleys intermittently during much of the last 100,000 years, depending upon the growth of the Colorado River's delta near the current communities of Yuma, Arizona and Mexicali, Baja California, and the shifting of the river's lower course. The lake was a key element in the lives of the Cahuilla, Kamia, and Quechan Indians until it finally desiccated around 1700. Associated archaeological features include fish traps (rock alignments made

purposely to harvest fish), trails, rock art, habitation sites, human remains, milling features, beads, agave roasting pit features, and every other kind of artifact one could imagine associated with prehistoric fishing in a freshwater lake surrounded by the Colorado Desert. Housing, transportation corridors, transmission lines, sand and gravel operations, OHV activity, agriculture, military operations, casual recreation, and vandalism have impacted the resources. The land is divided among State of California, private, BLM, Bureau of Reclamation, local irrigation districts, county parks, and urban and rural uses in Mexico. The polygon is mapped to include many associated sites and feature. Much of the old lake bed has been used for agricultural purposes for over a century. Housing developments, geothermal plants and other industrial uses have modified much of the shoreline over the past several decades. Much of this use has destroyed the integrity of the cultural resources associated with the shoreline. Many pieces of the Lake Cahuilla shoreline are extant. Several “spot” ACECs have been set up to attempt to save portions of the shoreline in Imperial County. The Fish Trap Riverside County Park is an important designation for archaeological sites located along the western shore of Lake Cahuilla. There is presently no management plan for this geographic feature and it is timely to have one completed before it is too late.

38. **Whitewater Canyon ACEC**, north of the old trout farm and fish hatchery, contains the Whitewater River and its associated vegetation community. The ACEC also contains Native American collecting, occupation, trail, and ritual sites. Bean has interviewed Cahuilla elders who indicated that Whitewater Canyon was a place of spiritual power. The BLM set it aside as an ACEC because of its diverse vegetative community as well as to recognize it a special place to the Cahuilla. Ethnographer Dr. Lowell Bean has worked with Cahuilla for many decades. He says “Cahuilla values were clearly related to basic environmental and economic circumstances.” Oral interviews conducted by him suggest that Whitewater Canyon was a place of power where vision quests may have taken place and where oral tradition relating to the Cahuilla culture may be recounted in the telling of Cahuilla bird songs. Some archaeological inventory has been conducted within the ACEC as result of the construction of the Pacific Crest Trail. Stashed ceramic ollas and baskets have been recovered from the vicinity of the ACEC.
39. **Dale Lake ACEC**, southeast of Twenty-nine Palms, was nominated as an ACEC, but during the Desert Plan amendment process it was removed as lacking the values needed to sustain it as an ACEC. The lake contains shoreline sites that appear to have been deposited when the lake contained fresh water. This could have occurred intermittently or during the early Holocene, at least 9,000 years ago. The Dale Lake mining area is located nearby and is significant for early twentieth century mining activities.
40. **Patton’s Iron Mountain Divisional Camp ACEC** is one of several temporary campsites associated with preparation for Patton’s assaults during World War II in North Africa and Italy. All of the sites associated with Patton throughout the California, Nevada, and Arizona deserts should be considered to be significant and fragile. Some have little remaining, but the tracks of the heavy armor can be found throughout the desert pavements in eastern Riverside and southeastern San Bernardino counties. Patton’s Iron Mountain Divisional Camp contains sensitive archaeological resources

including the altar [perhaps clarify what this is], parade grounds, and tent foundations, and is memorialized at the George S. Patton Museum at Chiriaco Summit. The site was recently listed in the NRHP.

41. **Corn Spring ACEC**, in the Chuckawalla Mountains, is listed in the NRHP as Corn Spring(s) Archaeological Site as the Gus Lederer Archaeological District to the northeast. Corn Spring is an ACEC identified for prehistoric archaeology and contains a BLM campground. The archaeological resources and the historic sources are primarily on public lands, but some are contained on private lands to the west. The extent of the resources is much greater than the ACEC. Corn Spring was first collected by Malcolm Rogers of the San Diego Museum of Man, and Roger Desautels excavated the site in about 1968 as a result of the installation of the Corn Spring Campground. More recent studies by Dr. Gerrit Fenenga (1979) and Dr. William Clewlow (2002) documented some of the archaeological sites. Sites include aboriginal trails, rock art, historic mining-era foundations, rock rings, lithic scatters, and habitation sites. Rock features include spirit breaks, rock rings, rock “ducks” (also called trail markers), and geoglyphs. Among the outstanding features of the area are the highly discernable aboriginal trails leading into the site.
42. **Painted Canyon in the Mecca Hills** is an area that is important to Cahuilla people, as it is discussed in their origin stories and in their Bird Songs. Dr. Lowell Bean has collected ethnographic information concerning the area. This area should be considered to be culturally significant and might be a Traditional Cultural Property.
43. **Sidewinder Well ACEC**, west of Palen Lake, contains prehistoric habitation sites, mesquite processing sites, and lakeshore sites. It is an ACEC and is one of the rare sites in the central portion of Riverside County, an area that had a low density of occupation due to lack of water and other resources upon which aboriginal populations depended.
44. **Palen Dry Lake ACEC**, north of Desert Center, was proposed as an ACEC for the prehistoric resources located on the eastern side of the lakeshore. Archaeologists such as John Cook, Dr. Emma Lou Davis, Dennis Gallegos, Judyth Reed, and Eric Ritter surveyed the area and concluded that all of the shorelines contain significant archeological resources associated with stands of fresh water that once filled the lake. The entire area surrounding the dry lakebed is extremely sensitive. Palen Dry Lake’s geographic area of significance is indiscernible from Sidewinder Well and the polygon indicating the geographic extent of the two ACEC is combined on the map accompanying this document.
45. **Alligator Rock ACEC**, southwest of Desert Center, contains petroglyphs and quarried materials dating to prehistoric periods. The quarry was also a biface manufacturing site. Lithic specialist Clay Singer located two halves of a bifaces, one at the Alligator Rock Quarry and the other at McCoy Springs more than 20 mi. to the northeast. Rock art at the Kingdom of Zion petroglyphs site, located less than 5 mi. to the east, also warrants protection. The site is listed in the NRHP as the North Chuckwalla Mountains Quarry District and the North Chuckwalla Mountains Petroglyph District

46. **The Mule Mountains ACEC**, southwest of Blythe, contains natural water tanks in lava flows that attracted aboriginal populations. It was designated as an ACEC due to its dense collection of prehistoric features, including trails, geoglyphs, rock art, rock shelters, and a pottery drop. Malcolm Rogers first documented the location in the 1920s. It also has an association with military maneuvers dating from World War II or possibly more recently. The geoglyphs and human trails are embedded in desert pavement. The site was listed as the Mule Tank Discontiguous Archaeological District in the NRHP.
47. **The South McCoy Mountains** was proposed as an ACEC but was rejected because Class L designation would seemingly protect the resources. The McCoy Wash Petroglyph Site was documented by Daniel McCarthy and listed in the NRHP as the result of his Masters thesis project for the University of California, Riverside. A power line forms the western boundary of the archaeological complex. The petroglyphs site is just inside the McCoy Mountains Wilderness Area. This area is extremely sensitive to any ground disturbance.
48. **Ford Dry Lake** was proposed by the Desert Plan staff as a potentially important location of cultural resources. It was proposed as an ACEC but rejected because of a “lack of importance.” Inventories over the past two decades have produced little in the way of significant sites, but it should be restudied. Ephemeral sheep grazing occurred in the area until the late 1990s.
49. **The Sheephole Mountains** are virtually unknown, but it appears to some anthropologists that they are discussed within the salt stories of the Chemehuevi Indians. They form the divide between Bristol and Dale lakes, both of which contain some evidence of the activity of early humans within the California desert.
50. **Big Morongo Canyon** is managed as an ACEC for wildlife. It also contains significant archaeological sites that may also be significant to the Cahuilla Indians. One the largest habitation sites, with rich, black midden, might be the village site of Morongo as described by Alfred Kroeber in the 1920s.
51. **The Santa Rosa/San Jacinto Mountains National Monument** is the backdrop to the Coachella Valley. It was established as a National Monument by an Act of Congress on October 24, 2000 “in order to preserve the nationally significant biological, cultural, recreational, geological, educational, and scientific values found” within its boundaries. The cultural resources found there are important to the Cahuilla Indians and for research and heritage values. Andreas Canyon and the Martinez Rock houses are both listed in the NRHP as being significant historical resources. Habitation sites, food processing sites, lithic scatters, and places special to native peoples should all be considered as eligible for listing in the NRHP.

## SAN BERNARDINO COUNTY

(Note: Greenwater Canyon and Clark Mountain ACEC are not discussed here since management was transferred to the National Park Service in 1993.)

52. **The Black Hills** are south of the China Lake Naval Air Weapons Station's Echo Range, north of Blackwater Well, and east of the Twenty Mule Team Route as it leaves Granite Well and heads towards Boron. The area contains hundreds of talus pits that may have been used for game hunting or religious purposes, as well as petroglyphs. Many of the rocks which form the outlines of the pits are pockmarked as if they were pounded to process food or to make noise. This location is unique for the large numbers of talus pits.
53. **Blackwater Well**, northeast of Cuddeback Lake, was rejected during the Desert Plan analysis because it was placed in a Class L management category, which was considered adequate protection. The Blackwater Well Archaeological District is listed in the NRHP for its prehistoric archaeology. Over the last decade, all of the ranching-era buildings and watering sites have been removed. Nothing is left of the association with the Twenty Mule Team route. The archaeological sites, dating to over 2,000 years of age, are very sensitive. A deep rich midden which is attributable to a prehistoric village is located near the intermittent spring site. According to local sources is called Blackwater Well because the water ran through black soil, which is the midden. The 20 Mule Team used the water source at times, but the site was not a location of a permanent station.
54. **The Rodman Mountains ACEC** is southeast of Barstow and south of Newberry Springs. Both an ACEC and a Wilderness designation cover much of the area, which is rich in prehistoric Native American cultural resources, including rock art (petroglyphs and some pictographs), rock rings, geoglyphs, cairns, trails, habitation sites with midden, and rock shelters. The Newberry Cave archaeological site is situated within a designated wilderness area on the north slope of the Newberry Mountains, north of the Rodman Mountains. It is listed in the NRHP.
55. **Troy Dry Lake**, east of Newberry Springs, was the subject of work in the 1950s by Ruth D. Simpson. The area, which has no designation, has been partially inventoried, but most has not been surveyed to professional standards. Based upon information from the San Bernardino County Museum and personal field visits, the area contains geoglyphs, habitation sites, lithic scatters, rock art, and isolated hearths on both sides of Interstate 40.
56. **Von Trigger Springs** has no designation by the BLM, but the area has historically been important to Native Americans in the eastern Mojave Desert. The area contains both private and public lands. Information from the San Bernardino County Museum indicates that the archaeological sites include rock shelters, lithic scatters, village sites, and sites with pictographs and petroglyphs.

57. **The Calico Mountains and Harvard Hill**, east of Barstow, arguably contain some of the oldest archaeological sites in the Mojave Desert. Most of the archaeological sites are lithic reduction areas. The archaeological resources within the Calico Mountains Archaeological District cover much of the Calico Mountains and a portion of Pleistocene Lake Manix. An exact boundary has not been identified as it has often been redefined as inventory occurs. The archaeological sites are listed in the NRHP and as an ACEC and are referred to as the Calico Early Man Site. This is an offensive name to some and is more often referred to as the Calico Mountains Archaeological site or just the Calico site. This site has been excavated for 40 years and is open intermittently to the public. The Lake Mojave Complex is found in this area and contains bifaces and other artifacts that are in excess of 8,000 years old. Harvard Hill may be the eastern boundary of the archaeological district. Impacts are occurring from transmission line corridors, recreation, and natural erosion. Professional archaeological study is occurring in parts of the Calico site and with the collection at San Bernardino County Museum.
58. **The Cronese Lakes** are east of Barstow and west of Baker, on the north side of Interstate 15. The ACEC encompasses much of geographic features. Both West and East Cronese (or Cronise) contain rich midden sites, including sandy deposits that contain fresh water mussel (*Anadonta* sp.) that were present in the Mojave River as it ended its run in Lake Mojave or Silver Lake, north of Baker. The Cronese Lakes were rich environments with water and waterfowl. A dissertation by Dr. Christopher Drover indicated that the area was used in early prehistoric times but also was occupied during contact times in the early to mid 1800s. The area contains burials as well as habitation/exploitation sites. Artifacts include pottery, projectile points, milling implements, lithic reduction remains, and beads. According to archaeologist Malcolm Rogers from the San Diego Museum of Man, a Southwestern Puebloan outlier may have been located here. Rogers proposed that the Anasazi peoples occupied the area while collecting turquoise in nearby Halloran Springs (mostly private lands). Silver lake is within the Mojave National Preserve. The lakes are sometimes filled by the Mojave River during heavy episodes of rain in the San Bernardino Mountains.
59. **The Manix ACEC** is referred to as Bassett Point by archaeologists and paleontologists. It is south of Interstate 15 and north of Newberry Springs. It contains a vestige of some of the earliest archaeological sites in the Mojave Desert, and according to archaeologist Fred Budinger may rival the nearby Calico Hills archaeological district in its antiquity and significance. The site also contains Pleistocene and Holocene era paleontological sites associated with the peopling of America. The BLM has designated a portion of this as an ACEC. The beds of Lake Manix and Lake Mojave traverse a portion of the resource. The CDCA Plan established an ACEC near Manix siding in order to protect paleontological resources. No management plan for this ACEC was ever prepared. Nearby Afton Canyon was established as an ACEC for biological and scenic resources, and it also contains cultural resources.
60. Mesquite Lake ACEC in northeastern San Bernardino County contains significant cultural resources associated with aboriginal use along its shoreline and within the



dunes system. The area has been looted in the past but contains resources that should be protected.

