

Appendix 3.5

Heritage Resources and Traditional Cultural Uses Issue Analysis Report

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Issue Statement: Some significant sites are experiencing vandalism that is facilitated by nearby road access. Roads provide access for traditional and cultural uses.

Findings: Key routes in the northern and southern parts of the Forest provide access to historic properties and areas having cultural, symbolic, spiritual, sacred, traditional, or religious values to at least seven federally recognized tribes, and to religious and spiritual practitioners who use these areas. These historic properties, and areas possessing traditional, cultural, sacred, and other values of importance to tribes and individual practitioners, are distinct locations rather than expansive landscapes. Known vandalism and archaeological site damage is also restricted to a few areas. It is unlikely, however, that these key routes would be subject to closure, decommissioning, or lowering of maintenance standards that would affect current access. Easy access facilitates illegal artifact collection, vandalism, and road damage at historic properties. Actions to alleviate these effects, and other actions that may affect access or other values associated with these key routes, should be assessed at the watershed or project-level scales.

- Key route M1c provides direct access to several different areas having cultural, symbolic, spiritual, sacred, traditional, or religious values to the Round Valley Indian Tribes, and to individual Yuki spiritual practitioners. These same areas are also historic properties. Spiritual practitioners are known to use one specific locality on a regular basis. Because it is unlikely that these key routes would be closed or decommissioned, access to areas important for spiritual, traditional, or cultural practices would not be affected.
- Key route M1c, however, also provides indirect public access within the Williams-Thatcher watershed to historic properties where vandalism is occurring, and road use is affecting archaeological sites. Archaeological sites and properties having cultural, symbolic, spiritual, sacred, traditional, or religious values to the Round Valley Indian Tribes and to individual Yuki spiritual practitioners are being affected. Easy public access is a contributing factor to repeated acts of vandalism at these properties. These effects, however, should be addressed at the project-specific or watershed analysis level.
- Portions of key routes FH7 and M4 follow the original route of the historic Nome Cult Trail (NCT), which possesses cultural, spiritual, and symbolic values to at least seven federally recognized tribes. Much of the NCT also follows other non-key route roads. The Nome Cult Trail is the route used by the military to relocate many northern Sacramento Valley Indians to the

Round Valley Indian Tribes in 1863. Annual events, including organized commemorative walks and vehicular trips along the route, mark the historic and cultural importance of this trail. Continued access to the Nome Cult Trail, whether it is by key routes or other Forest system roads, is important to these tribes. Access could be affected by changes in road maintenance standards, road decommissioning, or closure. It is unlikely that the key route segments coinciding with the NCT route would be subject to closure or decommissioning. The likelihood that other non-key route roads would be subject to closure or decommissioning, however, is also considered low. Potential changes in access should be addressed at the project-specific or watershed scales of analysis.

- A short segment of the Nome Cult Trail follows the Twin Rocks Ridge road (20N02). This short segment may be more subject to closure than any other parts of the NCT because of its proximity to the Black Butte River. Because most of the public and tribal members wishing to follow the NCT more commonly use a nearby key route (FH7), closure would have little effect on current use. This issue should be addressed at the project-specific or watershed scales.
- Key routes M1f, M1b, and M6 provide access to Bloody Rock, a historic property important to the Round Valley Indian Tribes and other federally recognized tribes for its symbolic, cultural, and other values. Other key routes also provide access: CA301, CA2408, M61, and M1c. Bloody Rock is the location of a late 19th Century massacre of Native Americans (Powers 1872; 1877), and is important to local tribes as a symbol of the conflict between White settlers and California Indians. It is unlikely that these key routes would be subject to closure, decommissioning, or lowering of maintenance standards.
- Direction in the Forest Land and Resources Management Plan (LRMP) is adequate to ensure that road management decisions have considered the potential effect on historic properties, or traditional or cultural uses by Native Americans. LRMP direction incorporates regulations of the Advisory Council on Historic Preservation (36 CFR 800), requiring the consideration of potential effects to historic properties, including traditional cultural properties, in the decision making process. LRMP direction also requires coordination with tribes to ensure Forest management practices do not unduly impede access to important traditional and cultural resources. And LRMP direction requires consultation with tribes and individuals to identify sites of traditional importance, and protect for their protection.

Guidelines: The National Historic Preservation Act (1966, as amended), and the Advisory Council on Historic Preservation's implementing regulations for Section 106 (36 CFR 800) of the Act, provides guidelines for considering possible effects on historic and traditional cultural properties. Any possible effects on these sites that may be the result of a proposed project would be

analyzed and addressed at the project level in compliance with 36 CFR 800. Consultation with Tribes is a requirement of this analysis whenever historic properties known to be important to tribes may be affected.

