

**A Cultural Resources Investigation for the
Burnt Ranch Estates Community Water System Improvement Project
Burnt Ranch, Trinity County, California**



Prepared by:

William Rich, M.A., RPA
William Rich and Associates
P.O. Box 184
Bayside, CA 95524

Prepared for:

Burnt Ranch Estates Mutual Water Company
P.O. Box 102
Burnt Ranch, CA 95527

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Cover photo: View toward the eastern project area along School Road, at APN 008-800-05-00, on June 8, 2023, showing the existing water storage tank at left, which will be removed and replaced with a larger, modern, steel tank on a graded terrace to be constructed to the right.

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1.0 INVESTIGATION SUMMARY

During the spring of 2023, the Burnt Ranch Estates Mutual Water Company (BREMWC) contracted with William Rich and Associates (WRA) to complete a cultural resources survey for the Burnt Ranch Estates Community Water System Improvement Project, in the community of Burnt Ranch in Trinity County, California. The BREMWC, which is proposing to install two new water storage tanks in Burnt Ranch, requested the investigation to satisfy cultural resource analysis under the California Environmental Quality Act (CEQA). This report provides the results of background research, correspondence with Native Americans, and the project area field survey.

The purpose of this investigation is to document whether significant cultural resources, defined as historical resources, tribal cultural resources, or unique archaeological resources are located in the project area (Title 14 CCR §15064.5(a), and PRC §5020.1 (j); PRC §21074; PRC §21083.2 (g)). The methods used to accomplish this included a record search at the Northeast Information Center (NEIC), and a review of other historical reports and published literature pertinent to the project location. Correspondence was conducted with the Native American Heritage Commission (NAHC), and representatives of tribes who have ancestral interest in the Burnt Ranch area. A comprehensive field survey was performed over the entire project area, encompassing approximately 2.9 acres.

According to the NEIC database, the project area has not been previously surveyed. Two surveys have been conducted within ½ mile of the project area, both by this author. Four cultural resources are recorded within this ½ mile buffer, two by this author (an ancestral Native American archaeological site and a segment of historic-period trail), one multi-component site (P-53-0882 / CA-TRI-882/H) containing the reported location of the ethnographically described village *Tsudamdadji* and a historical cemetery, about 1,012 feet southeast of the project area; and a second multi-component site containing historic Forest Service fire camp buildings and a scatter of Native American lithic artifacts (P-53-1332 / CA-TRI-1332/H), about 2,257 feet east of the eastern project area. Tribal outreach was initiated with the NAHC who were asked to provide a list of Native American individuals to contact for this portion of Trinity County. Letters were sent to the Nor Rel Muk Wintu Nation, Redding Rancheria, Round Valley Reservation/Covelo Indian Community, Wintu Tribe of Northern California, and the Wintu Educational and Cultural Council. At this time, no responses have been received.

On June 8, 2023, William Rich, M.A. RPA conducted a pedestrian field survey of the entire project area in order to identify and evaluate cultural resources that could be affected by implementation of the project. This involved walking transects of both of the areas proposed for water tank placement and a surrounding buffer, encompassing the existing water diversion, filtration and storage infrastructure on McDonald Creek and along School Road. Both areas exhibited sufficient surface soils to identify archaeological deposits.

No artifacts, features, or sites were identified during the field survey. The BREMWC was incorporated in 1975, when the 200-acre, 35-parcel Estates was being developed by Bruce McIntosh. The water diversion, filtration, storage and transmission features comprising the water system were presumably built around that same time; and as such, are not eligible for the CRHR, as they do not meet the age criteria presented in CEQA guidelines (Section 15064.5(a) (3)) stipulating a minimum age of 50 years for consideration as a historical resource in most circumstances.

As per CEQA (15064.5 (a)), it appears that no historical resources, unique archaeological resources (PRC §21083.2 (g)), or tribal cultural resources, as defined in PRC §21074, are present within the limits of the project area.

2.0 PROJECT DESCRIPTION

The BREMWC is proposing to install two water storage tanks and replace existing water distribution lines, hydrants, and water meters in Burnt Ranch Estates in Trinity County, California (Figure 1). This project is specifically located in the north ½ of Section 15 of Township 5 North, Range 6 East (Humboldt Meridian), as shown on the USGS 7.5' Ironside Mountain, California Topographic Quadrangle (Figure 2).



Figure 1. Project vicinity map showing the location of the proposed project.