61. Denning Spring ACEC is located in north-central San Bernardino County, sandwiched between Ft. Irwin and Death Valley National Park. A rock shelter was test excavated by Dr. Mark Sutton in the early 1980s. Kaldenberg documented a large serpentine geoglyph within the northern portion of the site. Its location within the Avawatz Mountains helps protect the resource. The geoglyphs should be viewed as being irreplaceable.
62. **The Twenty Mule Team Borax** route began at Harmony Borax Works in Death Valley National Park, traversed over Wingate Pass and through the China Lake Naval Air Weapons Station to the railhead at Boron in the western Mojave Desert. One of the best examples of a freight wagon road in the California desert is found extending from the boundary of China Lake near Granite Springs southwest through Cuddeback Dry Lake and east of the community of Red Mountain. This route was determined eligible for listing in the NRHP in 1968 but is not yet listed. It should either be listed in the NRHP or considered as a National Historic Trail. Southwest of Cuddeback Lake, particularly as the route trends through California City, it is difficult to see since much of the trail has been lost due to heavy vehicle use.
63. **Christmas Canyon ACEC** is located on the east side of the Teagle Wash. It has been the subject of intensive inventory by archaeologists Drs. William Clewlow, David Whitley, Eric Ritter, Emma Lou Davis and Mark Becker as well as Judyth Reed, David Scott, and Russell Kaldenberg. The inventory was based upon work originally done by Sylvia Winslow and Emma Lou Davis in the 1960s. The area contains artifacts embedded in the desert pavement, stacked stone cairns, Indian trails deeply embedded in the pavement, rock shelters, camp sites, and highly patinated artifacts with extremely early dates that might be associated with the peopling of the Americas. The sites extend into the China Lake Naval Weapons Station, Echo Range and are often associated with embayments that existed when Searles Lake contained water. A Master's thesis by Luz Ramirez de Bryson at the University of Wisconsin argued that the area contained water from springs throughout the Holocene Epoch. The ACEC is threatened, because it is adjacent to an OHV Open Area. In 2002 correspondence from the California OHP to the BLM considered all of the archaeological sites to be eligible for listing in the NRHP.
64. **Bedrock Springs is an ACEC** located in the Summit Range on the north edge of the Lava Mountains. It is a relatively small area but possesses an incredible array of archeological resources, including petroglyphs, pictographs, extremely deep midden sites associated with collapsed rock shelters, rock alignments, and milling sites. The major village site has been looted, but BLM did data recovery projects at the site twice in the early 2000s to understand the extent of the looting. The site dated to 2,000 years ago. Faunal materials included bovine (perhaps bison), deer, bird, and fish bones. It has been determined to be eligible for listing in the NRHP.

65. **Steam Well Archaeological District is an ACEC** in the Lava Mountains. It is primarily a rock art site, with milling stations and scatters of prehistoric artifacts. The site was vandalized in the 1960s, but with the help of volunteers the BLM removed much of the spray paint. The site is eligible for listing in the NRHP and is managed as such. It is within a designated Wilderness area.
66. **Squaw Spring ACEC** is now referred to as Red Mountain Spring. The name on maps is considered offensive by the California Native American Heritage Commission and by many Native people. It is a complex of prehistoric archaeological sites situated in a valley and contained on several ridges east of Red Mountain. The district is listed in the NRHP and has recently been extensively mapped and studied by Dr. Mark Allen of California State Polytechnic University, Pomona. Petroglyphs and stacked stone structures are found throughout the district, as well as midden and milling stations. The site complex seems to date from the late prehistoric time period of about 1,000 years ago up until the late 1900s. The foundations of Squaw Spring Well, which supplied water to the gold and silver mines of the tri-cities of Randsburg, Red Mountain [OsDick or Sin City], and Johannesburg, are found along with the prehistoric archaeological sites.
67. **The Black Mountain and Inscription Canyon ACEC** was set aside for the outstanding petroglyphs and rock rings, occupation sites, trial shrines and cairns found throughout this area, as well as the resources contained at Opal Mountain and Milk Dry Lake. The area is listed in the NHRP. The resources are fragile. Inscription Canyon has been significantly vandalized. It was in private ownership until the 1990s. The late Wilson Turner and Gerald S. Smith undertook significant archaeological documentation on behalf of the San Bernardino County Museum through Earthwatch. The late Dr. Robert Heizer assisted in the research in the late 1970s.
68. **The Dead Mountains ACEC** was set aside because of information from the Mohave and Chemehuevi tribes. The range contains significant locations of salt trail songs identified by Robert Laidlaw and Carobeth Laird and also contains sites principally significant to the origin myths of the Mohave tribe and others.
69. **Kramer Hills ACEC** was located on the south side of Highway 58, on both sides of Highway 395. It was removed as an ACEC by a Desert Plan amendment. The area was once rich with aboriginal quarries. Impacts by transmission lines, pipelines, rock hounds, and OHV activities have degraded the resource. Recent work by Dr. William Self and Associates have analyzed the archaeological collections made Al Mohr and Agnes Bierman at the Kramer Hills quarries in the late 1940s as well as other lithic sites within the general vicinity. It may be worth a closer look to determine whether the archaeological sites have integrity of materials or location.
70. **Rainbow Basin and Owl Canyon** are located north of Barstow. Rainbow Basin is a Natural National Landmark and is known for its spectacular geology and fossils. Dr. Mark Sutton has documented some of the archaeology of Owl Canyon. Many of the archaeological resources are lithic scatters and quarries where opal, chalcedony, and agate were found. Fossil Canyon, on the northeast side of Rainbow Basin, contains

unique Coso-style petroglyphs carved into the welded tuft. This small archaeological site is listed in the NRHP. Fossil palm fronds are found within these canyons, as well as mammalian fossils dating to over 20 million years ago.

71. **Crucero is an ACEC** that contains many archaeological sites situated in sandy, windblown dunes and along the old watercourse of the Mojave River, southwest of Baker and east of Barstow. Sites include habitation sites, lithic scatters, milling stations, geoglyphs, and pottery scatters. Aboriginal trials have also been reported from the area. Impacts from OHVs have diminished the quality of the resources but the ever-shifting dunes serve to protect some resources.
72. **Silver Mountain Mines ACEC** was nominated to preserve two silver mines, the Yankee Maid and the Oro Grande. This ACEC is located north of Victorville in an area with scattered public lands.
73. **Juniper Flats ACEC** is situated on the north flanks of the San Bernardino Mountains, close to the boundary of San Bernardino National Forest. The ACEC contains a rich village site, temporary campsites, rock shelters, milling sites, and reported burial areas, and it has been impacted by OHV use and wildfire. Erosion was stabilized as a result of work by the Barstow Field Office archaeologist and the U.S. Forest Service. The site was studied by the late Del Fortner, who produced a monograph about his work at the site.
74. **Black Buttes in Pipes Canyon** is reported to contain important petroglyphs. According to the San Bernardino County Museum, the petroglyphs are situated in Pipes Wash and have not been professionally recorded. The museum staff concluded that all of Pipes Canyon and Pipes Wash might contain extremely significant cultural resources and need inventory and analysis.
75. **The North Slope of the San Bernardino Mountains** contain sites which are scattered much like those in the east-facing canyons of the Sierra Nevada. The entire watershed should be considered to be highly significant until it is adequately inventoried. This includes U.S. Forest Service, BLM, and private lands. Examples of archaeological sites such as the Bobo Springs Maze Petroglyph and the “Willie Boy” Stone Corral indicate that significant sites are present and span the prehistoric and historic periods.
76. **Amboy Crater is a National Natural Landmark (NNL)** and is managed as such by the BLM. It is situated just off Route 66 near Amboy. The San Bernardino County Museum staff indicates that the lava flow has significant archaeological sites. Little archeological survey has been conducted on the BLM-administered portion of the Landmark but archaeological resources are suspected there. A reported obsidian source may be located in or near the NNL.
77. **Lanfair Valley** in the east Mojave Desert contains interspersed public and private lands. The area is largely unsurveyed, but according to the San Bernardino County Museum it has some of the best examples of twentieth century homesteading left in the California desert. The homesteading landscape is considered to be significant, and any

large-scale development should be viewed as potentially impacting the historic-era landscape.

78. **Lost Lake** within the Owl Hole Mountains is squeezed in between Ft. Irwin and Death Valley National Park. The area has not been adequately inventoried, but information recorded by Dr. Emma Lou Davis indicates that the area contains significant cultural resources, including rock alignments and shoreline sites dating to the Paleo-Indian time period.
79. **The Whipple Mountains ACEC**, southwest of Needles, represent one of the most extensively used and concentrated distributions of culturally sensitive resources in the California Desert. This ACEC contains rock shelters, caves, trails, and habitation sites, as well as mythological and religious sites important to the Mohave. Much of the area has been designated as wilderness, which will assist in the preservation of the sites. Archaeological research has been proposed, and a nomination package for the NRHP was prepared by University of Nevada, Las Vegas archaeologists Linda Blair and Jeff Wedding.
80. **Spangler Hills** is adjacent to an OHV open area. It contains prehistoric resources associated with the collection of lithic resources, as well as historic mining sites dating to the late 1800s. The area was proposed for ACEC designation but the BLM did not “anticipate additional degradation of cultural resource values because of the irregular topography and lack of roads” (BLM Volume C, Appendix IV, 1980:63). Recent surveys by Giambiastini have found that the area contains more sites than previously reported.
81. **The Baxter Mountain Range** southwest of Barstow in Stoddard Valley once contained quarry sites and seed processing areas with bedrock grinding slicks. It is located in a Class I, or Open Area. Little may be left of the resource, but the area should be viewed as having some significance.
82. **The south end of the Providence Mountains** within the Mojave Desert Preserve contains some of the densest concentrations of archaeological sites within the central portion of the Mojave Desert. Rock shelters containing pictographs and petroglyphs and interspersed habitation sites make this one of the most significant archaeological areas within the California desert. While pressures to develop it are not pronounced as on public lands, it still should be noted as an area with extremely significant resources and development could impact a cultural landscape.
83. **Sunflower Springs** is located in the east Mojave Desert. As with most spring sites in the California desert, it is a significant cultural resource. It is privately owned, with public lands surrounding the site. It should be considered sensitive.
84. **Kingston Mountains ACEC** was set aside for the management of wildlife and botanical resources. The area also contains significant cultural resources in the form of nearly intact archaeological sites. Pygmy agave was harvested here by the local Native American population. Agave roasting pits are ubiquitous in ACEC. A report was

prepared in the 1980s as the result of work undertaken by students from the University of California, Santa Cruz.

85. **Clark Mountain ACEC**, like the Kingston Mountains, was established for the management of plants and animals. It also contains archaeological sites with agave roasting pits. A part of the ACEC was transferred to the NPS as a result of the establishment of the Mojave Desert Preserve.
86. **West Well** was proposed by the BLM cultural resource staff to protect prehistoric cultural values in the Chemehuevi Wash in eastern San Bernardino County near the Colorado River. The area contains large concentrations of rock rings which have been impacted by use. The area was rejected because management was limited to existing roads and trails
87. **The Afton Canyon ACEC** is situated east of Barstow and West of Baker, California. Archaeological resources are dominated by sites representing the late prehistoric period. These sites include habitation areas and cave sites. Extensive studies have been conducted by Dr. Joan Schneider. The Old Government Road crosses through the ACEC, as does the Burlington Northern/Santa Fe Rail line. The ACEC contains a campground and much vegetation restoration has occurred along the banks of the Mojave River as it surfaces in the ACEC.
88. **Halloran Wash ACEC** is located just north of Interstate 15 at the southern end of Shadow Valley in the east Mojave Desert. It was identified as an ACEC due to its significant prehistoric cultural resources which include significant rock art sites (petroglyphs), habitation sites, lithic quarries, and trail segments.