In addition, the Standards and Guidelines for Heritage Resources in the Mendocino National Forest's LRMP (1995) include direction regarding the identification and protection of traditional, cultural, and historic properties; consultation with Native American tribes and individuals about Forest management practices and access to important resources; and procedures to follow whenever historic properties might be affected by a proposed activity. This direction includes: Heritage Resources S&G #3 (LRMP IV-22), Heritage Resources S&G #5 (LRMP IV-22), and Heritage Resources S&G #6 (LRMP IV-23).

The following guidance will also help ensure that the possible effects on historic properties and traditional cultural values are fully considered where potential conflicts between these resources and road management decisions might arise.

1. If the current access on NCT-associated segments of key routes FH7 and M4, or on Forest System road 20N02, might be changed, then the following federally recognized tribes must be consulted about the effects that this change would have on their symbolic, spiritual, and cultural uses of the Nome Cult Trail: Berry Creek Rancheria; Enterprise Rancheria; Grindstone Rancheria; Mechoopda Indian Tribe of Chico Rancheria; Mooretown Rancheria; Paskenta Band of Nomlaki Indians; and Round Valley Indian Tribes.
2. If the current access on key route M1c might be changed, then the Round Valley Indian Tribes, and known Yuki spiritual and cultural practitioners who use the area, must be consulted about the effect such a change would have on their spiritual or religious practices, and access to sacred places.
3. In planning for road decommissioning, closure, or opportunities to mitigate erosion and other treatments on Forest roads intersecting key route M1c within the Williams-Thatcher and Black Butte River watersheds, opportunities to protect historic properties should be considered.
4. If the current access to the Bloody Rock locality provided by key routes segments M1f, M1b, and M6; M1c, M61, and M6; or CA301, CA2408, M1b, and M6 might be changed through either closure, decommissioning, or lower maintenance standards, then the Round Valley Indian Tribes and other federally recognized tribes regularly consulted about Forest actions should be consulted to assess potential effects on current use and associated values.

Analysis:

- PV(2): Do areas planned for road construction, closure, or decommissioning have unique cultural, traditional, symbolic, sacred, spiritual, or religious significance?

Several key routes in the northern and southern parts of the Forest provide direct access to several areas possessing cultural, traditional, symbolic, spiritual, sacred, or religious values to seven federally recognized tribes, and to individual cultural, religious, or spiritual practitioners. This issue was specifically addressed at the Forest scale since these key routes, combined, provide access to a large part of the Forest.

Key route M1c provides access to several different areas that have cultural, religious, sacred, spiritual, and symbolic values not only to the Round Valley Indian Tribes, but also to cultural and spiritual practitioners known to use these areas. It is unlikely that access to these areas will become a critical issue because it is unlikely that this key route would be subject to closure or decommissioning. Both project-specific or watershed scale analysis would be effective at addressing any potential effects to the to these areas should the risk of closure or decommissioning increase. Moreover, any proposed road closure, decommissioning, or new road construction that might affect these areas and historic properties, and their associative values, would be assessed and considered under the Advisory Council on Historic Preservation's (ACHP) regulations (36 CFR 800) implementing Section 106 of the National Historic Preservation Act (1966, as amended).

Two of the Forest's northern key routes (FH7 and M4) also correspond with the earlier route of the historic Nome Cult Trail (NCT), a historic trail having cultural, spiritual, and symbolic values to at least seven federally recognized Tribes. While this issue is germane at the Forest scale of analysis because these key routes also access large parts of the Forest, it is unlikely to become a critical issue since key routes will rarely be subject to closure or decommissioning; however, lower road maintenance standards could affect current uses. Both project-specific or watershed scale analysis would be effective at addressing any potential effects to the NCT's cultural, spiritual, and symbolic values that might result in a change in access from current conditions. Moreover, any proposed road closure, decommissioning, or new road construction that might affect this historic property, and its associative values, would be assessed and considered under the ACHP's regulations (36 CFR 800) implementing Section 106 of the National Historic Preservation Act (1966, as amended). Even though the existing road system has likely

obliterated much of the NCT's original alignment, archaeological surveys would precede any new construction projects, and address any effects to extant NCT segments in consultation with affected Tribes, prior to project approval in compliance with 36 CFR 800.