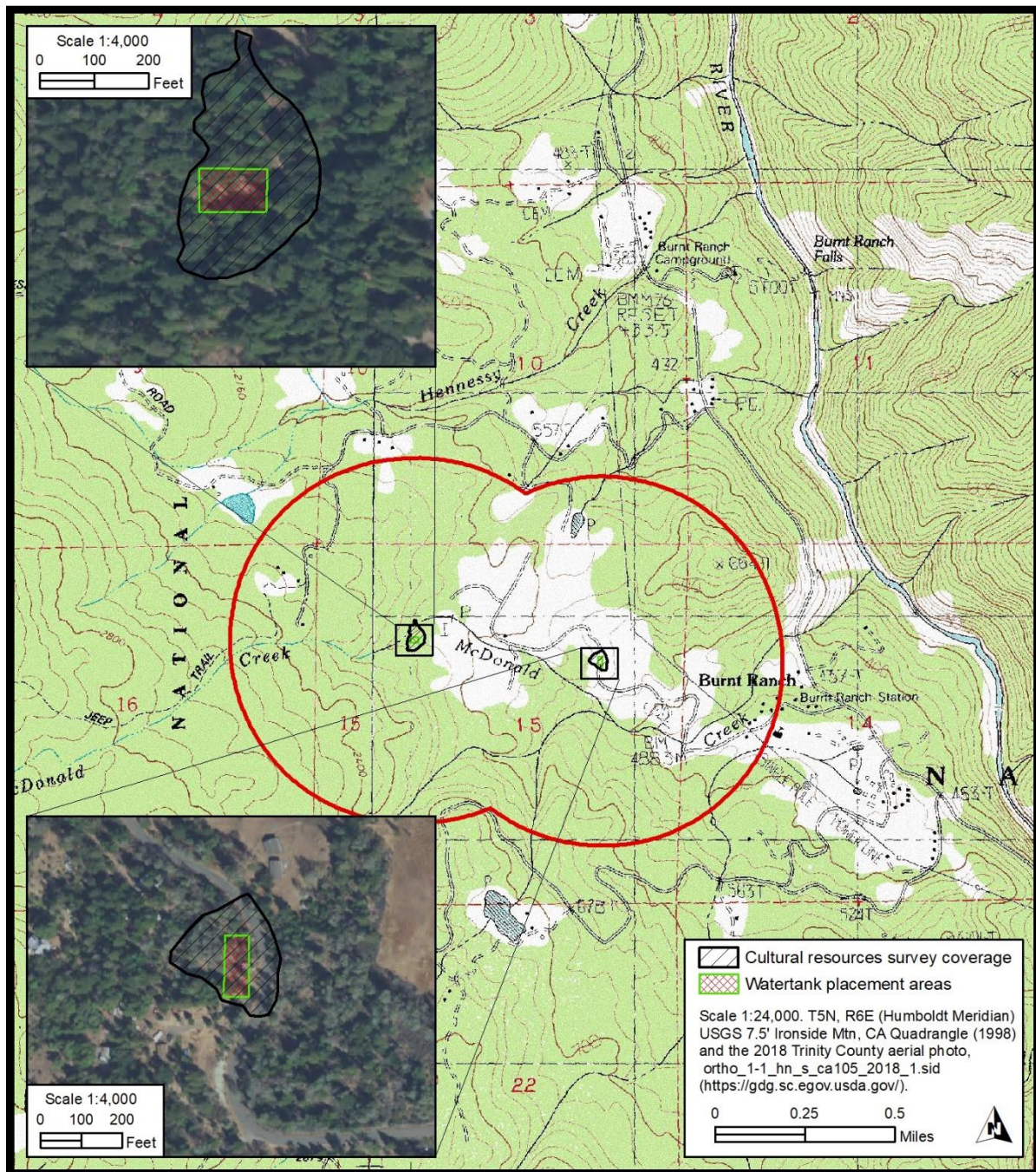


Figure 2. Project location and survey coverage map.

The following project description was taken from the Environmental Initial Study for this project by Trinity Valley Consulting Engineers, Inc. (Appendix A).

The proposed Burnt Ranch Estates Community Water System Improvement Project includes the installation of new 80,000-gallon and 40,000-gallon steel water tanks at two locations, replacement of all water distribution lines, replacement of all wharf hydrants, replacement of all water meters (Figure 3). The project also includes minor replacements to the existing water treatment facilities; however, the

replacement of existing water transmission pipe, proposed as part of this project, has been deemed exempt from CEQA and was not included in this investigation.



Figure 3. Project plan map, showing the locations proposed for water storage tank placement; courtesy of Trinity Valley Consulting Engineers, Willow Creek.

Activities will include grading, site preparation, replacement of existing facilities, and construction of new facilities. Equipment will likely include excavators, skid loaders, bulldozers, trenchers, concrete mixers, and hand tools.

3.0 REGULATORY FRAMEWORK

3.1 California Environmental Quality Act

The California Environmental Quality Act (CEQA), codified in California Public Resources Code (PRC) Sections 21000 et seq., is the principal statute governing the environmental review of projects in the state. CEQA requires that proponents of projects financed or approved by state agencies, assess the project's potential to affect the environment. In accordance with CEQA, a project that may cause a substantial adverse change in the significance of a historical, tribal cultural, or unique archaeological resource is a project that may have a significant effect on the environment (PRC 21084.1, CA AB52 Chapter 532 (2014), and PRC Section 21083.2). The term "historical resource" is legally defined in California Code of Regulations (CCR), Title 14, Chapter 3, Section 15064.5 (a). Under 14 CCR 15064.5(a)(3), a historical resource is defined as:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (CRHR) (PRC Section 5024.1).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements in section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (PRC Section 5024.1) including the following:
 - A. is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - B. is associated with the lives of persons important in our past;
 - C. embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
 - D. has yielded, or may be likely to yield, information important in prehistory or history.

The CRHR also includes resources listed in or formally determined eligible for the listing in the National Register of Historic Places, as well as California State Landmarks and Points of Historical Interest. Resources of local significance that are listed under a local preservation ordinance or are otherwise considered historically significant at a local level, may also be considered eligible for the CRHR. The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to section 5020.1(k) of the PRC), or identified in a historical resources survey (meeting the criteria in section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC sections 5020.1(j) or 5024.1. The term "tribal cultural resource" is legally defined in PRC Section 21074:

- (a) "Tribal cultural resources" are either of the following:
 - (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the CRHR.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section

5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in PRC Section 21084.1, a unique archaeological resource as defined in subdivision (g) of PRC Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of PRC Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

A “unique archaeological resource” is an archaeological artifact, object, or site that meets any of the criteria presented in PRC Section 21083.2(g):

(g) As used in this section, “unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Based on Section 15064.5(b)(2), a project would have a significant adverse effect on historical resources if the project causes a substantial adverse change in the significance of a historical resource. This includes demolishing or altering the physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR or a local historic register, or by disturbing any human remains including those interred outside of formal cemeteries. Section 15064.5(c) applies to effects on archaeological sites as follows:

(1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is a historical resource, as defined in subsection (a).

(2) If a lead agency determines that the archaeological site is a historical resource, it shall refer to the provisions of this section and Section 15126.4 of the Guidelines.

In addition, the CEQA Guidelines (Section 15064.5(c) (3), and (4)) provide tests for significance for archaeological resources, as summarized below:

(1) If the site does not meet the criteria [for a historical resource] (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2.

(2) If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.

In addition to meeting one or more of the above criteria, the resources must be at least 50 years of age. A resource less than 50 years of age may qualify if it is exceptionally important to understanding our more recent history.

4.0 CULTURAL SETTING AND HISTORIC CONTEXT

4.1 Natural Setting

The unincorporated community of Burnt Ranch is located in Trinity County approximately 320 miles north of San Francisco and 60 miles northeast of Eureka, California. The community is located along State Highway 299 in the Trinity River canyon.