## **SAN DIEGO COUNTY**

89. **Table Mountain ACEC** is within the McCain Valley Management unit of San Diego County. The area is also listed in the NRHP for its significant prehistoric resources. It is also significant to Native Americans, as it was used by the local tribes as a food gathering and cultural site until late in the 1800 or early 1900.
90. **Inkopah ACEC** is partially within the CDCA and within the McCain Valley Management unit. Like Table Mountain, it contains archaeological and cultural resources that are significant scientifically and culturally. The ACEC was not established for its cultural but for other resource sensitivity.

## **HISTORIC ROUTES AND OTHER LARGE-SCALE FEATURES**

91. **The Old Government Road** or the Mojave Trail was used and built by the US Army. Its major period of use was 1860-1880. The majority of it bisects the Mojave National Preserve, but it enters the preserve and exits it on public lands. The route is roughly

220 mi. long, beginning in the east at Fort Mohave and ending near Camp Cady, east of Newberry Springs. The setting is important for this trail, much of which is two wheel ruts. It is one of the most important historic trails in the California desert and needs to be considered as a significant resource. It was originally recommended by the Desert Plan cultural resources staff as an ACEC but was rejected due to manageability concerns.

92. **The Old Salt Lake Trail** is a National Historic Trail managed jointly by the National Park Service and the BLM. This trail went from Santa Fe, New Mexico to Los Angeles. Beginning in 1829, commercial caravans brought goods for trade. Although in the California desert it skirts the East Mojave National Preserve and near Barstow trends through the eastern edge of Ft. Irwin, there are segments of the trail that probably traversed the Preserve. In some places power lines dominate the landscape. The Desert Plan staff proposed Spanish Canyon in the Alvord Mountain as an ACEC but the proposal was rejected since Multiple Use Class M would have served as adequate protection. The wagon ruts that were very visible in the late 1970s have been obscured by OHVs using the area for hill climbs. This trail is of national significance, and its setting should be considered significant.
93. **Route 66** through the California desert from Newberry Springs to near Needles was constructed in 1926 and caught the imagination of the nation as the major east-west automobile route between Los Angeles and Chicago between the 1920s and the 1960s. The setting along the route is important to those who traverse it. Several organizations are interested in the preservation and management of the Route 66 experience. The BLM has exercised leadership in its preservation, as has the County of San Bernardino. The landscape adjacent to Route 66 should be considered to a significant aspect of twentieth century history.
94. **The Bradshaw Trail** from near Blythe to Dos Palmas was an early historic route constructed in 1862. Its 70-mi. route is partially graded and partly requires four-wheel drive. It crosses some archaeological sites in the eastern portion of the route and provides access to historic mining properties along its route. It is a significant resource, and along with other trails in the California desert, its setting is significant. Public concern regarding the Dos Palmas Preserve and its historical ranch house add significance to the connecting trail that now bypasses the preserve.
95. **The Juan Bautista De Anza National Historic Trail** and the parallel Butterfield Stage Route in Imperial County have been designated as a National Historic Trail and are administered by the National Park Service. The route traverses public lands in Imperial County, but often parallels paved roads. In some places it is a horseback and hiking trail. The Butterfield Stage Route parallels much of the DeAnza Trail. It provided access for gold seekers, postal couriers, and the railroad from about 1860 until the end of the nineteenth century. The area was proposed as an ACEC and as an historic trail by the BLM cultural resources staff, but the proposal was rejected due to its course through an OHV open area at Plaster City. Any impact to its setting should be carefully evaluated.

96. **The Manix Basin Aboriginal Trails** were identified and published by avocational archaeologist E. Henry James. They are located northeast of Newberry Springs, between Interstate 15 and Interstate 40 in San Bernardino County. The trails intersect archaeological sites and are often difficult to see unless the light from the sun is at a suitable angle. The trails cross sandy hummocks and open patches of dune blowouts. They compose a changing landscape that has been poorly documented. Information is documented at the San Bernardino County Museum.
97. **Colorado Desert Aboriginal Trails** are found within the desert pavements from the Colorado River to the Coachella Valley in Riverside and Imperial counties. The trails have been studied by Daniel McCarthy and Francis Johnson. They are unmapped, except in so far as they have been documented in the course of archaeological site recordation. Trails are ephemeral, but within the desert pavement they will survive many more decades unless they are disrupted by land alteration or vehicle use. As discussed in connection with Mule Mountains (#45), trails there bisect a trail circle and a geoglyph; they are visible even after heavy vehicle traffic use over the last 60 years. Generally trails also contain stone markers, often called “rock ducks,” and spirit or trail breaks which are a simple line of rocks placed across a trail. While these have not been adequately mapped, they are scattered throughout the Colorado desert, and caution should be used in siting projects or allowing OHV uses. An inventory of the trail systems even if done by air would be an important contribution.
98. **Mojave River Corridor in San Bernardino County.** The headwaters of the Mojave River are within the San Bernardino National Forest. Like many rivers in the West, the headwaters of the Mojave River were dammed for erosion control, flood control, and water conservation. Silverwood Lake was created by the damming of the Mojave River. The Mojave River drains into Pleistocene Silver Lake and Lake Mojave, in the interior of the Mojave Desert near Baker. It drains. It provided a substantial resource for aboriginal populations, including not only fresh water but shellfish, river-dwelling freshwater fish, and animals that were attracted to the water. All along the river's channel were places that people lived in both the aboriginal and historic times. Camp Cady, an army fortification, is situated where it is because of the proximity of the Mojave River. Much of the land between Silverwood Lake and Newberry Springs is private and has been developed. Some of it is still undeveloped, and public lands along the river should be considered to be sensitive. The entire Mojave River corridor should be considered a cultural landscape from its beginnings to its terminus.
99. **Historic nineteenth- and early twentieth-century ranching complexes** are scattered throughout the CDCA, have been not been completely studied, and are poorly understood. Ranching complexes should be considered to be significant for the purposes of evaluation. Oral histories should be undertaken where possible during any undertaking that affects the associated cultural resource. Eventually they will all be gone, because most of the associated artifacts are perishable.
100. **Historic nineteenth- and twentieth-century mining complexes** associated with the early mineral exploration and development of the CDCA should be considered

significant because many are undocumented. Historic research through county and state mining records and oral histories should be conducted on these complexes scattered throughout the CDCA.

101. **The New and Alamo Rivers** in Imperial County enter the United States from Baja Norte, Mexico. On the American side much of the lands have been subjected to tiling for agricultural purposes for a century. Archaeologist Jay von Werlhof feels that important archaeological sites may still be intact along some of the riverbanks. These include a village located near Brawley, California.
102. **Sites within the Ancient Lake Cahuilla Shoreline Area, Imperial County, California.** Jay von Werlhof has indicated a series of archaeological sites, including fish traps and rock art which are within the band of shoreline sites in Imperial County that have not been previously noted in the archaeological record. These sites are on the east and west side of the Salton Sea and should be noted as significant features on the landscape. The sites should be considered to be fragile and are in need of documentation.
103. **Sites Identified by the Public.** Concerned members of the public have indicated that they have concern for several archaeological sites within the CDCA which are familiar to them due to their intimate knowledge of the California Desert. Several of the sites are within the bounds of National Parks and others were in designated wilderness area. Geoglyphs scattered throughout the desert are not identified for this project except unless they are ACEC's or listed in the NRHP. Sites that have been placed on the map include:
  - a. Coyote Hole Springs near Joshua Tree National Park. This site is primarily on private lands and contains petroglyphs and deposits that appear to be representative of an ethnohistoric era village. There may be interest in the site by tribes.
  - b. Painted Rock, site containing rock art and habitation debris such as lithics is located in the Old Woman Mountains in eastern San Bernardino County and is on private lands owned by a non-profit organization
  - c. Newberry Cave situated near Newberry Springs, San Bernardino County is in designated wilderness. It has been added to the map due to concerns about impacts by projects east of Barstow. The site is also listed in the NRHP. It has been the subject of an excavation report and a Masters Thesis.
  - d. A purported Papago Creation site north of Desert Center has been indicated on the map based upon public concern for the location. Research regarding the site needs to be conducted.
  - e. Geoglyphs along the Colorado River near have been of concern to some members of the public and Tribes for many years. Some of these are listed in the NRHP; others have been determined to be eligible for listing in the NRHP. A polygon north of Blythe has been placed on the map to indicate the location is sensitive.



## SITES WITHIN THE CDCA LISTED IN THE NRHP

The following is an annotated list of Archaeological Sites within the CDCA which have been listed in the National Register of Historic Places. All of the listed places are on federal lands unless otherwise noted. The significance of this list is that someone went to the trouble to complete the forms and the sophisticated process to get the place identified, evaluated, reviewed by the agency and the OHP staff, sent to the Keeper of the National Register of Historic Places, reviewed there, published in the Federal Register and then placed on the list maintained by the National Park Service. It is a long but worthwhile process. Most sites identified within the CDCA as being of National Register quality are never listed in the NRHP but determined eligible. Unfortunately most agencies have not kept good records of what sites have been determined to be eligible for listing. Someday such a list may be created, but it will be an incredibly long and complex task. A data retrieval system will have to be devised and old reports located which identify which sites have been so determined.

### IMPERIAL COUNTY

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#### **Calexico Carnegie Library** (added 2005 - **Building** - #05001085)

Also known as **Calexico Public Library**

420 Heber Ave., Calexico

Historic Significance: Event

Area of Significance: Education

Period of Significance: 1900-1924, 1925-1949, 1950-1974

Owner: **Local Gov't**

Historic Function: Education

Historic Sub-function: Library

Current Function: Vacant/Not In Use

---

#### **Coyote Valley Site** (added 1984 - **Site** - #84004083)

Also known as **Site P-15**

Address Restricted, Palo Verde

Owner: **Federal**

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#### **Desert View Tower** \*\* (added 1980 - **Site** - #80000801)

SW of Ocotillo, Ocotillo

Historic Significance: Architecture/Engineering

Architect, builder, or engineer: Ratcliffe, M.T., Vaughn, Robert

Architectural Style: Other

Area of Significance: Art

Period of Significance: 1900-1924

Owner: **Private**

Historic Function: Recreation And Culture

Historic Sub-function: Museum

Current Function: Recreation And Culture

Current Sub-function: Museum

**Fages-De Anza Trail-Southern Emigrant Road** (added 1973 - **District** - #73002252)

Also known as **Anza-Borrogo Desert State Park**

Anza-Borrogo State Park, Borrogo Springs

Historic Significance: Event, Information Potential

Area of Significance: Prehistoric, Historic - Non-Aboriginal, Military, Exploration/Settlement,  
Historic - Aboriginal

Cultural Affiliation: Shoshonan, Yuman

Period of Significance: 1499-1000 AD, 1900-1750 AD, 1700-1749

Owner: **Private** , **State**

Historic Function: Landscape, Transportation

Historic Sub-function: Road-Related, Underwater

Current Function: Landscape, Transportation

Current Sub-function: Park, Road-Related, Underwater

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**Hillside Figure** (added 1984 - **Site** - #84004063)

Also known as **Site G-2**

Address Restricted, Palo Verde

Owner: **Federal**

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**Main Yuha Site** (added 1984 - **Site** - #84004114)

Address Restricted, Palo Verde

Owner: **Federal**

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**North Cargo Muchacho** (added 1984 - **Site** - #84004071)

Also known as **Site L-3**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Ocotillo Wells** (added 1984 - **Site** - #84004111)

Also known as **Site P-13;322B**

Address Restricted, Palo Verde

Owner: **Federal**

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**Ogilby Site A** (added 1984 - **Site** - #84004074)

Also known as **Site L-6**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Palo Verde Circles and Arrow** (added 1984 - **Site** - #84004065)

Also known as **Site G-4**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Pilot Knob 18** (added 1984 - **Site** - #84004079)

Also known as **Site M-6**

Address Restricted, Palo Verde 1

Owner: **Federal**

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**Pilot Knob Anthropomorphic Figure (M-1)** (added 1984 - **Site** - #84004075)

Also known as **Site M-1**

Address Restricted, Palo Verde

Owner: **Federal**

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**Pilot Knob Anthropomorphic Figure (M-8)** (added 1984 - **Site** - #84004080)