Within the southern part of the Forest, key routes M1f, M1b, and M6 together are one of several access routes to Bloody Rock, a historic property important to the Round Valley Indian Tribes, and other federally recognized tribes, for its symbolic, cultural, and other values. Other key routes also provide alternative access: CA301, CA2408, M1b, and M6; M1c, M61, and M6. In the late 19th Century (circa 1860), Bloody Rock was the location of a massacre of Native Americans (Powers 1872; 1877), and is important to contemporary tribes as a symbol of the conflict between White settlers and California Indians. It is unlikely that these key routes would be subject to closure, decommissioning, or lowering of maintenance standards, all of which could affect current uses.

- PV(3): What, if any, groups of people (ethnic groups, subcultures, and so on) hold cultural, symbolic, spiritual, sacred, traditional, or religious values for areas planned for road entry or road closure?

The Round Valley Indian Tribes, and in particular Yuki cultural and spiritual practitioners, have cultural, symbolic, spiritual, sacred, traditional, or religious values affiliated with areas directly accessed by key route M1c. Many of these same areas are also historic properties. Any changes possibly affecting current access, such as lower maintenance standards, closure, or decommissioning, could possibly affect access by Native Americans. Closure or decommissioning of this key route is considered unlikely, so the risk of affecting these values is considered low. Even though this access issue was considered at the Forest scale of analysis and considered to be a low risk, any possible effects to historic and traditional cultural properties would be assessed as an integral part of any project-specific analysis under NEPA and ACHP's regulations (36 CFR 800). This analysis would precede any approval of new road entry, road closures, or decommissioning.

- SI(3): How does the road system affect access to paleontological, archaeological, and historical sites?

This question was considered under this issue because of the correspondence between several key routes and Forest system roads to historic sites interpreted to the public and tribes, and archaeological properties affected by repeated vandalism. Several key routes and Forest system roads provide direct access to the historic Nome Cult Trail, an historic property not only used by Tribes during commemorative events and observances, but also interpreted for the public through signs and a self-guided brochure. It is unlikely that these key routes and forest

system roads that access the NCT route through the Forest will be subject to road closure or decommissioning. Lower maintenance standards for some roads, however, could affect access. Road system access to archaeological sites is better considered at the project-specific or watershed scale of analysis. There are no known road system access problems associated with paleontological sites.

Key route M1c not only provides direct and indirect access to several areas possessing cultural, religious, sacred, and spiritual values to the Round Valley Indian Tribes and to others, but some of these same areas are also historic properties. Other archaeological and historical sites are also located along this road, and some roads directly affect important archaeological sites or provide easy access contributing to effects or vandalism. But road system access to archaeological sites should be considered at the project-specific or watershed scale of analysis.

Several key routes also provide access to Bloody Rock, an important historic site (Powers 1872; 1877). A recreational trail provides public access to this site.

- SI(4): How does the road system affect cultural and traditional uses (such as plant gathering, and access to traditional and cultural sites) and American Indian treaty rights?

As described above, several key routes provide direct access to areas possessing cultural, religious, and spiritual values to members of the Round Valley Indian Tribes. Since closure or decommissioning of these key routes is unlikely, there is a low risk that tribal and individual access to these areas will be affected.

Some key routes, as well as other Forest system road, also provide direct access to the Nome Cult Trail. These roads are integral to annual commemorative events and other observances practiced by Native American individuals and the Tribes. Since closure or decommissioning of the key routes is unlikely, there is a low risk that individual Native American or tribal access to the NCT will be affected. However, some other the other Forest system roads may be subject to changes that would affect access, including closure, decommissioning, maintenance, that might have an effect. These issues should be assessed at the project-specific or watershed scales.

Key routes also provide access to Bloody Rock. This site has symbolic and cultural importance for various tribes. Again, these key routes will continue to provide access.

There are no American Indian treaty rights possessed by Federal tribes having an interest in the Forest or its resources, or consulted with about this analysis.

- SI(5): How are roads that constitute historic sites affected by road management?

Few roads on the Forest have been identified and managed as historic sites. Some segments of former roads have been evaluated in the past to determine if they were significant historic properties, but most were found to be not eligible for the National Register of Historic Places. The historic Nome Cult Trail (NCT), whose original alignment was subsequently replaced by later roads, is an historic site currently managed as an “historic route”. The NCT follows two key routes and numerous other Forest system roads. But the roads themselves only mark the route of the 1863, and are important for the access they provide, especially for federal tribes who retain cultural, symbolic, and spiritual values associated with the NCT. Because access is important for those possessing these values, any possible changes in that access, including lowering current maintenance levels, could have an effect on those who value the NCT.

- SI(9): What are traditional uses of animal and plant species in the area of analysis?