The two watertank placement areas are situated on the sloping banks of Trinity River tributary-McDonald Creek, on two small, privately owned, residentially zoned parcels near the end of Pony Express Way. The western project location (at APN 008-790-03-00) is set in a creek canyon, and is moderately-densely forested with Douglas fir, alder, grey pine, western red cedar, oak and other hardwood tree species, and an understory of manzanita, deer brush, and grasses. The eastern project location (at APN 008-800-05-00) is situated on a gently-sloping landform with eastern exposure, in an area which historically was open and grassy, with scattered stands of what were likely grey pine, western red cedar, Douglas fir, oak and other hardwood tree species.

4.2 Archaeological Chronology

Archaeological research indicates people have been living in this general part of Trinity County for at least 8,000 years (Fitzgerald and Hildebrandt 2001). The prehistory of the Trinity River area has received considerable study, largely as the result of archaeological field work accomplished in preparation for reservoir construction in the low-lying river valleys and on U.S. Forest Service projects in the highlands. Cultural chronologies are based on complexes of artifacts found in dated archaeological contexts which then are often extrapolated with linguistic and Paleo-environmental studies to form hypotheses as to movements of people through time. Summaries of the cultural chronology of the area began with work by Clement Meighan (1955) and elaborated by David Fredrickson (1973, 1984) with local application by William Hildebrandt and John Hayes based on their field work in sites on South Fork Mountain and Pilot Ridge in 1983-1985 and 1993.

There is some thought that the Trinity River area was occupied 8,000 to 10,000 years ago by “pre-Yukian” speakers (Moratto 1984:543-545). If so, no archaeological trace of their presence has been identified. Archaeological chronologies in the Trinity River drainage, begin with a complex called the Borax Lake Pattern, represented in the physical record by large numbers of handstones and millingstones, large spear and atlatl points named Borax Lake projectile Points, large and small bifaces including a small serrated form, ovate flake tools, and edge-flaked spalls (Hayes and Hildebrandt 1985:31-33). Stone used in making flaked tools was generally chert with only a rare example of obsidian, the obsidian was acquired from a Medicine Lake source, presumably through trade with the Shasta. This was during the Altithermal climatic period, characterized by relatively high temperatures and low precipitation with vegetation zones correspondingly higher in elevation than at present. Most of the known archaeological sites dating to this period are located on high-elevation mountain ridges. Fredrickson (1973:130, 1974:497-498) defined the Borax Lake Pattern as being organized around both hunting and seed collecting, reflecting a generalized, highly mobile hunting and collecting strategy. Population densities were low and social organization was based on the extended family.

This archaeological complex is believed to have entered California from the desert southwest, carried by groups of people speaking languages of the Hokan stock (Sapir 1920:290). The complex spread into the lower Sierras and then across the Sacramento Valley to the Clear Lake area with a time depth of approximately 10,500 years before present (White et al. 2002), moving northward into the Trinity River drainage and the upper Sacramento/Pit River drainages by some 8,000 years ago. Moratto (1984) assigns the Trinity River area during this period to the “Ancient Chimariko.”

Around 3,000 years ago, temperatures cooled and available moisture increased, resulting in the formation of present-day vegetation associations. Humans responded by shifting to a more intensive collection strategy. Populations increased and the economy diversified with winter and spring settlement in villages situated near oak stands and anadromous fisheries while summer and fall was devoted to resource collecting activities at various elevations (Fredrickson 1974:46-49; Hayes and Hildebrandt 1985:109). Artifact inventories indicate a wider range of economic pursuits than during the previous period. Cultural deposits in high-elevation sites primarily reflect hunting activities with large serrated projectile points, large side-notched points and McKee Unifaces serving as diagnostic artifacts (Hildebrandt and Hayes 1993). Handstones and millingsstones continued to be used and mortars and pestles may have been introduced during this period. Now dated between 3000 and 1500 years ago, this cultural period is termed the Mendocino Pattern (Hildebrandt and Hayes 1993:115) and is assigned by Moratto (1984) to the Ancestral Chimariko in the Trinity drainage.

The final pre-contact cultural period is usually considered to have begun with the introduction of the bow and arrow, represented archaeologically by the presence of small-sized arrow points. Diagnostic projectile point types include small diamond-shaped, side- and corner-notched points and Tuluwat barbed points. Populations increased and settlement became more sedentary, based on the storage of acorns and dried salmon (Hildebrandt and Hayes 1993). At some point during this period, the Wintu, who are believed to have migrated from southern Oregon into the Sacramento Valley around 1,200 years ago, began spreading into the Trinity River drainage, gradually pushing the Chimariko farther west. By the early 1900s when ethnographic studies began, the Chimariko retained about a 20-mile stretch of narrow Trinity River canyon extending from Salyer upriver to Big Bar with six recorded villages. Their population in 1849 is estimated to have been 250 (Kroeber 1925:109; Silver 1978:205-207).

Little archaeological attention has been paid to Chimariko sites of the late period. Exceptions include the ethnographic village of *hotinakcohata* at Cedar Flat (Garfinkel 1982) and CA-TRI-177 at Big Bar (Eidsness 1985). The Cedar Flat site was heavily disturbed but produced 21 projectile points, a hopper mortar, pestles and fragmentary manos. The fourteen points that were complete enough to assign to type included five Tuluwat barbed, three side-notched and two triangular shapes and one stemmed point. Seven broken tips also appear to be fragments of late point styles, possible Tuluwat barbed points. The remaining three are large bases, possibly dating to the Borax Lake period. With a single exception, all of the projectile points were made of chert. The exception, a Tuluwat point, along with 19 flakes and two biface fragments were made of obsidian and were sourced to the Medicine Lake Highlands.