Also known as **Site M-8**

Address Restricted, Palo Verde

Owner: **Federal**

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**Pilot Knob Horse** (added 1984 - **Site** - #84004078)

Also known as **Site M-4**

Address Restricted, Palo Verde

Owner: **Federal**

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**Pilot Knob Lizard** (added 1984 - **Site** - #84004076)

Also known as **Site M-2**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Pilot Knob Ring** (added 1984 - **Site** - #84004077)

Also known as **Site M-3**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Pinto Wash** (added 1984 - **Site** - #84004113)

Also known as **Site P-17**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Quail, The** (added 1984 - **Site** - #84004073)

Also known as **Site L-5**

Address Restricted, Palo Verde

Owner: **Federal**

---

**19 Running Man** (added 1984 - **Site** - #84004069)

Also known as **Site L-1**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 1-A** (added 1984 - **Site** - #84004082)

Also known as **Site O-1**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-B** (added 1984 - **Site** - #84004084)

Also known as **Site O-2**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-C** (added 1984 - **Site** - #84004085)

Also known as **Site O-3**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-D** (added 1984 - **Site** - #84004086)

Also known as **Site O-4**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-E** (added 1984 - **Site** - #84004087)

Also known as **Site O-5**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 1-F** (added 1984 - **Site** - #84004088)

Also known as **Site O-6**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 1-G** (added 1984 - **Site** - #84004089)

Also known as **Site O-7**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-H** (added 1984 - **Site** - #84004090)

Also known as **Site O-8**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-I** (added 1984 - **Site** - #84004091)

Also known as **Site O-9**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 1-J** (added 1984 - **Site** - #84004092)

Also known as **Site O-10**

Address Restricted, Palo Verde

Owner: **Federal**

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**Singer Element 1-K** (added 1984 - **Site** - #84004093)

Also known as **Site O-11**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 1-L** (added 1984 - **Site** - #84004094)

Also known as **Site O-12**

Address Restricted, Palo Verde

Owner: **Federal**

---

2. The Identification and Descriptions of Places that Matter within the CDCA

---

**Singer Element 1-M** (added 1984 - **Site** - #84004095)

Also known as **Site O-13**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 2-A** (added 1984 - **Site** - #84004096)

Also known as **Site O-14**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 2-B** (added 1984 - **Site** - #84004097)

Also known as **Site O-15**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element 2-C** (added 1984 - **Site** - #84004098)

Also known as **Site O-16**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Singer Element R-1** (added 1984 - **Site** - #84004099)

Also known as **Site O-18**

Address Restricted, Palo Verde

Owner: **Federal**

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**Site G-3** (added 1984 - **Site** - #84004064)

Address Restricted, Palo Verde

Owner: **Federal**

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**Site L-2** (added 1984 - **Site** - #84004070)

Address Restricted, Palo Verde

Owner: **Federal**

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**Site L-4** (added 1984 - **Site** - #84004072)

Address Restricted, Palo Verde

Owner: **Federal**

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**Site M-11** (added 1984 - **Site** - #84004081)

Address Restricted, Palo Verde

Owner: **Federal**

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**Site M-9** (added 1984 - **Site** - #84004027)

Also known as **AZ-050-0416**

Address Restricted, Palo Verde

Owner: **Private**

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**Site P-14** (added 1984 - **Site** - #84004112)

Address Restricted, Palo Verde

Owner: **Federal**

---

**Site P-8** (added 1984 - **Site** - #84004106)

Address Restricted, Palo Verde

Owner: **Federal**

---

**Southwest Lake Cahuilla Recessional Shoreline Archeological District \*\*\*** (added 1999 - **District** - #99001567)

Address Restricted, Salton City

Historic Significance: Event, Information Potential

Area of Significance: Prehistoric

Cultural Affiliation: Cahuilla, Kumeyaay

Period of Significance: 5000-6999 BC, 3000-4999 BC, 1000-2999 BC, 1000 AD-999 BC, 7500-7999 BC, 7000-7499 BC, 1499-1000 AD, 1500-1599

Owner: **Federal**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Defense, Work In Progress

Current Sub-function: Military Facility

---

**Spoke Wheel Rock Alignment** (added 2003 - **Site** - #03000120)

Also known as **CA-IMP-6988**

Address Restricted, Ocotillo

Historic Significance: Architecture/Engineering, Information Potential

Architectural Style: Other

Area of Significance: Art, Prehistoric

Cultural Affiliation: Kummeyaay Tribe

Period of Significance: 1000-1499 BC, 500-999 BC, 499-0 BC, 499-0 AD, 1000-500 AD, 1499-1000 AD, 1749-1500 AD, 1900-1750 AD

Owner: **Federal**

Historic Function: Religion

Historic Sub-function: Ceremonial Site

Current Function: Other

---

**Stonehead (L-7) \*\*\*** (added 1987 - **Site** - #87001026)

Address Restricted, Yuma

Historic Significance: Information Potential

Area of Significance: Prehistoric

Cultural Affiliation: Native American

Period of Significance: 1499-1000 AD

Owner: **Private**

Historic Function: Recreation And Culture

Historic Sub-function: Work Of Art (Sculpture, Carving, Rock Art)

Current Function: Landscape

Current Sub-function: Unoccupied Land

---

**Sweeney Pass Site** (added 1984 - **Site** - #84004028)

Also known as **Site S-1**

Address Restricted, Ocotillo Wells

Owner: **State**

**US Inspection Station--Calexico \*\*\* (added 1992 - Building - #91001749)**

Also known as **US Border Station;Old Customs Building**

12 Heffernan Ave., Calexico

Historic Significance: Architecture/Engineering, Event

Architect, builder, or engineer: U,S. Treasury Department

Architectural Style: Other, Mission/Spanish Revival

Area of Significance: Hispanic, Politics/Government, Architecture

Period of Significance: 1925-1949

Owner: **Federal**

Historic Function: Government

Historic Sub-function: Customhouse

Current Function: Government

Current Sub-function: Customhouse

---

**US Post Office--El Centro Main (added 1985 - Building - #85000125)**

Also known as **El Centro Main Post Office**

230 S. 5th St., El Centro

Historic Significance: Architecture/Engineering

Architect, builder, or engineer: Simon,Louis A., Wetmore,James A.

Architectural Style: Beaux Arts, Classical Revival

Area of Significance: Architecture

Period of Significance: 1925-1949

Owner: **Federal**

Historic Function: Government

Historic Sub-function: Post Office

Current Function: Government

Current Sub-function: Post Office

---

**Walter's Camp Linear Figure (added 1984 - Site - #84004068)**

Also known as **Site I-1**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Winterhaven Anthropomorph (L-8) \*\*\* (added 1987 - Site - #87001025)**

Address Restricted, Yuma

Historic Significance: Information Potential

Area of Significance: Prehistoric

Cultural Affiliation: Native American

Period of Significance: 1499-1000 AD

Owner: **Private**

Historic Function: Recreation And Culture

Historic Sub-function: Work Of Art (Sculpture, Carving, Rock Art)

Current Function: Landscape

Current Sub-function: Unoccupied Land

---

**Winterhaven Anthropomorph and Bowknot, L-9 \*\*\*** (added 1985 - **Site** - #85003429)

Also known as **L-9**

Address Restricted, Winterhaven

Historic Significance: Architecture/Engineering, Information Potential

Area of Significance: Prehistoric, Art

Cultural Affiliation: Native American

Period of Significance: 3000-4999 BC, 1000-2999 BC

Owner: **Private**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Landscape

---

**Yuha Basin Discontiguous District \*\*** (added 1982 - **Site** - #82002185)

Address Restricted, Plaster City

Historic Significance: Information Potential

Area of Significance: Prehistoric

Cultural Affiliation: San Dieguito, Malpais

Period of Significance: 1499-1000 AD

Owner: **Local Gov't**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Recreation And Culture

Current Sub-function: Outdoor Recreation

---

**Yuha Schneider Site** (added 1984 - **Site** - #84004107)

Also known as **Site P-9**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Shrine** (added 1984 - **Site** - #84004110)

Also known as **Site P-12**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site A** (added 1984 - **Site** - #84004100)

Also known as **Site P-1**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site B** (added 1984 - **Site** - #84004101)

Also known as **Site P-2**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site C** (added 1984 - **Site** - #84004102)

Also known as **Site P-3**

Address Restricted, Palo Verde

Owner: **Federal**

---



2. The Identification and Descriptions of Places that Matter within the CDCA

---

**Yuha Site E** (added 1984 - **Site** - #84004103)

Also known as **Site P-4**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site F** (added 1984 - **Site** - #84004104)

Also known as **Site P-5**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site G-1** (added 1984 - **Site** - #84004105)

Also known as **Site P-6**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site H** (added 1984 - **Site** - #84004108)

Also known as **Site P-10;322E**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuha Site I** (added 1984 - **Site** - #84004109)

Also known as **Site P-11;322-G**

Address Restricted, Palo Verde

Owner: **Federal**

---

**Yuma Crossing and Associated Sites \*\*\*** (added 1966 - **District** - #66000197)

Banks of the Colorado River, Winterhaven

Historic Significance: Event

Area of Significance: Transportation, Exploration/Settlement

Period of Significance: 1850-1874, 1875-1899

Owner: **Private , State**

Historic Function: Defense, Transportation

Historic Sub-function: Military Facility, Water-Related

Current Function: Recreation And Culture

Current Sub-function: Museum

## **INYO COUNTY**

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### **Archeological Site CA-INY-134 \*\* (added 2003 - Site - #03000116)**

Also known as **Ayer's Rock Pictograph Site; Bob Rabbit's Pictographs**

Address Restricted, Olancha

Historic Significance: Architecture/Engineering, Information Potential

Architectural Style: No Style Listed

Area of Significance: Philosophy, Art, Historic - Aboriginal, Prehistoric, Religion

Cultural Affiliation: Early, Middle, and Late Archaic, Late Prehistoric/Historic, Coso  
Shoshone/Kawaiisu/Numic

Period of Significance: 7000-7499 BC, 6500-6999 BC, 1900-1750 AD, 1900-1924

Owner: **Federal**

Historic Function: Agriculture/Subsistence, Domestic, Industry/Processing/Extraction,  
Recreation And Culture, Religion

Historic Sub-function: Camp, Ceremonial Site, Processing, Processing Site, Work Of Art  
(Sculpture, Carving, Rock Art)

Current Function: Landscape

Current Sub-function: Unoccupied Land

---

### **Big and Little Petroglyph Canyons \*\*\* (added 1966 - Site - #66000209)**

Address Restricted, China Lake

Historic Significance: Architecture/Engineering, Information Potential

Architectural Style: No Style Listed

Area of Significance: Philosophy, Art, Historic - Aboriginal, Prehistoric, Religion

Cultural Affiliation: Early, Middle, and Late Archaic, Late Prehistoric/Historic, Coso  
Shoshone/Kawaiisu/Numic

Period of Significance: 7000-7499 BC, 6500-6999 BC, 1900-1750 AD, 1900-1924

Owner: **Federal**

Historic Function: Agriculture/Subsistence, Domestic, Industry/Processing/Extraction,  
Recreation And Culture, Religion

Historic Sub-function: Camp, Ceremonial Site, Processing, Processing Site, Work Of Art  
(Sculpture, Carving, Rock Art)

Current Function: Landscape

Current Sub-function: Unoccupied Land

**Coso Hot Springs \*\*\* (added 1978 - District - #78000674)**

**Address Restricted, Little Lake**

Historic Significance: Event, Architecture/Engineering, Information Potential

Architect, builder, or engineer: Unknown

Architectural Style: Other

Area of Significance: Architecture, Religion, Prehistoric, Historic - Aboriginal

Cultural Affiliation: Shoshone, Owens Valley Paiute

Period of Significance: 1499-1000 AD, 1900-1924

Owner: **Private**

Historic Function: Domestic, Recreation And Culture

Historic Sub-function: Camp, Outdoor Recreation

Current Function: Unknown

---

**Coso Rock Art District \*\*\* (added 1999 - District - #99001178)**

**Also known as Big and Little Petroglyph Canyons National Historic Landmark**

**Address Restricted, China Lake**

Historic Significance: Architecture/Engineering, Information Potential

Area of Significance: Art, Prehistoric

Cultural Affiliation: Late Archaic, Middle Archaic, Early Archaic

Period of Significance: 9000-10999 BC, 7000-8999 BC, 5000-6999 BC, 3000-4999 BC, 1000-2999 BC, 1000 AD-999 BC, 500-999 BC, 499-0 BC, 499-0 AD, 1000-500 AD, 1499-1000 AD, 1749-1500 AD

Owner: **Federal**

Historic Function: Agriculture/Subsistence, Domestic, Funerary, Recreation And Culture, Religion

Historic Sub-function: Camp, Ceremonial Site, Multiple Dwelling, Secondary Structure, Single Dwelling, Village Site, Work Of Art (Sculpture, Carving, Rock Art)

Current Function: Defense

Current Sub-function: Naval Facility

---

**Death Valley Junction Historic District \*\* (added 1980 - District - #80000802)**

**CA 127 and CA 190, Death Valley Junction**

Historic Significance: Event, Architecture/Engineering, Person

Architect, builder, or engineer: McCulloch, Alexander H.