No detailed information on traditional uses of animal or plant species on the Forest was obtained from federal tribes consulted about this analysis. Individuals from neighboring federal tribes use the Forest for general hunting and fishing along with the rest of the public. Some plant gathering by basket weavers, limited acorn gathering, and collection of medicinal plants is known to occur on the Forest. Although the extent of these activities is unknown, it is believed to be infrequent. Key routes and other Forest roads provide access. Any changes in current access may affect these uses. Possible effects should be assessed at project-specific or watershed scales.

- Discussion(s) supporting the conclusions presented in the findings section and the recommendations in the guidelines section.

The Etsel Ridge road (M1c) provides direct access to areas containing historic properties that also possess cultural, religious, symbolic, and spiritual values to the Yuki of the Round Valley Indian Tribes, and individual Yuki cultural and spiritual practitioners. Without these key routes, access would be much more difficult and possibly impossible for those with physical difficulties. Yuki cultural and spiritual practitioners are known to use these areas. Consideration of the importance of the Etsel Ridge road to the Round Valley Indian Tribes and individual Yuki

spiritual and cultural practitioners is important at the Forest scale of analysis. But it is unlikely that any road management actions affecting this key route would have concomitant effects on historic properties or properties possessing cultural, spiritual, symbolic, and religious values; therefore, actions that could have such an effect, such as road closure, decommissioning, new construction, or lessening road maintenance standards, are considered unlikely. Moreover, proposals for new road construction, road closure, or decommissioning would be preceded by planning which includes consideration of the effects such actions would have on these historic properties, in addition to their effect on associated values. Consultation with the Round Valley Indian Tribes, and any known cultural or spiritual practitioners who use the area, regarding historic properties and effects would also be part of this process. ACHP's regulations (36 CFR 800) and LRMP standards and guidelines regarding the protection of properties of traditional importance to tribes provide guidance ensuring that the values associated with these historic properties are properly considered before a decision is made that may have an effect.

The Etsel Ridge Road also provides access to Forest system roads that are affecting historic properties. Effects are being caused by road use and erosion from poor maintenance, and by vandalism and dispersed recreation at archaeological sites made easier by road access. Some of these archaeological sites are unique resources that also have spiritual, sacred, and cultural importance to the Round Valley Indian Tribes and individual spiritual/cultural practitioners.

Certain key routes and other Forest system roads within the northern part of the Forest follow the historic alignment of the Nome Cult Trail (NCT) (circa 1863). These roads provide direct access to the NCT that has high cultural, spiritual, and symbolic values to at least seven federally recognized tribes. Tribes and their members use these roads in conjunction with annual commemorative events and observances. Although consideration of the importance of these roads to the tribes is important at the Forest scale of analysis, actions affecting these key routes and road segment, such as road closure or decommissioning, are considered unlikely and therefore would not affect the values held by tribes. Furthermore, proposals for new road construction, road closure, or decommissioning would be preceded by planning which includes consideration of the effects such actions would have on historic properties, and their effect on associated values. Consultation with tribes regarding historic properties and effects would also be part of this process. The ACHP's regulations (36 CFR 800) and the LRMP's standards and guidelines, regarding the interpretation and the protection of properties of traditional importance to tribes, provide guidance ensuring that the values of the NCT are properly considered before a decision is made that may affect these values.

At the Forest scale of analysis, this issue was considered to be a low risk with respect to the key routes and other Forest system roads that correspond with the NCT route. The risk is low because it is unlikely that they would be subject to road closure or decommissioning. Since the current road system has probably obliterated the original NCT alignment, and no original segments of the NCT are known, any proposed road construction would also have a low risk of affecting the values associated with the NCT. Any possible effects, however unlikely, should be addressed at the project-specific or watershed scale of analysis.

Even though a segment of the Twin Rocks Ridge road (22N02) might be more subject to closure or decommissioning given its low use and proximity to the Black Butte River, this too was considered to have a low risk of affecting NCT values. Given the proximity of a more frequently used key route (FH7), however, any possible effects that might accrue may not be significant. But these effects should also be addressed at the project-specific or watershed scale of analysis.

Ranking of Importance of Issue Within 5th Field Watersheds

The importance of this issue within the forest varies according to location. In order to alert managers to areas with greater potential for these resources to be affected by road management decisions, 5th field watersheds are ranked according to the following criteria:

- L = Low likelihood that road management decisions would either affect identified resource or mitigate effects to identified values (these watersheds are not listed in the table).
- M = Moderate likelihood that road management decisions would either affect identified resource or mitigate effects to identified values.
- H = High likelihood that road management decisions would either affect identified resource or mitigate effects to identified values.

Table A3.5- 1 displays the rankings and underlying reasons.