Janet Eidsness (1985) focused on the obsidian hydration results from CA-TRI-177, combining points from that site with those from CA-TRI-205, on the North Fork Trinity at Helena. Her sample of 73 Tuluwat barbed points from the two Trinity River sites was nearly evenly divided between obsidian from the Grasshopper Flat source in the Medicine Lake Highlands and Tuscan obsidian in the Southern Cascade Range east of Redding and commonly found in the Redding area Wintu sites. Obsidian samples of the other point styles, large and small corner-notched and side-notched, small diamond shaped, serrate leaf-shaped, McKee Unifaces and wide-stemmed, were far fewer in numbers, but were entirely derived from the Grasshopper Lake obsidian source. She concluded that although the Tuluwat point types date to the late period, none of the others belong exclusively to that period and most date earlier. Only the small corner-notched and possibly the small side-notched point types appear to overlap the Tuluwat points in time (Eidsness 1985:193-198).

Peter Jensen and Alfred Farber (1982:167-169), excavators at CA-TRI-205 at Helena, assigned Component III of that very deep midden site to the Shasta Complex. In addition to Tuluwat points, the Component III assemblage contained side-notched and small corner-notched points, drills, graters, scrapers, manos, hopper mortars and pestles. They also noted that the proportion of obsidian to chert was about four to one in contrast to the earlier Component II which was more evenly divided, and which they

attributed to an increase in a reliance on trade with other tribes. They attribute Component III to a Wintu occupation based on the presence of the Tuluwat points, but the combination of artifacts in the assemblage may rather indicate an earlier Chimariko presence followed by a Wintu occupation.

Tuluwat points have also been identified at the village site on Rancheria Creek, at the New River confluence about 10 miles northeast of the project area. The remains of this village site (P-53-000197 / CA-TRI-197) were subject to archaeological excavations resulting in the recovery of artifacts evidencing a period of occupation spanning the middle and late Chimariko periods, including Tuluwat barbed points and McKee uniface tools (Chartkoff et al. 1967; Eidsness and Berrien 1983; Weaver 2020).

4.3 Ethnogeography

The first reported contact between Indian and Non-Indian people occurred during the 1820s as trappers began to explore the region. One account of first contact tells us that Russians were the first white men to venture inland. This account from “Old Sampson” (Nom Ti Pom Wintu elder) stated the Yapitu (white men) were thought to be very rich, because their red coats appeared to be made from many woodpecker scalps. Other early contact with Euro-Americans occurred in 1827, when the first fur trapping expedition of the Hudson’s Bay Company entered the region, led by Peter Skene Ogden; although Ogden’s large party only got as far west as Mt. Shasta (Cline 1974). The following year, in April of 1828, the trapping party of Jedediah Smith descended the South Fork of the Trinity to the main river, downstream from the project area, and headed downriver towards the Klamath (Morgan 1953).

Most authorities agree that this area is situated within the traditional territory of the Chimariko Tribe. Wallace maps the upriver boundary for the neighboring “South Fork Hupa” (Tsnungwe) tribe as being about at Hawkins Bar (Wallace 1978:170). Silver, in the same publication, shows the Chimariko extending down the Trinity several miles past Wallace’s boundary to a point about a mile downstream from the main Trinity’s confluence with the South Fork (Silver 1978:207). Dixon (1910:295-296) puts the Chimariko’s western boundary close to Silver’s, at the mouth of the South Fork. Merriam maps a boundary that has the Chimariko on the east side of the Trinity from New River to Cedar Flat but not on the river’s west side (Merriam 1944). Merriam contradicts this, however, by including three villages on the west side of the Trinity, including one at Burnt Ranch, as being in Chimariko territory (Merriam 1976:127). Kroeber creates a boundary that ends downriver a short distance above the main Trinity-South Fork confluence (Kroeber 1976:110). Thus, all the major sources include Burnt Ranch within Chimariko territory with the possible exception of Merriam, who sometimes does and sometimes doesn’t.

None of the sources specify the location of Tcutamtatce, the Chimariko village that was at Burnt Ranch. Baumann (1980), after reviewing accounts about Chimariko boundaries and place names, provides the only clue to the village’s location, indicating that the literal translation of “Tcutamtatce” is “waterfalls (in river)” and that the “term is equivalent to Hupa tshentiṇ . . . ‘rock place’ which is also given as the name of Ironsides Mountain directly to the north” (Baumann 1980:18-19). This information suggests that Tcutamtatce was on the flat near Hennessy Creek across the river from Ironside Mountain, about a mile north of the project area.

Janet Eidsness, an archaeologist who conducted her thesis work in the area, indicated that archaeological material may have existed “at the former lumber mill” and that “another midden site . . . [was] on [the] downriver side of Burnt Ranch store on [highway] 299” (Janet Eidsness, personal communication, 13 Feb. 2017). The mill site, west of Underwood Mountain Road, would be about ¾ mile south of the project area. The Burnt Ranch store is near the post office and thus about one mile northeast of the project location. Eidsness recorded an archaeological site which is “possibly a locus of the ethnographic Chimariko village known as *Tsudamdadij*” (Eidsness 1983). This site (CA-TRI-882/H), about 1,012 feet southeast of the eastern project area (“upper tank”), was reported to contain “a pestle and bedrock feature consisting of hopper mortars, oval basins, cupulas, and two petroglyphs along with a pestle and flaked

lithics (obsidian and cherts).”

Merriam obtained additional information about a waterfall in 1921 from James Chesbro, an Indian that Merriam indicated was Hupa, and who lived at Burnt Ranch:

There used to be a great fall in Trinity River at a huge rock which stood in the middle of the river at Burnt Ranch. Below the fall was a big pool and eddy, which at the proper season was full of salmon. Everybody came here to catch salmon. Indians from several tribes met here and feasted and had a “big time.” Finally, a terrible earth slide came down the side of the canyon and moved the rock away. This destroyed the falls. This occurred during the boyhood of my informant. He tells me that besides the Hoopah [sic] the Indians who used to visit the pool below the falls for salmon were Polikla from Wetchpeck [sic] on Klamath River, ‘Hwilkut from Redwood Creek, and Chemareko from Hyampom. They used to camp a little below the falls (Merriam 1993:(14)102).

Whether the camping occurred at Tcutamtatce or not is unknown. Chesbro’s information does confer an added importance to the Burnt Ranch area as a meeting place for several of the nearby Indian tribes.