Architectural Style: Mission/Spanish Revival

Historic Person: Becket, Marta

Significant Year: 1926, 1923

Area of Significance: Architecture, Performing Arts, Community Planning And Development, Industry, Transportation, Exploration/Settlement, Commerce

Period of Significance: 1900-1924, 1925-1949

Owner: **Private**

Historic Function: Domestic

Historic Sub-function: Hotel, Single Dwelling

Current Function: Commerce/Trade, Domestic, Education, Recreation And Culture

Current Sub-function: Hotel, Music Facility, Single Dwelling

---

**Death Valley Scotty Historic District \*\* (added 1978 - District - #78000297)**

**Also known as Scotty's Castle & Ranch; Death Valley Ranch  
NE of Olancha on CA 72 in Death Valley National Monument,  
Olancha**

Historic Significance: Event, Architecture/Engineering

Architect, builder, or engineer: Multiple

Architectural Style: Modern Movement

Area of Significance: Social History, Invention, Prehistoric, Art, Architecture

Period of Significance: 1875-1899, 1900-1924

Owner: **Federal**

Historic Function: Domestic, Domestic

Historic Sub-function: Camp, Hotel, Secondary Structure, Single Dwelling

Current Function: Domestic, Recreation And Culture

Current Sub-function: Museum, Single Dwelling

---

**Eagle Borax Works \*\* (added 1974 - District - #74000338)**

**Also known as H.S.-1**

**Death Valley National Monument, Furnace Creek**

Historic Significance: Event

Area of Significance: Industry, Transportation

Period of Significance: 1875-1899

Owner: **Federal**

Historic Function: Industry/Processing/Extraction

Historic Sub-function: Extractive Facility, Manufacturing Facility

Current Function: Landscape

Current Sub-function: Park

---

**Fossil Falls Archeological District \*\* (added 1980 - District - #80004492)**

**Address Restricted, Little Lake**

Historic Significance: Information Potential

Area of Significance: Prehistoric

Cultural Affiliation: Lake Mojave, Silver Lake, Pinto or Little Lake

Period of Significance: 7000-8999 BC, 5000-6999 BC, 3000-4999 BC, 1000-2999 BC

Owner: **Federal**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Unknown

**Harmony Borax Works \*\*\* (added 1974 - District - #74000339)**

**Also known as HS-2**

**Death Valley National Monument, Stovepipe Wells**

Historic Significance: Event

Area of Significance: Industry, Transportation, Commerce

Period of Significance: 1875-1899

Owner: **Federal**

Historic Function: Domestic, Industry/Processing/Extraction

Historic Sub-function: Manufacturing Facility, Single Dwelling

Current Function: Landscape

Current Sub-function: Park

---

**Inyo County Courthouse (added 1998 - Building - #97001664)**

**168 N. Edwards St., Independence**

Historic Significance: Event, Architecture/Engineering

Architect, builder, or engineer: McCombs, William & Paul Daniel, Weeks, William W.

Architectural Style: Classical Revival

Area of Significance: Economics, Politics/Government, Architecture

Period of Significance: 1900-1924, 1925-1949

Owner: **Local Gov't**

Historic Function: Government

Historic Sub-function: Courthouse

Current Function: Government

Current Sub-function: Courthouse

---

**Laws Narrow Gauge Railroad Historic District (added 1981 - District - #81000149)**

**Also known as Bishop Station;Laws Station**

**NE of Bishop, Bishop**

Historic Significance: Event

Area of Significance: Industry, Historic - Non-Aboriginal, Transportation

Period of Significance: 1875-1899, 1900-1924

Owner: **Local Gov't**

Historic Function: Transportation

Historic Sub-function: Rail-Related

Current Function: Recreation And Culture

Current Sub-function: Museum

**Leadfield (added 1975 - District - #75000221)**

**Also known as H.S.-3**

**Death Valley National Monument on Titus Canyon Trail, Death Valley**

Historic Significance: Event

Area of Significance: Industry

Period of Significance: 1925-1949

Owner: **Federal**

Historic Function: Domestic, Industry/Processing/Extraction

Historic Sub-function: Extractive Facility, Single Dwelling

Current Function: Landscape

Current Sub-function: Park

---

**Manzanar War Relocation Center, National Historic Site \*\*\* (added 1976 - Site - #76000484)**

**Also known as Manzanar Internment Camp;Manzanar Concentration Camp  
6 mi. S of Independence on CA 395, Independence**

Historic Significance: Event

Area of Significance: Asian, Military, Social History

Period of Significance: 1925-1949

Owner: **Local Gov't**

Historic Function: Domestic, Government

Historic Sub-function: Camp, Correctional Facility

Current Function: Vacant/Not In Use

---

**Pawona Witu (added 1975 - District - #75000428)**

**Also known as South Fork,Bishop Creek**

**Address Restricted, Bishop**

Historic Significance: Information Potential

Area of Significance: Prehistoric, Agriculture, Historic - Aboriginal

Cultural Affiliation: Eastern Mono, Northern Paiute

Period of Significance: 1499-1000 AD, 1749-1500 AD, 1900-1750 AD, 1800-1824, 1825-1849, 1850-1874, 1875-1899

Owner: **Local Gov't**

Historic Function: Agriculture/Subsistence, Domestic, Funerary

Historic Sub-function: Agricultural Fields, Graves/Burials, Village Site

Current Function: Agriculture/Subsistence, Recreation And Culture

Current Sub-function: Agricultural Fields, Outdoor Recreation

---

**Reilly \*\* (added 2004 - Site - #03001358)**

**Also known as Anthony Mill Ruins**

**Address Restricted, Trona**

Historic Significance: Event, Architecture/Engineering, Information Potential

Area of Significance: Historic - Non-Aboriginal

Cultural Affiliation: Chinese, Hispanic, Euro-American

Period of Significance: 1875-1899

Owner: **Federal**

Historic Function: Commerce/Trade, Domestic, Industry/Processing/Extraction

Historic Sub-function: Department Store, Extractive Facility, Multiple Dwelling, Secondary Structure, Single Dwelling, Water Works

Current Function: Vacant/Not In Use

---

**16 Saline Valley Salt Tram Historic Structure \*\* (added 1974 - Structure - #74000514)**

**N of Keeler between Gordo Peak and New York Butte,**

**Keeler**

Historic Significance: Event, Architecture/Engineering

Architect, builder, or engineer: Unknown

Architectural Style: No Style Listed

Area of Significance: Architecture, Industry, Engineering, Transportation

Period of Significance: 1900-1924, 1925-1949

Owner: **Federal**

Historic Function: Transportation

Historic Sub-function: Rail-Related

Current Function: Recreation And Culture

Current Sub-function: Outdoor Recreation

---

**Skidoo (added 1974 - District - #74000349)**

**Death Valley National Monument, Wildrose District, Death Valley**

Historic Significance: Event

Area of Significance: Industry, Commerce

Period of Significance: 1900-1924, 1925-1949

Owner: **Federal**

Historic Function: Industry/Processing/Extraction

Historic Sub-function: Extractive Facility, Manufacturing Facility

Current Function: Landscape

Current Sub-function: Park

**KERN COUNTY**

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**Bandit Rock** (added 1975 - **Site** - #75000431)

Also known as **Robbers Roost**

SW of Inyokern near jct. of CA 14 and 178, Inyokern

Historic Significance: Event, Person

Historic Person: Vasquez, Tiburico

Significant Year: 1874

Area of Significance: Social History

Period of Significance: 1850-1874

Owner: **Federal**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Agriculture/Subsistence, Recreation And Culture

Current Sub-function: Agricultural Fields, Outdoor Recreation

---

**Burro Schmidt's Tunnel** (added 2003 - **Site** - #03000113)

Also known as **William Henry Schmidt's Tunnel**

Address Restricted, Ridgecrest

Historic Significance: Event, Person

Historic Person: Vasquez, Tiburico

Significant Year: 1874

Area of Significance: Social History

Period of Significance: 1850-1874

Owner: **Federal**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Agriculture/Subsistence, Recreation And Culture

Current Sub-function: Agricultural Fields, Outdoor Recreation

---

**Fort Tejon \*\*\*** (added 1971 - **District** - #71000140)

Also known as **Fort Tejon State Historic Park**

3 mi. NW of Lebec, Lebec

Historic Significance: Event

Area of Significance: Architecture, Military, Transportation, Politics/Government

Period of Significance: 1850-1874

Owner: **State**

Historic Function: Defense

Historic Sub-function: Military Facility

Current Function: Landscape, Recreation And Culture

Current Sub-function: Museum, Park

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**Last Chance Canyon \*\*** (added 1972 - **District** - #72000225)

Also known as **El Paso Mtns; Black Hills; Indian Wells**

Address Restricted, Johannesburg

Historic Significance: Information Potential

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2. The Identification and Descriptions of Places that Matter within the CDCA

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Area of Significance: Prehistoric, Historic - Aboriginal

Cultural Affiliation: Pinto-oid, Silverlake, Lake Mojave

Period of Significance: 9000-10999 BC, 7000-8999 BC, 5000-6999 BC, 3000-4999 BC, 1000-2999 BC, 1000 AD-999 BC, 1499-1000 AD, 1749-1500 AD, 1900-1750 AD

Owner: **Federal**

Historic Function: Domestic

Historic Sub-function: Camp

Current Function: Industry/Processing/Extraction, Recreation And Culture

Current Sub-function: Extractive Facility, Outdoor Recreation

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**Rogers Dry Lake \*\*\*** (added 1985 - **Site** - #85002816)

Also known as **Muroc Dry Lake**

Edwards Air Force Base, Mojave Desert

Historic Significance: Event

Area of Significance: Military, Other

Period of Significance: 1925-1949, 1950-1974, 1975-2000

Owner: **Federal**

Historic Function: Landscape, Transportation

Historic Sub-function: Air-Related, Conservation Area

Current Function: Landscape, Transportation

Current Sub-function: Air-Related, Conservation Area

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**Walker Pass \*\*\*** (added 1966 - **Structure** - #66000210)

60 mi. NE of Bakersfield on CA 178, Bakersfield

Historic Significance: Person, Event

Historic Person: Walker, Joseph R.

Significant Year: 1843, 1845, 1834

Area of Significance: Exploration/Settlement

Period of Significance: 1825-1849

Owner: **Private , Federal**

Historic Function: Transportation

Historic Sub-function: Road-Related

Current Function: Recreation And Culture, Transportation

Current Sub-function: Monument/Marker, Outdoor Recreation, Road-Related

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### 3. RECOMMENDATIONS

This study is seen as a first step in identifying cultural resources in the California Desert that mean something important related to cultural resources. The places identified in this study matter to our heritage and should be protected in some form or another. The simple documentation of the cultural resources within the mapped polygons is the first step in adequately identifying what is there and what will be lost if the resources are not adequately documented, studied, and preserved. The polygons identified here are guides for your review and are not explicit locations for historic properties. No field verification occurred at any of the locations as a result of this study. If a project is proposed in or near any of these locations field visits should take place to identify any cultural resources which might be impacted as a result of ground-disturbing activities.

When projects are proposed the reader should actively review the Constraints map as a first step in identifying cultural resource issues which may exist within a specified geographic area. If cultural resources are identified ask about them. Ask what type of information was gathered and by who. Ask whether NHRP criteria were applied. Ask what impact the project will have on the resources. Ask why the resources cannot be avoided. Carefully review the report written by the agency and whatever documentation is made available from the agency staff or consultant. Learn to use the correct environmental language related to cultural resources. Become an interested party to the action. Ask to become a Consulting or Concurring Party to the process. If you are uncomfortable with the results of the environmental document you can hire a professional archaeologist to review the professional data submitted on behalf of the project proponent and to provide professional feedback to you. This should not be designed to discredit on anyone, but to have the best information you can receive so that you may be well informed. Many professional cultural resource specialists are listed in the Register of Professional Archaeologists (RPA). RPA is a peer-reviewed group and the names of the registered professional archaeologists are available on line. It is easy to use since the register is set up by region (states) and type of expertise the professional claims.