Table A3.5- 1 - Ranking of 5th Field Watersheds

Watershed Name	Issue Description	Score
Black Butte River	<ul style="list-style-type: none"> • Part of the Nome Cult Trail, which possesses cultural, spiritual, and symbolic values to several federally recognized tribes, follows the Twin Rocks Ridge Road (22N02). Some portions might be subject to closure or decommissioning given their proximity to the Black Butte River. Access would be affected but alternative, more widely used, route is available. • A Forest system road provides access to a historic property that also possesses cultural, spiritual, symbolic, sacred, traditional, or religious importance to federally recognized tribes. Closure of road would affect but not prohibit access. Access would be more limited with closure. • Road use and dispersed camping are affecting a historic property that also possesses cultural, spiritual, symbolic, sacred, traditional, or religious importance to federally recognized tribes. Closure of access road would alleviate these on-going effects. 	M
Grindstone Creek	<ul style="list-style-type: none"> • A portion of the Nome Cult Trail, which possesses cultural, spiritual, and symbolic values to several federally recognized tribes, follows Forest System road 24N02 between Government Flat and M4 near Mendocino Pass. Road closure or decommissioning would, and lower road maintenance standards could, affect access. Alternative access available but not along original route. 	H

Thomes Creek	<ul style="list-style-type: none"> • Parts of the Nome Cult Trail, which possesses cultural, spiritual, and symbolic values to several federally recognized tribes, follows the following Forest System roads: 23N69 from Forest boundary to M9 junction; and M9 from M9/23N69 junction to M4 junction. Road closure or decommissioning would, and lower road maintenance standards could, affect access. Alternative access available but not along original route. 	H
Williams-Thatcher	<ul style="list-style-type: none"> • A Forest system road provides access to several historic properties possessing cultural, spiritual, symbolic, sacred, traditional, or religious importance to federally recognized tribes. Closure of road would affect but not prohibit access. Access would be more limited. Individual spiritual practitioners support road closure. • Road use, dispersed camping, vandalism, or illicit artifact collection are also affecting some of these historic properties. Closure of access road, and mitigation of erosion, would alleviate these on-going effects. 	H

Ranking of Importance of Issue on Key Routes

In order to alert managers to key routes with greater potential for these resources to be affected by road management decisions, 5th field watersheds are ranked according to the following criteria:

- L = Low likelihood that road management decisions would either affect identified resource or mitigate effects to identified values.
- M = Moderate likelihood that road management decisions would either affect identified resource or mitigate effects to identified values.
- H = High likelihood that road management decisions would either affect identified resource or mitigate effects to identified values.

Rankings and reasons are displayed in Table A3.5- 2. Key routes not listed in the Table have no known potential for affecting identified resources or values.

Table A3.5- 2 - Key Routes			
Map Label	Route	Issue Description	Score
M4	M4 from Forest bdy to jct w/M2 near Government Flat	<ul style="list-style-type: none"> • Sections of M4 from Forest Bdy to jct w/23N69; and from M4/M9 jct near Log Springs to Government Flat are part of the Nome Cult Trail corridor. Trail possesses cultural, spiritual, and symbolic values to several federally recognized Tribes; Annual commemorative events along route. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L
FH7	FH7	<ul style="list-style-type: none"> • Between M4 junction at Mendocino Pass and Forest Boundary at Eel River – part of the Nome Cult Trail corridor. Trail possesses cultural, spiritual, and symbolic value to several federally recognized Tribes; Annual commemorative events along route. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L

Table A3.5- 2 - Key Routes			
Map Label	Route	Issue Description	Score
M1c	M1 from Eel River to jct w/M61	<ul style="list-style-type: none"> • Access to areas possessing cultural, symbolic, spiritual, sacred, traditional, or religious values to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. • Access to historic property of symbolic and cultural importance to several federally recognized tribes. Lower road maintenance standards could affect access. 	L L
M61	M61	<ul style="list-style-type: none"> • Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L
M6	M6	<ul style="list-style-type: none"> • Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L
M1e	M1 from Cabbage Patch to Soda Creek	<ul style="list-style-type: none"> • Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L

Table A3.5- 2 - Key Routes			
Map Label	Route	Issue Description	Score
CR301	Lake CR301 from Soda Creek to jct with Mendocino CR 240B	<ul style="list-style-type: none"> Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L
CR240B	Mendocino CR240B from jct w/Lake CR301 to jct w/M8	<ul style="list-style-type: none"> Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L
M1f	M1 from Soda Creek to Forest boundary (Lake CR301) Access from Upper Lake to Pillsbury Basin	<ul style="list-style-type: none"> Access to historic property of symbolic and cultural importance to several federally recognized tribes. Closure or decommissioning considered unlikely. Lower road maintenance standards could affect access. 	L

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