4.4 Historical Background and Land Ownership

The current project area is located in the vicinity of the original McWhorter Ranch established sometime in the mid-1800s. The 1883 plat map of the area shows numerous trails, indicating an active community and regular travel and commerce at that time. Specifically, the Humboldt Mail Trail descended Hennessey Ridge and led through Section 15 along what would be named McDonald Creek, just south of the project area (Surveyor General’s Office 1883). A branch of the same trail leads through the northeast ¼ of the section; the two merge again near the house, corral and ranch of “McWhorter” (Figure 4). Another trail is located to the east of the project, in Section 14, following the west side of the Trinity River. Adams D. McWhorter filed a homestead patent on 160 acres at this location, including the southeast ¼ of the northeast ¼ of Section 15, in 1897 (BLM 2023a).

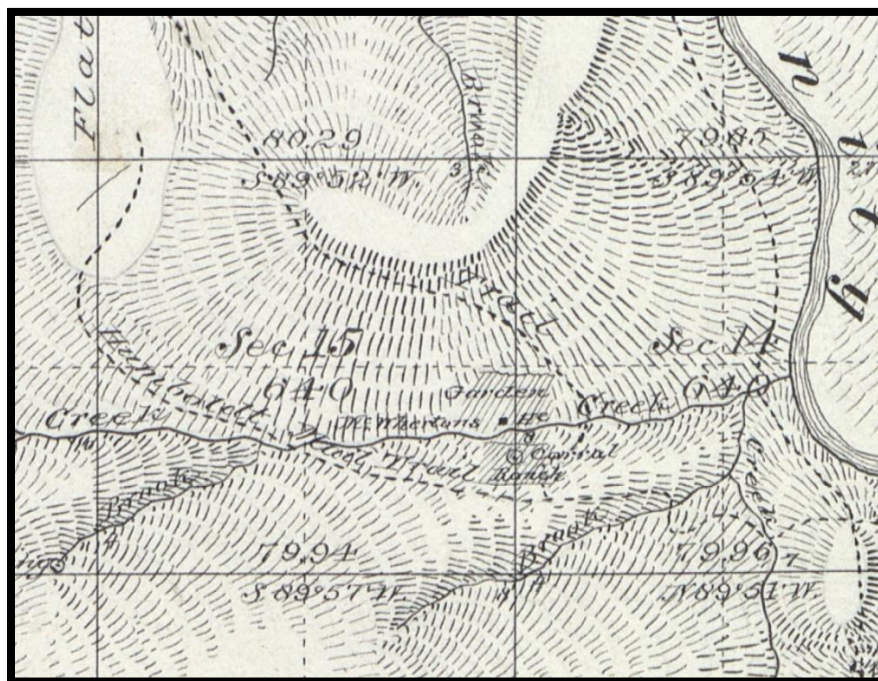


Figure 4. Detail of the 1883 survey plat map of T5N, R6E, showing the two branches of the Humboldt Mail Trail leading in Section 15, and the McWhorter house, corral and ranch on the Section 15-16 line southeast of center.

McWhorter's 160-acre homestead is depicted on the 1894 Trinity County map, which also shows the ownership by "P. Hennesy" to the northwest and J. Biddin to the southeast (Figure 5). Published literature from this time indicates that the Hennessey and Whorter Ranches were present in these locations as early as the 1850s.

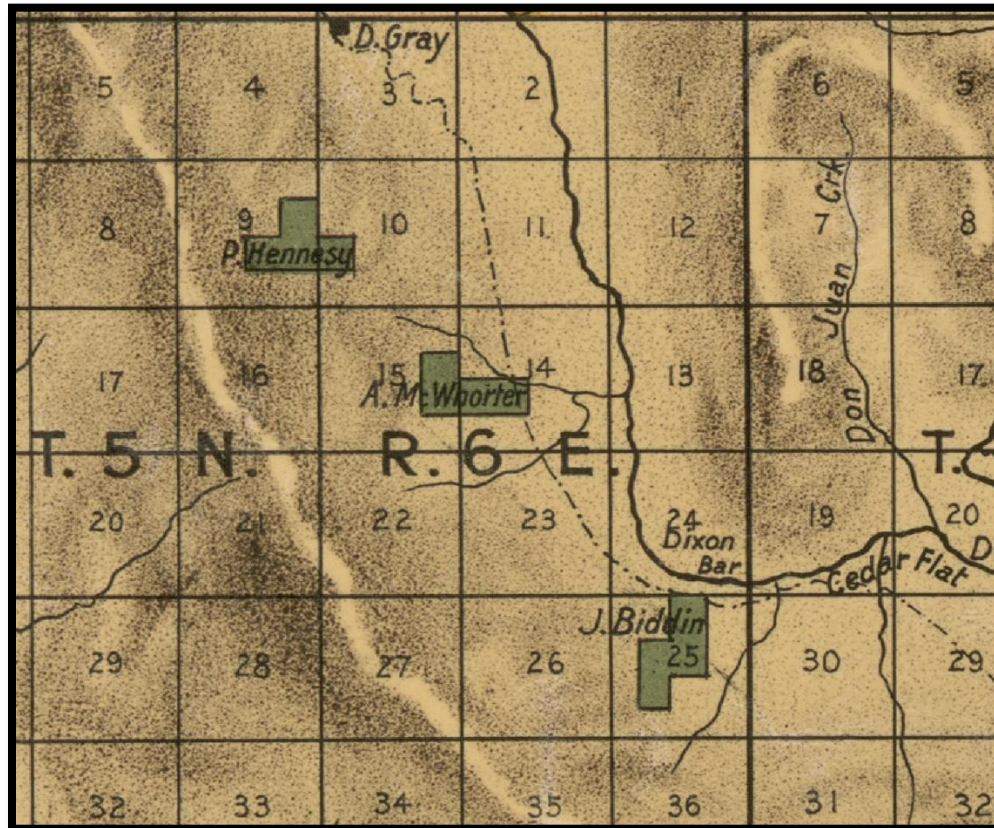


Figure 5. Detail of the 1894 Trinity County map, showing the A.M. McWhorter homestead in Sections 14-15 near center, and the Hennesy and Biddin homesteads nearby, on the west side of the Trinity River (Davidson 1894).