This report only briefly touches on American Indian traditional or spiritual sites. That is beyond the scope of the study. Places identified by native peoples to the BLM many years ago may or may not still be relevant to current tribal members. Many aspects of American Indian religious beliefs are related to individual experiences such as visions or stories related to the land. It is important to ask California Indian people what is important to them. This would have to be done through the use of existing data, some of which was collected by the BLM in the 1970s; other data has been collected by ethnographers, project proponents, agencies, and graduate students. This information should be compiled so that, with permission of tribal members, it could be used to identify places that matter to tribal members and to assist governing jurisdictions to make better land use decisions.

The report is a broad-brush approach to the cultural resources of the CDCA and, unless a cultural resource is pinpointed, such as the Plank Road, it does not contain specific locational

### 3. Recommendations

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data. This information would be obtained through an archaeological records search from one of the CHRIS facilities called Information Centers or IC's for short. These ICs are located at the University of California, Riverside, Imperial County Museum, San Diego State University, San Bernardino County Museum and the Department of Anthropology at California State University, Bakersfield.

Records searches are an important aspect of knowing exactly what types of cultural resources are located within a specific geographic area and what additional research or inventory needs to be completed to identify the extent of the cultural property.

Cultural resources are fragile. Once they are gone they cannot be regrown or recreated. The people who left the information in the ground are gone; no ethnohistoric sites, no historic farmsteads or gold mines, aboriginal trail system, or paleo Indian site will ever be created again. The sites are subject to vandalism and increasing population pressure. Having a site in a box at a museum or curation facility is important, but not as important as leaving the site where it was found. The best management for cultural resources is, if possible, to keep it intact. This is particularly true of sites that are especially important to people as culturally relevant locations. The collection of information from those living today and the storing of information are particularly important. Losses of cultural resources are permanent.

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## 4. SUGGESTED READING

### Cultural Resource Management Sources That Are Useful:

Deloria, Vine Jr. and David E. Wilkins

1999 *Tribes Treaties and Constitutional Tribulations*. Austin, TX: University of Texas Press

Dorochoff, Nicholas

2007 *Negotiating Basics For Cultural Resource Managers*. Walnut Creek, CA: Left Coast Press.

Hardesty, Donald L. and Barbara J. Little

2000 *Assessing Site Significance: A Guide for Archaeologists and Historians*. Walnut Creek, California: Altamira Press.

Hutt, Sherry, Elwood W. Jones and Martin E. McAllister

1992 *Archaeological Resource Protection*. Washington, DC: The Preservation Press

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2000 *Federal Planning and Historic Places*. Walnut Creek, California: Altamira Press

2002 *Thinking about Cultural Resource Management: Essays from the Edge*. Walnut Creek, California: Altamira Press.

2003 *Places That Count: Traditional Cultural Properties in Cultural Resource Management*. Walnut Creek, California: Altamira Press.

2005 *Doing Archaeology: A Cultural Resource Management Perspective*. Walnut Creek, California: Left Coast Press

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King, Thomas F., Patricia Parker Hickman and Gary Berg

1977 *Anthropology in Historic Preservation*. New York, New York: Academic Press, Inc.

Layton, R. editor

1994 *Conflict in the Archaeology of Living Traditions*. New York: Routledge.

4. Suggested Reading

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National Center for Cultural Resources, National Park Service

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Pevar, Stephen L.

2002 The Rights of Indians and Tribes. Carbondale: Southern Illinois University.

Richman, Jennifer R. and Marion P. Forsyth, editors

2003 Legal Perspectives on Cultural Resources. Walnut Creek, California: AltaMira Press.

Watkins, Joe

2000 Indigenous archaeology: American Indian Values and Scientific Practice. Walnut Creek, California: Altamira Press.

**Bureau of Land Management Reports on the California Desert District that are Useful and Available from Coyote Press at [www.coyotepress.com](http://www.coyotepress.com)**

Bean, L.J., S.B. Vane & J. Young

1981 *The Cahuilla and the Santa Rosa Mountain Region: Places and their Native American Association*. Submitted to Bureau of Land Management.

Brooks, R.H., R. Wilson & S. Brooks

1981 *An Archaeological Inventory Report of the Owlshead/Amargosa Mojave Basin Planning Units of the Southern California Desert Area*. Submitted to Bureau of Land Management.

Cook, J.R. and S. Fulmer (eds.)

1981 *The Archaeology of the McCain Valley Study Area in Eastern San Diego County, California: A Scientific Class II Cultural Resource Inventory*. Submitted to Bureau of Land Management.

Coombs, G.B.

1979 *The Archaeology of the Northeast Mojave Desert*. Submitted to Bureau of Land Management.

Coombs, G.B.

1979 *The Archaeology of the Western Mojave*. Submitted to Bureau of Land Management.

Gallegos, D., J. Cook, E.L. Davis, G. Lowe, F. Norris and J. Thesken

1980 *Cultural Resources Inventory of the Central Mojave and Colorado Desert Regions, California*. Submitted to Bureau of Land Management.

Gallegos, D.

- 1980 *Cultural Resources Inventory: East Mesa and West Mesa Regions, Imperial Valley, California--Appendices.*

King, C.D. and D.G. Casebier

- 1981 *Background to Historic and Prehistoric Resources of the East Mojave Desert Region.* Submitted to Bureau of Land Management.

Lyneis, M.M., D.L. Weide and E.V. Warren

- (1980 *Impacts: Damage to Cultural Resources in the California Desert.* Submitted to Bureau of Land Management.

May, R.V.

- 1987 *The Table Mountain Complex [San Diego County, California] as Derived from a Synthesis of 124 Archaeological Sites Clustered in Stratified Biological, Geographical, and Geological Zones.* Authorized by Bureau of Land Management, El Centro.

Norwood, R.H., C.S. Bull & R. Quinn

- 1980 *A Cultural Resource Overview of the Eureka, Saline, Panamint and Darwin Region, East Central California.* Submitted to Bureau of Land Management.

Shackley, M. Steven

- 1984 *Archaeological Investigations in the Western Colorado Desert: A Socioecological Approach.* Submitted to San Diego Gas and Electric.

Stickel, E.G. & L.J. Weinman-Roberts

- 1980 *An Overview of the Cultural Resources of the Western Mojave Desert.* Submitted to Bureau of Land Management.

Warren, C.W., M. Knack & E. von Till Warren

- 1980 *A Cultural Resource Overview for the Amargosa-Mojave Basin Planning Units.* Submitted to Bureau of Land Management.

Weide, M.L. & J.P. Barker

- 1974 *Background to Prehistory of the Yuha Desert Region.* Submitted to Bureau of Land Management.

M.C. Hall & J.P. Barker

- The Prehistory and Management of Cultural Resources in the Red Mountain Area:* Background to Prehistory of the El Paso/Red Mountain Desert Region. And R.L. Kaldenberg and J. Townsend: An Archaeological Protection and Stabilization Plan for the Squaw Spring Well Archaeological District near Red Mountain, California. Submitted to Bureau of Land Management.

#### 4. Suggested Reading

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The following publications are available at no charge by simply going to the BLM web site and clicking on the report titles. The web site is

<http://www.blm.gov//heritage/adventures/research/StatePages/PDF/California>

Bean, Lowell John, Sylvia Brakke Vane, and Jackson Young.

1981 *The Cahuilla and the Santa Rosa Mountain Region: Places and their Native American Association*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Busby, Colin I., John M. Findlay, and James C. Bard

1979 *A Culture Resource Overview of the Bureau of Land Management Coleville, Bodie, Benton, and Owens Valley Planning Units, California*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Cook, John R., and Scott G. Fulmer

1982 *The Archaeology of the McCain Valley Study Area in Eastern San Diego County, California. A Scientific Class II Cultural Resource Inventory*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Coombs, Gary B.

1979 *The Archaeology of the Northeast Mojave Desert*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Coombs, Gary B.

1979 *The Archaeology of the Western Mojave*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Davis, Emma Lou, Kathryn H. Brown, and Jacqueline Nichols

1980 *Evaluation of Early Human Activities and Remains in the California Desert*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Garfinkel, Alan P.

1980 *A Cultural Resource Management Plan for the Fossil Falls/Little Lake Locality*. BLM Cultural Resources Publication, Bureau of Land Management, California

Kaldenberg, Russell L. General Editor

1981 *The Prehistory and Management of Cultural Resources in the Red Mountain Area*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Lyneis, Margaret M., David L. Weide, and Elizabeth von Till Warren

1980 *Impacts: Damage to Cultural Resources in the California Desert*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Norwood, Richard H., Charles S. Bull, and Ronald Quinn

1980 *A Cultural Resource Overview of the Eureka, Saline, Panamint and Darwin Region, East Central, California*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Russell, John C., Clyde M. Woods, and Jackson Underwood

2002 *An Assessment of the Imperial Sand Dunes as a Native American Cultural Landscape*. Edaw, Inc. for the California State Office, Bureau of Land Management,. [116 pp, 25 MB PDF--broadband connection recommended)

Stickel, E. Gary, Lois J. Weinman-Roberts, Rainer Berger, and Pare Hopa.

1980 *An Overview of the Cultural Resources of the Western Mojave Desert*. BLM Cultural Resources Publication, Bureau of Land Management, California.

von Till Warren, Elizabeth, Robert H. Crabtree, Claude N. Warren, Martha Knack, and Richard Mc Carty

1981 *A Cultural Resources Overview of the Colorado Desert Planning Units*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Warren, Claude N., Martha Knack, and Elizabeth von Till Warren.

1980 *A Cultural Resource Overview for the Amargosa-Mojave Basin Planning Units*. BLM Cultural Resources Publication, Bureau of Land Management, California.

Weide, Margaret L.

1973 *Archaeological Inventory of the California Desert: A Proposed Methodology*. BLM Desert Planning Program, Bureau of Land Management, California.

Weide, Margaret L., and James P. Barker et.al.

1974 *Background to Prehistory of the Yuha Desert Region*. BLM Desert Planning Program, Bureau of Land Management, California, 1974.

### **Other Documents, Reports and References That Are Useful:**

Codes of Federal Regulations (CFR)

25 CFR Indians (all)

36 CFR National Historic Preservation Act (Parts 60 and 800)

40 CFR Environmental Law and Regulations including the National Environmental Policy Act (Section 1500-1508)

43 CFR Administration, including historic preservation, mining, wilderness, BLM permits, NAGPRA, ARPA, etc.

Desert Plan Documents:



#### 4. Suggested Reading

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The Draft California Desert Conservation Area Plan Alternatives and Environmental Impact Statement, published in February 1980

The Final Environmental Statement and Proposed Plan: California Desert Conservation Area, published in September 1980

The California Desert Conservation Plan 1980, As Amended, published in March 1999

The Plan's discussion of cultural resource significance is found in Volume D, Appendix VII, Part 4, which is the section that dealt with Cultural Resource Sensitivity/Significance Determinations.

The Plan's discussion of Native American Resources is found in Volume D, Appendix VIII, Parts 1-5. A map of the Native American Element is found in the Draft California Desert Plan immediately preceding page 60. This map contains polygons of Native American Traditional Areas. It was not carried forward in either of the versions of the Desert Plan.

Estes, Allen, Kyle Brown, Lorraine Heartfield, Kimberly Popetz, James M. Allan, and William Self

2002 Report on Data Recovery at Sites CA-SBR-2257H and CA-SBR-7282 in Conjunction with the Kramer Junction Expansion Project, Line 6905 San Bernardino County, California, Prepared Under Bureau of Land Management ARPA Permit#CA-01-00-016. William Self Associates, Inc, Orinda, CA.

Johnson, Boma

1985 Earth Figures of the Lower Colorado and Gila Rivers: A Functional Analysis. Phoenix: Arizona Archaeological Society No. 20.

Kaldenberg, Russell L.

1981 The Archaeology of Selected Springs and Plays on Fort Irwin and in Portions of the Avawatz Mountains. San Bernardino County Museum Association Quarterly Volume XXVIII, NO. 3&4.

2006 A Festschrift Honoring the Contributions of California Archaeologist Jay von Werlhof. Maturango Museum Publication 20, Ridgecrest, CA.

Kroeber, A.L.

1925 The Handbook of the Indians of California. Bureau of American Ethnology, Bulletin 78:663.

Norris, Frank and Richard L. Carrico

1978 A History of Land Use in the California Desert Conservation Area. Unpublished manuscript for the Bureau of Land Management, Desert Planning Staff.

Smith, Gerald A. and Wilson G. Turner

1975 Indian Rock Art of Southern California. Redlands, California: San Bernardino County Museum Association.

The Redlands Institute, University of Redlands

2002 The Salton Sea Atlas. Redlands, California: ESRI Press.

Von Werlhof, Jay

1987 Spirits of the Earth: Volume 1. The North Desert, El Centro: Imperial Valley College Museum.

2004 That They May Know and Remember: Volume 2, Spirits of the Earth. Ocotillo: Imperial Valley Desert Museum Society.

Whitley, David S.

1996 A Guide to Rock Art Sites: Southern California and Southern Nevada. Missoula, Montana: Mountain Press.

2000 The Art of the Shaman: Rock Art of California. Salt Lake City: University of Utah Press.



## **APPENDICES**



## **APPENDIX A**

### **National Programmatic Agreement Document Among the BLM, ACHP, NSHPOs**



**PROGRAMMATIC AGREEMENT  
AMONG  
THE BUREAU OF LAND MANAGEMENT,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS  
REGARDING  
THE MANNER IN WHICH BLM WILL MEET ITS RESPONSIBILITIES  
UNDER THE NATIONAL HISTORIC PRESERVATION ACT**

*Preamble*

**Bureau of Land Management.** The Bureau of Land Management (BLM), consistent with its authorities and responsibilities under the Federal Land Policy and Management Act of 1976 (FLPMA), is charged with managing public lands principally located in the States of Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Wyoming in a manner that will "protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values," and "that will provide for outdoor recreation and human occupancy and use."

The BLM also has specific responsibilities and authorities to consider, plan for, protect, and enhance historic properties and other cultural properties which may be affected by its actions in those and other States, including its approval for Federal mineral resource exploration and extraction, under the National Environmental Policy Act, the National Historic Preservation Act of 1966 (NHPA), the Archaeological Resources Protection Act, the Native American Graves Protection and Repatriation Act, the Historic Sites Act of 1935, the Antiquities Act, the American Indian Religious Freedom Act, the Religious Freedom Restoration Act, Executive Order 13007 ("Sacred Sites"), and related authorities.

In carrying out its responsibilities, the BLM has developed policies and procedures through its directives system (BLM Manual Sections 8100-8160) to help guide the BLM's planning and decision making as it affects historic properties and other cultural properties, and has assembled a cadre of cultural heritage specialists to advise the BLM's managers and to implement cultural heritage policies consistent with these statutory authorities.

**State Historic Preservation Officers.** State Historic Preservation Officers (SHPOs), as represented by the National Conference of State Historic Preservation Officers (NCSHPO), have responsibilities under State law as well as under Section 101(b)(3) of the National Historic Preservation Act that include to "advise and assist as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities," and to "consult with the appropriate Federal agencies in accordance with [NHPA] on Federal undertakings that may affect historic properties, and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties."



In certain cases others may be authorized to act in the SHPO's place. Where the Secretary has approved an Indian tribe's preservation program pursuant to Section 101(d)(2) of the NHPA, a Tribal Preservation Officer may perform some SHPO functions with respect to tribal lands. A local historic preservation commission acting through the chief local elected official may fulfill some SHPO-delegated functions, where the Secretary has certified the local government pursuant to Section 101(c)(1) of the NHPA, and its actions apply to lands in its jurisdiction. Pursuant to the regulations implementing Section 106 of the NHPA [36 CFR 800.1(c)], the Council may at times act in lieu of the SHPO.

**Advisory Council on Historic Preservation.** The Advisory Council on Historic Preservation (Council) has the responsibility to administer the process implementing Sections 106, 110(f), and 111(a) of the National Historic Preservation Act, to comment with regard to Federal undertakings subject to review under Sections 106, 110(f) and 111(a) in accordance with its implementing regulations (36 CFR Part 800), and to "review the policies and programs of Federal agencies and recommend to such agencies methods to improve the effectiveness, coordination, and consistency of those policies and programs with the policies and programs carried out under [NHPA]" under Section 202(a)(6) of the NHPA.

The above-named parties now wish to ensure that the BLM will organize its programs to operate efficiently, effectively, according to the spirit and intent of the NHPA, and in a manner consistent with 36 CFR Part 800; and that the BLM will integrate its historic preservation planning and management decisions with other policy and program requirements to the maximum extent. The BLM, the SHPOs, and the Council desire and intend to streamline and simplify procedural requirements, to reduce unnecessary paperwork, and to emphasize the common goal of planning for and managing historic properties under the BLM's jurisdiction and control in the public interest.

### ***Basis for Agreement***

Proceeding from these responsibilities, goals, and objectives, the parties acknowledge the following basis for agreement:

WHEREAS the BLM's management of lands and mineral resources may affect cultural properties, many of which are historic properties as defined by the National Historic Preservation Act and are therefore subject to Sections 106, 110(f), and 111(a) of the NHPA; and

WHEREAS, among other things, the BLM's program established in response to Section 110(a)(2) and related authorities provides a systematic basis for identifying, evaluating, and nominating to the National Register historic properties under the bureau's jurisdiction or control; for managing and maintaining properties listed in or eligible for the National Register in a way that considers the preservation of their

archaeological, historical, architectural, and cultural values and the avoidance of adverse effects in light of the views of local communities, Indian tribes, interested persons, and the general public; and that gives special consideration to the preservation of such values in the case of properties designated as having National significance; and

WHEREAS the BLM's program is also intended to ensure that the bureau's preservation-related activities are carried out in consultation with other Federal, State, and local agencies, Indian tribes, and the private sector; and

WHEREAS the BLM's program also has as its purpose to ensure that the bureau's procedures for compliance with Section 106 are consistent with regulations issued by the Council pursuant to Section 211 of the NHPA (36 CFR Part 800, "Protection of Historic Properties"), and provide a process for the identification and evaluation of historic properties for listing in the National Register and the development and implementation of agreements, in consultation with State Historic Preservation Officers, local governments, Indian tribes, and the interested public, as appropriate, regarding the means by which adverse effects on such properties will be considered; and

WHEREAS the BLM's program also intends to ensure that its Section 106 procedures recognize the historic and traditional interests of Indian tribes and other Native American groups in lands and resources potentially affected by BLM decisions, affording tribes and other groups adequate participation in the decisionmaking process in accordance with Sections 101(d)(6), 110(a)(2)(D), and 110(a)(2)(E)(ii) of the NHPA, and provide for the disposition of Native American cultural items from Federal or tribal land in a manner consistent with Section 3(c) of the Native American Graves Protection and Repatriation Act, in accordance with Section 110(a)(2)(E)(iii) of the NHPA; and

WHEREAS this agreement will not apply to tribal lands, but rather, a proposed BLM undertaking on tribal lands will require consultation among the BLM, the Tribal Preservation Officer, and the Council; or among BLM, tribal officials (where no Tribal Preservation Program exists) the SHPO, and the Council; and such consultation will be outside the compass of this agreement and will follow 36 CFR Part 800 or the Indian tribe's alternative to 36 CFR Part 800; and

WHEREAS the BLM's program, the elements of which were defined in the BLM Manual between 1988 and 1994, does not incorporate some recent changes in legal, regulatory, and Executive Order authorities and recent changes in the nature and direction of historic preservation relationships, rendering the program directives in need of updating, and this need is recognized by the BLM, the Council, and the NCSHPO as an opportunity to work jointly and cooperatively among themselves and with other parties, as appropriate, to enhance the BLM's historic preservation program; and

WHEREAS the States, particularly those containing a high percentage of public land under the BLM's jurisdiction and control, have a strong incentive in forming a

cooperative relationship with the BLM to facilitate and promote activities of mutual interest, including direction and conduct of a comprehensive statewide survey and inventory of historic properties, identification and nomination of eligible properties to the National Register of Historic Places, preparation and implementation of comprehensive historic preservation plans, and development and dissemination of public information, education and training, and technical assistance in historic preservation, and

WHEREAS the parties intend that efficiencies in the Section 106 process, realized through this agreement, will enable BLM, SHPO, and Council staffs to devote a larger percentage of their time and energies to proactive work, including analysis and synthesis of data accumulated through decades of Section 106 compliance; historic property identification where information is needed, not just in reaction to proposed undertakings; long-term preservation planning; purposeful National Register nomination; planning- and priority-based historic resource protection; creative public education and interpretation; more efficient BLM, SHPO, and Council coordination, including program monitoring and dispute resolution; and other activities that will contribute to readily recognizable public benefits and to an expanded view of the Section 106 context, and

WHEREAS the BLM has consulted with the Advisory Council on Historic Preservation (Council) and the National Conference of State Historic Preservation Officers (NCSHPO) regarding ways to ensure that BLM's planning and management shall be more fully integrated and consistent with the above authorities, requirements, and objectives;

NOW, THEREFORE, the BLM, the Council, and the NCSHPO mutually agree that the BLM, after completing the actions summarized in 1. below, will meet its responsibilities under Section 106, 110(f), and 111(a) through the implementation of the mechanisms agreed to in this agreement rather than by following the procedure set forth in the Council's regulations (36 CFR Part 800), and the BLM will integrate the manner in which it meets its historic preservation responsibilities as fully as possible with its other responsibilities for land-use planning and resource management under FLPMA, other statutory authorities, and executive orders and policies.

### ***Components Of Agreement***

#### **1. Applicability**

The Council's regulations (36 CFR Part 800) and existing State programmatic agreements will continue to apply to BLM undertakings under a State Director's jurisdiction until the Director and State Directors, with the advice of the Preservation Board, assisted by the Council, the NCSHPO, the SHPOS, and other participating parties, as appropriate, have updated and revised national BLM policies and procedures; developed State-specific BLM/SHPO operating protocols; and trained all field managers and their cultural heritage staffs in the operation of the policies,

procedures, and protocols. Field offices under a State Director's jurisdiction (including those under the jurisdiction of the Eastern States Director) will not begin to employ the streamlined procedures developed pursuant to this agreement until the Director has certified that the State Director's organization is appropriately qualified to do so.

## **2. Establishment of Preservation Board**

a. The BLM's Director will establish a Preservation Board to advise the Director, Assistant Directors, State Directors, and field-office managers in the development and implementation of BLM's policies and procedures for historic properties. Authority, responsibilities, and operating procedures for the Preservation Board will be specified in the BLM Manual.

b. The Preservation Board will be chaired by the BLM's Preservation Officer designated under Section 110(c) of the NHPA, and will include a professionally qualified Deputy Preservation Officer from each State Office. The field management organization will be represented by at least three line managers (i.e., officials who are authorized by the Director's or State Directors' delegation to make land-use decisions).

c. The Preservation Board will perform primary staff work and make recommendations to the Director and State Directors concerning policies and procedures (3. below); bureauwide program consistency (3. below); training (6. below); certification and decertification of field offices (8. below); monitoring of field offices' historic preservation programs (9. below); and responses to public inquiries (9. below).

d. In addition, the Preservation Board will confer regularly with the Council and NCSHPO and involve them in its activities, as appropriate, including the development of the items listed in 2.c. The Preservation Board will also confer regularly with individual SHPOs and such other parties as have identified themselves to the Board as interested parties, including Tribal Preservation Officers, local governments, and preservation associations, to promote consistency with State, regional, and national practice, to identify recurrent problems or concerns, and to create opportunities in general to advance the purposes of this agreement.

e. The BLM will provide assistance, where feasible and appropriate, with reasonable and prudent expenses of the Council related to its activities pursuant to 2.c. and 2.d. above.