McDonald Creek, shown on the maps above but not yet named, takes its name from James D. McDonald, who in 1903 filed a homestead patent on 160 acres in the north-central part of Section 15 (BLM 2023b), bordering the McWhorter place to the west. According to *Historic Sites of Trinity County*, James McDonald was Adam McWhorter's son-in-law and after McWhorter died in 1900, James

managed the ranch until his death in 1923, during which time it flourished and became debt-free. Many of the local young men were employed on the ranch. The McDonald family lost the ranch during the depression. It was acquired by the McKnight family. It has since been subdivided. Descendants of some of the early day owners still reside in the area. (Jones et al. 1981:249)

Lloyd L. McKnight's ownership of the ranch, which encompassed the proposed water system improvement project, is shown on the 1955 Trinity County atlas (Figure 6).

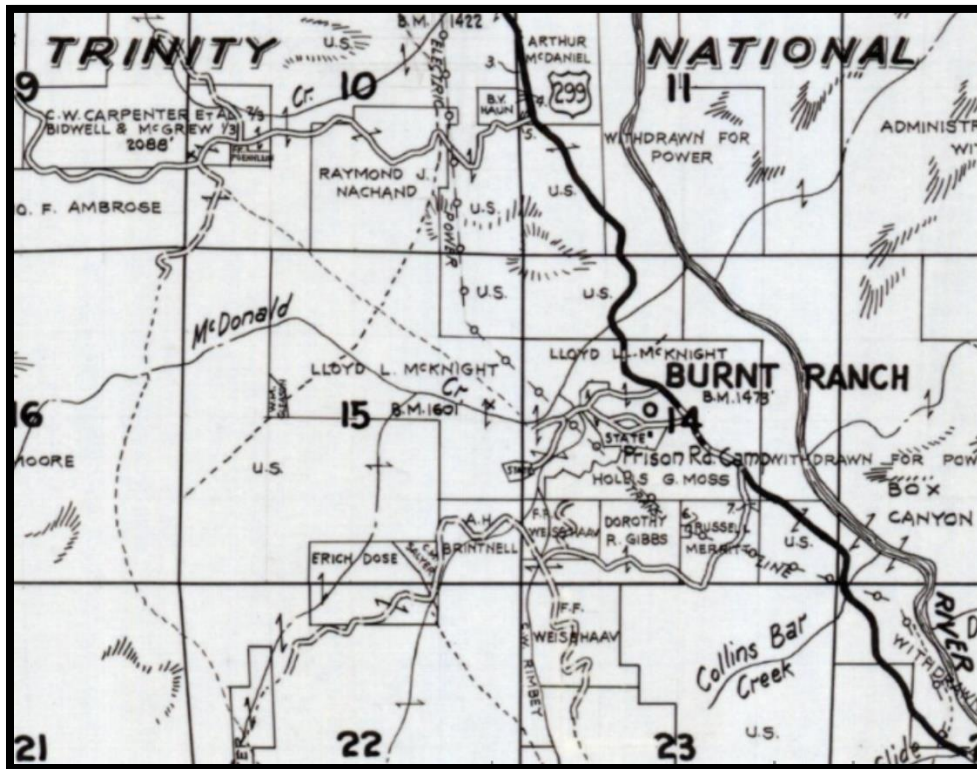


Figure 6. Map 13 of the 1955 Trinity County atlas, showing the McKnight Ranch encompassing much of Burnt Ranch and the project area to the west in Section 15 (Metsker 1955:13).

Early Burnt Ranch

Miners came to the Burnt Ranch area by the early 1850s. The book *A Frenchman in the Gold Rush* (De Massey 1849) depicts Canadian trappers in the area in 1850 but the trappers were not known to have settled there. The Hennessey Ranch and the neighboring McWhorter Ranch were occupied by miners or ranchers during these earliest years. Isaac Cox in his *Annals of Trinity County* (1858) believed Burnt Ranch was first settled in 1853. However, a 1900 newspaper article (*Trinity Journal* May 31 1900) quoting Patrick O.M. Hennessey of the Hennessey Ranch, relates that C.W. Durkee was in the area, at Hennessey's, in 1851. Further evidence of Durkee's early presence was a July 14, 1855, the *Trinity Times* stating that Durkee was the first; the writer knew Durkee and had visited him at his Burnt Ranch place two years before, in 1853.

Regarding the first settlers of the McWhorter Ranch, *Trinity County Historic Sites* (Jones et al. 1981) relates that J.R. Fish was the first, followed by Timothy Brainard. Fish recorded a land claim in late 1854 and Brainard in late 1855.

The general terrain around the Burnt Ranch area, as in most of northwestern Trinity County, is steep with few flats or mild slopes, and there are only a handful of areas suitable for ranching. The river canyon is rich in gold however, and by the time of the 1855 *Trinity Times* article, there were three to four hundred miners living and working along the Trinity River. As the few ranches were established, they helped

provide food for the miners as well serving as way stations for travelers.

Pauline McWhorter McDonald, who moved to the McWhorter Ranch when she was a toddler in about 1873, said that while she was growing up there were only a few families living on the ranches including themselves, the Hennesseys, and the Butlers. The next family lived five miles downstream at the Gray ranch (McDonald 1963). According to Kate Hennessey (Irving 1955), she also remembered there were only a few families: her own, the McWhorters, and the Grays.

“Burnt Ranch”

The real story of the “Burnt Ranch” name—the actual event that brought about the name, the time period, and the exact location at which it occurred—is still a subject of confusion and discussion.

Different sources have claimed that the name came from a well-known account of the Indians burning settlements from Cedar Flat to Burnt Ranch in 1863; however, the land claim filed in the Trinity County Courthouse by Durkee in January 1853 describes his parcel located at “Burnt Ranch,” so the name was established well before 1863. Another not-insignificant piece of evidence: the first post office in the area was registered in 1858—and that had the name of Burnt Ranch. Whatever the event was that triggered the name, sources vary on whether the place was the McWhorter Ranch or the Hennessey Ranch, but they seem to establish it was either one or the other.

In 1858 Cox wrote that Durkee occupied the original Burnt Ranch, but did not specify where exactly Durkee was living. An annotation in Cox’s same book, annotated in 1926 by James Bartlett, says the location of Burnt Ranch was the McWhorter Ranch—but Cox himself had not said that—and Bartlett thought the event was the Indian raids of 1863—which is not accurate. To add confusion, Patrick Hennessey in 1900 stated in a newspaper article (*The Times* 31 May 1900) that Durkee occupied the early Hennessey Ranch and that this ranch was the original Burnt Ranch.

It is possible, then, that Durkee lived at the Hennessey Ranch, and if Cox was correct, then it was there and not at McWhorter’s where the Burnt Ranch name originated. Adding to the confusion, if one accepts that it was at Hennessey where Durkee lived and where the name originated, is the fact that in September 1854, a year and a half after Durkee’s claim, J.R. Fish claimed acreage at Burnt Ranch; and in September 1855, Timothy Brainard filed a land claim for what he also called “Burnt Ranch”—and Fish and Brainard reportedly lived on the future McWhorter site. A record that seems to support the premise that Durkee and Brainard were on separate ranches is the 1860 U.S. Census which shows both farming in the general area in the same year.

Burnt Ranch Estates and the Mutual Water Company

The community water system at Burnt Ranch is operated by the Burnt Ranch Estates Mutual Water Company, which was incorporated on February 24, 1975 (opencorporates.com 2023), around the time Bruce McIntosh was developing the Burnt Ranch Estates housing subdivision. The 200-acre, 35-parcel Estates approved by the Trinity County Planning Commission that June (*Redding Record-Searchlight* 24 June 1975); in August, advertisements in area newspapers announced the sale of 35 parcels, ranging in size from 1.5 to 23 acres, consisting of “beautiful timber and meadow land with a spectacular view of Ironside Mountain and year around County roads, water, and power to all lots. \$2,000 an acre and up” (*The Times-Standard* 20 Aug. 1975).

The water system incorporates a diversion on McDonald Creek, on the upper (west) end of the subdivision, constructed of cinderblocks and wood boards. Water is fed from the stream into a sand filtration gallery also constructed of cinderblocks, and thence into a series of three above-ground, hard plastic storage tanks and pumped downhill. A second water tank, likely a steel tank, is housed in a cinderblock structure downhill to the east, along School Road (see photos of these structures in Section

5.3). This system was likely constructed shortly after the Mutual Water Company was incorporated and the Estates developed in 1975. By last year (2022), almost 50 years after construction, “the water system serving the small mountain community” was found to be “stressed due to leaky infrastructure”, and the Water Company received \$2.5 million to replace the tanks and leaking pipelines serving Burnt Ranch Estates (California Department of Water Resources 2022). This funding was provided by the California Department of Water Resources, “as part of ongoing efforts to help small communities address water supply challenges amid extreme drought and build water resilience for the future.”

5.0 INVESTIGATION METHODS AND RESULTS

5.1 Background Archival Research

The background archival research, summarized above, was aimed at obtaining information pertinent to the pre-contact era and historical uses of the project area and general vicinity, to generate specific geographic cultural information about relevant archaeological and historic-era sites. Background research also provided an understanding of the types of pre-contact and historical cultural resources that were likely to be encountered in the project vicinity. Ethnohistoric research included an examination of historical maps, online records and published and unpublished ethnographic documents, as well as the author's personal library.

Also searched were the directories of the National Register of Historic Places, the California Register of Historical Resources, local California Points of Historical Interest, and the listing of the California Historical Landmarks. This research indicated that the project location is not associated with or located near a historic district, historical landmark, locally registered historic resource, or nationally registered historic property.

Northeast Information Center Records Search

Background research for this project included an examination of the archaeological site records and survey reports at the California Historical Resources Information System's regional Northeast Information Center (NEIC) in Chico, California. On May 1, 2023, NEIC staff conducted the record search under IC File #NE23-242. Following completion of this cultural resources study, a copy of this report will be filed with the NEWIC, per the access agreement.

The objectives of the record search were to: 1) review cultural resource survey reports that either included the project area or were conducted within ½ mile; 2) to review pertinent regional archaeological, ethnographic, and historical overview documents; and 3) determine if cultural or historical resources have been recorded within the project area or within ½ mile.

The records review indicated that the two project locations have not been included in any previous cultural resources surveys; however, two surveys have been conducted within ½ mile of the project, both by this author. On the south, in 2017, 15 acres was surveyed for a parcel subdivision, resulting in the identification of a segment of historic trail which was recorded as "WRA-01", approximately 1,128 feet south-southeast of the eastern project area ("upper tank"). On the north, in 2019, 9.3 acres was surveyed for a cannabis cultivation permit, resulting in the identification of an ancestral Native American archaeological site, which was recorded as the "Hennessey Creek Site", 2,480 feet north of the project area (roughly equidistant from both watertank placement locations). Two other archaeological sites are recorded within ½ mile of the project area at the NEIC:

- P-53-0882 (CA-TRI-882/H), about 1,012 feet southeast of the eastern project area ("upper tank"): the reported location of the ethnographically described village *Tsudamdadj*, as well as a historical cemetery containing the burials of Burnt Ranch pioneers Adams and Barbara McWhorter, and James McDonald his uncle Milton Spurr (Eidsness 1983).
- P-53-1332 (CA-TRI-1332/H), about 2,257 feet east of the eastern project area: the Burnt Ranch Guard Station, a series of barracks and other buildings which originally operated as a prison road-crew camp which was converted by the 1960s to a fire crew camp. This site also contains an ancestral Native American lithic artifact scatter (Berrien 1990).