## **3. Revision of "Cultural Resource Management" Procedures**

a. Within 6 months from the date of its establishment under 2. above, the Preservation Board will provide notice to Indian tribes and the public and, in accordance with 2.c. above, will begin to review, update, revise, adapt, and augment the various relevant sections of its Manual (8100 Series). These are:

8100 - "Cultural Resource Management";  
8110 - "Cultural Resource Identification";  
8111 - "Cultural Resource Inventory and Evaluation";  
8130 - "Cultural Resource Planning";  
8131 - "Cultural Resource Management Plans";  
8132 - "Cultural Resource Project Plans";  
8140 - "Cultural Resource Protection";  
8141 - "Physical and Administrative Protection";  
8142 - "Recovery of Cultural Resource Data";  
8143 - "Avoidance and/or Mitigation of Adverse Effects to Cultural Properties";  
8150 - "Cultural Resource Utilization";  
8151 - "Cultural Resource Use Permits";  
8160 - "Native American Coordination and Consultation"; and  
H-8160-1 - "General Procedural Guidance for Native American Consultation."

b. Manuals will be revised in consultation with the Council, NCSHPO, and the SHPOs, and will consider the views of other interested parties who have identified themselves in response to 2.d. (above).

c. Procedures will be revised to be consistent with the purposes of (1) this agreement, (2) the principles and standards contained in the Council's regulations, "Protection of Historic Properties" (36 CFR Part 800); (3) the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* regarding identification, evaluation, registration, and treatment, (4) the Office of Personnel Management's classification and qualification standards as revised under Section 112 of the NHPA, and (5) other applicable standards and guidelines, and will include time frames and other administrative details for actions referred to in this agreement.

d. The BLM will ensure adequate public participation and consultation with parties outside the BLM when revising policy and procedures under 3.a. The BLM's procedures for implementing the National Environmental Policy Act (NEPA) will be used as appropriate for ensuring adequate public participation in the BLM's historic preservation decision making. Provisions of Section 110 of the NHPA and the Council's regulations will be the basis for tailoring the NEPA procedures to historic preservation needs. Mechanisms for continuing public involvement in BLM's historic preservation process will be incorporated in BLM/SHPO protocols under 5. below.

e. The BLM will provide Indian tribes and other Native American groups with appropriate opportunities for involvement. Consultation with tribes pursuant to Sections 101(d)(6) and 110(a)(2)(E) of the NHPA will follow government-to-government conventions. Procedures to ensure timely and adequate Native American participation will follow the direction in Sections 101(d)(6) and 110(a)(2)(E) of the NHPA, and BLM Manual Section 8160 and Manual Handbook H-8160-1, as revised pursuant to a. and b. above. Revisions to the 8160 Manual Section and Manual Handbook will treat the cited NHPA direction as the minimum standard for Indian tribes' and other Native American

groups' opportunities to be involved. Provisions for Native American participation in BLM's procedures for historic property identification, evaluation, and consideration of adverse effects will be incorporated in BLM/SHPO protocols under 5. below. For Indian tribes with historic preservation programs approved by the Secretary under Section 101(d)(2) of the NHPA, Tribal Preservation Officers will be involved in place of SHPOs when tribal land would be affected. Such involvement will occur under the Council's and/or the Tribe's procedures in all cases, not under this programmatic agreement.

f. It will be the Preservation Board's duty in accordance with 3.b. above to ensure that the policies and procedures, as revised pursuant to this section, are being followed appropriately by field offices. Where problems with implementation are found, it will be the Preservation Board's duty to move promptly toward effecting correction of the problems. This responsibility of the Preservation Board, among others, will be spelled out in the BLM Manual under 2.a. above.

#### **4. Thresholds for Council Review**

a. The BLM procedures will identify circumstances calling for the Council's review.

b. At a minimum, the BLM will request the Council's review in the following classes of undertakings:

- (1) nonroutine interstate and/or interagency projects or programs;
- (2) undertakings directly and adversely affecting National Historic Landmarks or National Register eligible properties of national significance;
- (3) highly controversial undertakings, when Council review is requested by the BLM, an SHPO, an Indian tribe, a local government, or an applicant for a BLM authorization.

#### **5. Cooperation and Enhanced Communication**

a. Immediately following execution of this agreement, the BLM will offer each affected SHPO and the Council (and others who have identified concerns under 2.d. above) the following information, and will provide or update as needed:

- a reference copy of the existing BLM Manual Sections and Manual Handbooks related to "Cultural Resource Management;
- a copy of any Handbook, Manual Supplement, or other standard procedure for "Cultural Resource Management" used by the BLM within an individual State Office's jurisdiction
- a list of Preservation Board members;
- a list of BLM cultural heritage personnel within each State Office's jurisdiction;

- a map of the State showing BLM field office boundaries and responsibilities;
- the best available map of the State showing tribal lands, ceded lands, and ancestral use areas; and
- a brief summary of land holdings, major ongoing development projects or permitted uses, proposed major undertakings such as land exchanges or withdrawals, and particularly significant historic properties on BLM lands within each State Office's jurisdiction.

b. Within 6 months after revised policies and procedures become available, each State Director will meet with each pertinent SHPO to develop a protocol specifying how they will operate and interact under this agreement. Where a State Director has few interactions with an SHPO due to minimal public land holdings, protocols need not be pursued and historic preservation consideration will continue to be carried out under the procedures of 36 CFR Part 800. Adoption of protocols, as formalized by the State Director's and SHPO's signatures, will be a prerequisite for the certification described in 8. The Preservation Board and the Council will be kept informed of the progress of protocol development, and will receive an information copy of any signed BLM/SHPO protocol. The SHPO and State Director may ask the NCSHPO, the Preservation Board, and the Council to assist at any stage in developing protocols.

At a minimum, protocols will address the following:

- the manner in which the State Director will ensure the SHPO's involvement in the BLM State management process;
- data sharing, including information resource management development and support
- data synthesis, including geographical and/or topical priorities for reducing the backlog of unsynthesized site location and report information, and data quality improvement;
- public education and community involvement in preservation;
- preservation planning;
- cooperative stewardship;
- agreement as to types of undertakings and classes of affected properties that will trigger case-by-case review (case-by-case review will be limited to undertakings that BLM finds will affect historic properties; the parties to this agreement agree that such case-by-case review will be minimized);
- BLM/SHPO approaches to undertakings involving classes of, or individual examples of, historic properties for which the present BLM staff lacks specialized capabilities;
- provisions for resolving disagreements and amending or terminating the protocol; and
- relationship of the protocol to 36 CFR Part 800.

c. As agreed under the protocol, but at least annually, the BLM will regularly send to the SHPO copies of forms and reports pertaining to historic properties, in a format

appropriate to the SHPO's established recording systems, and consistent with the confidentiality provisions of Section 304 of the NHPA, so that information can be shared to the maximum extent and contribute to State inventories and comprehensive plans as well as to BLM land use and resource management planning.

d. The State Director, with the assistance of the Preservation Board, will seek, as appropriate, the SHPO's active participation in the BLM's land-use planning and associated resource management activities so that historic preservation considerations can have a greater influence on large scale decisions and the cumulative effects of the more routine decisions, before key BLM commitments have been made and protection options have been limited. Where SHPO participation will be extensive, State Directors may provide funding, if available.

e. Relevant streamlining provisions of BLM Statewide programmatic agreements currently in force in Arizona, California, Colorado, Nevada, New Mexico, and Wyoming (and other programmatic agreements and/or formalized working arrangements between BLM and SHPOs in any State, relative to identifying undertakings, identifying properties, evaluating properties, determining effects, and protecting historic properties) may be incorporated in BLM/SHPO protocols as appropriate and as consistent with 5.b. above, after which the State Directors will notify the SHPO and Council that the Statewide agreements may be suspended for so long as this agreement remains in effect. Project and special purpose programmatic agreements will function normally according to their terms.

f. When potentially relevant to the purposes and terms of this agreement, the BLM will forward to the Council information concerning the following, early enough to allow for timely briefing and consultation at the Council's election:

- major policy initiatives;
- prospects for regulations;
- proposals for organizational change potentially affecting relationships addressed in this agreement;
- the Administration's budget proposals for BLM historic preservation activities;
- training schedules; and
- long-range planning and regional planning schedules.

## **6. Training Program**

In cooperation with the Council and the NCSHPO, and with the active participation of individual SHPOs, the Preservation Board will develop and implement a training program to (a) instruct BLM line managers and cultural heritage program personnel on the policies underlying and embodied in this agreement, as well as specific measures that must be met prior to its implementation, and (b) enhance skills and knowledge of other BLM personnel involved with "Cultural Resource Management" activities, including land use planning and resource management staffs. Training sessions will be open to



Indian tribes, cultural resource consultants, and other parties who may be involved in the implementation of this agreement. The BLM may, where feasible and appropriate, reimburse the Council for assistance in developing training programs.

## **7. Professional Development**

a. The Preservation Board, in consultation with the supervising line manager and cultural heritage specialist, will document each specialist's individual attainments as a preservation professional, consistent with OPM guidance and Section 112 of the NHPA and giving full value to on-the-job experience. Documentation will include any recommended limitations on the nature and extent of authorized functions. Where a field office manager's immediate staff does not possess the necessary qualifications to perform specialized preservation functions (e.g., historical architecture), the documentation will identify available sources of specialized expertise from outside the immediate staff, such as from other BLM offices, the SHPO, other Federal agencies, or non-governmental sources.

b. The Preservation Board, the supervising line manager, and the cultural heritage specialist will assess the manager's needs for special skills not presently available on the immediate staff, and the specialist's opportunities for professional development and career enhancement through training, details, part-time graduate education, and other means.

## **8. State Office Certification and Decertification**

a. The Preservation Board, in consultation with the appropriate SHPO and the Council, will certify each BLM State Office to operate under this agreement upon determining that (1) managers and specialists have completed the training referred to in 7. above, (2) professional capability to carry out these policies and procedures is available through each field office's immediate staff or through other means, (3) each supervising line manager within the State has assigned and delimited cultural heritage specialists' duties, and (4) the State Director and the SHPO have signed a protocol outlining BLM/SHPO interaction in accordance with 5. above.

b. The Preservation Board may choose to review a field office's certification status. The field office's manager, the State Director, the Council, or the SHPO may request that the Preservation Board initiate a review, in which case the Preservation Board will respond as quickly as possible. If a field office is found not to have maintained the basis for its certification (e.g. the professional capability needed to carry out these policies and procedures is no longer available, or the office is not in conformance with the BLM/SHPO protocol, the procedures developed under 3. above, or this agreement) and the office's manager has not voluntarily suspended participation under this agreement, the Preservation Board will recommend that the State Director decertify the field office. If a suspended or decertified field office is found to have

restored the basis for certification, the Preservation Board will recommend that the State Director recertify the office.

c. A State Director may ask the Director to review the Preservation Board's decertification recommendation, in which case the Director will request the Council's participation in the review.

d. The Preservation Board will notify the appropriate SHPO(s) and the Council if the status of a certified office changes.

e. When a field office is suspended or decertified, the responsible manager will follow the procedures of 36 CFR Part 800 to comply with Section 106.

## **9. Accountability Measures**

a. Each State Director will prepare an annual report in consultation with the appropriate SHPO(s), outlining the preservation activities conducted under this agreement. The annual report's content will be specified in the revised Manual. The report will be provided to the Council and made available to the public.

b. Once each year, the Council, in consultation with the BLM, SHPOS, and interested parties, and with assistance from the BLM, may select a certified State or States, or field offices within a State, for a detailed field review limited to the implementation of this agreement. Selecting parties may consider including other legitimate affected parties as participants in the review, as appropriate. The Preservation Officer and the appropriate Deputy Preservation Officer(s) and SHPO(s) will participate in the review. Findings and recommendations based on this field review will be provided to the Director, the State Director, and the Preservation Board for appropriate action.

c. The Preservation Officer and Deputy Preservation Officers will prepare responses to public inquiries for the Director's or a State Director's signature. This applies only to inquiries about the BLM's exercise of its authorities and responsibilities under this agreement, such as the identification, evaluation, and protection of resources, and not to general inquiries. Preparing responses will include establishing the facts of the situation and, where needed, recommending that the Director or State Director prescribe corrections or revisions in a practice or procedure.

d. Each meeting of the Preservation Board will be documented by a report. The Preservation Board will provide a copy of each report to the Council, the NCSHPO, and participating SHPOs.

**10. Reviewing and Changing the Agreement**

a. The parties to this agreement may agree to revise or amend it at any time. Changes that would affect the opportunity for public participation or Native American consultation will be subject to notice and consultation, consistent with 3.e. above.

b. Should any party to this agreement object to any matter related to its implementation, the parties will meet to resolve the objection.

c. Any party to this agreement may terminate it by providing 90 days notice to the other parties, provided that the parties will meet during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the BLM will comply with 36 CFR Part 800, including any relevant suspended State programmatic agreements (see 5.e. above).

d. Not later than the third quarter of FY 1999, and every two years thereafter, the parties to this agreement will meet to review its implementation.

***Affirmation***

The signatures below represent the affirmation of the Bureau of Land Management, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers that successful execution of the components of this agreement will satisfy the BLM's obligations under Sections 106, 110(f), and 111(a) of the National Historic Preservation Act.

<p>/s/ Sylvia V. Baca</p> <hr/> <p>Director, Bureau of Land Management</p>	<p>3/26/97</p> <hr/> <p>Date</p>
<p>/s/ Cathryn B. Slater</p> <hr/> <p>Chairman, Advisory Council on Historic Preservation</p>	<p>March 26, 1997</p> <hr/> <p>Date</p>
<p>/s/ Judith E. Bittner</p> <hr/> <p>President, National Conference of State Historic Preservation Officers</p>	<p>Mar. 26, 1997</p> <hr/> <p>Date</p>

## **APPENDIX B**

### **California Protocol Agreement Document between California BLM and the California SHPO**



**APPENDIX C**  
**BLM ACEC Management Plans**  
**Bound Separately**



## **APPENDIX D**

### **Map**

**Located inside back cover pocket**