5.2 Correspondence with Native American Tribal Representatives

On June 20, 2023 WRA sent a letter to the Native American Heritage Commission (NAHC) requesting a search of the Sacred Lands File (SLF) and a current list of Native Americans who might have knowledge of cultural resources in the project area (Appendix B). The NAHC has not responded as of the writing of this report; however, based on previous work in the area, WRA sent letters to representatives of the Nor Rel Muk Wintu Nation, Hoopa Valley Indian Reservation, Tsungwe Council, Redding Rancheria, Wintu Tribe of Northern California, and the Wintu Educational and Cultural Council (Appendix B). Tracy Foster-Olstad, Cultural Resources Officer for the Nor Rel Muk Wintu, indicated that the project was not in Wintu ancestral territory. No other responses or specific concerns/information about this project location were shared.

5.3 Survey Methods and Results

On June 8, 2023, William Rich, M.A., conducted a pedestrian field survey of the entire project area in order to identify and record cultural resources that could be affected by implementation of the project. The survey involved walking systematic transects of the two areas proposed for water tank placement. The lower (eastern) of these two areas was formerly forested, but was recently cleared in preparation of this project, and now contains ample soil exposure in the area proposed for water tank placement (Figure 7; see also the cover photo). The upper (western) project area is situated in on a small terrace within a steep-sided creek canyon, and although vegetated, also contains ample surface soil exposures, sufficient to identify archaeological resources (Figure 8). The edge of the terrace proposed for tank placement at this location was cut and graded in 1975 when the water system was constructed. The survey included 2.9 acres (see Figure 2).



Figure 7. View of the small water storage tank proposed for removal and replacement at APN 008-800-05-00, June 8, 2023.



Figure 8. View of the area proposed for water tank placement at APN 008-790-03-00, with the corner of the small administration building at lower right, June 8, 2023.

Water diversion, filtration, storage and distribution features which were constructed in the mid-1970s when the Burnt Ranch Estates subdivision was being developed are present in and adjacent to the project area at both locations. At the upper (western) project area at APN 008-790-03-00 is the water diversion on McDonald Creek, constructed of cinderblocks and wood boards (Figure 9). Water is fed from the stream into a sand filtration gallery also constructed of cinderblocks, and thence into a series of three above-ground, hard plastic storage tanks (Figure 10) and a storage tank housed in a cinderblock and wood structure with a gable roof of corrugated metal. The water is then pumped downhill to the residential area, with a second small storage tank at the lower (western) project area (APN 008-790-03-00), which is housed in a similar structure of cinderblocks and wood, but with a shed-roof (see Figure 7). A small wooden administrative office with a gable roof is also located at the upper (western) project location (Figure 11). These structures were likely constructed shortly after the Mutual Water Company was incorporated in 1975, when the Burnt Ranch Estates subdivision was being developed by the late Bruce McIntosh.

The lower (eastern) water storage tank will be removed during this project and replaced with a larger, modern, steel water storage tank. At the upper (eastern) project location on McDonald Creek, the existing diversion, filtration and storage structures will stay in place; the storage capacity at this location will be increased with the placement of an additional, new water storage tank.

These structures are not eligible for the CRHR, as they do not meet the age criteria presented in CEQA guidelines stipulating (in most circumstances) a minimum age of 50 years for consideration as a historical resource (CEQA Section 15064.5(a) (3)). No Native American artifacts, features, sites or other cultural resources were identified during the field survey.



Figure 9. View of the water diversion feature on McDonald Creek, adjacent to the area proposed for new water tank placement at APN 008-790-03-00, June 8, 2023.



Figure 10. View of the water filtration and storage structures at APN 008-790-03-00, with the area proposed for new water tank placement on the hill at far left, June 8, 2023.



Figure 11. View of the small administration building (foreground at left) and the upper water-storage tank (background at center-right), with the area proposed for new watertank placement on the hill at left, June 8, 2023.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The proposed Burnt Ranch Estate community water system improvement project will augment an existing water diversion, storage and distribution system built in the mid-1970s by the Burnt Ranch Estates Mutual Water Company, which was incorporated in 1975 when the Burnt Ranch Estates subdivision was being developed by Bruce McIntosh. As such, these structures, one of which (a water storage tank) is proposed for removal, are not eligible for the CRHR, as they do not meet the age criteria presented in CEQA (Section 15064.5(a) (3)) stipulating a minimum age of 50 years for consideration as a historical resource in most circumstances.

It is the opinion of WRA that the background research and field survey methods employed during this investigation were adequately matched to identify cultural resources at this project location. As a result of this investigation, no historical resources or unique archaeological resources, as defined in Title 14 CCR §15064.5(a), and PRC §5020.1 (j); PRC §21083.2 (g)), were identified in the project area. At this time, no further archaeological studies are recommended for the project, as it is currently proposed.

Although discovery of cultural resources during project construction is not anticipated, the following section offers brief recommendations to follow in the event of an inadvertent discovery. These recommendations are designed to ensure that potential project impacts on inadvertently discovered cultural resources are eliminated or reduced to less than significant levels.

6.1 Protocols for Inadvertent Discoveries

Inadvertent Discovery of Cultural Resources

If cultural resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with Native American heritage (precontact sites and select historic period sites), the Tribal Historic Preservation Officer (THPO) or representatives for the tribes listed in Native American Correspondence (Section 5.2) should be contacted immediately to evaluate the discovery and, in consultation with the project proponents, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Precontact materials which could be encountered include obsidian and chert debitage or formal tools, grinding implements, (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic archaeological discoveries may include or concentrations of artifacts made of glass, ceramics, metal or other materials found in buried pits, wells or privies.

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APPENDIX A
Concept Design Plan Map

BURNT RANCH ESTATES MUTUAL WATER COMPNAY - OVERALL SITE PLAN



BURNT RANCH ESTATES MUTUAL WATER COMPNAY – TANKS SITE EXPANDED VIEW



UPPER TANK SITE



LOWER TANK SITE

APPENDIX B
Native American Correspondence

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite
100 West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Burnt Ranch Estates Water Tanks

County: Trinity

USGS Quadrangle Name: Ironside Mountain

Township: 5N Range: 6E Section(s): 15

Company/Firm/Agency: William Rich and Associates

Street Address: PO Box 184

City: Bayside Zip: 95524

Phone: (707) 834-5347

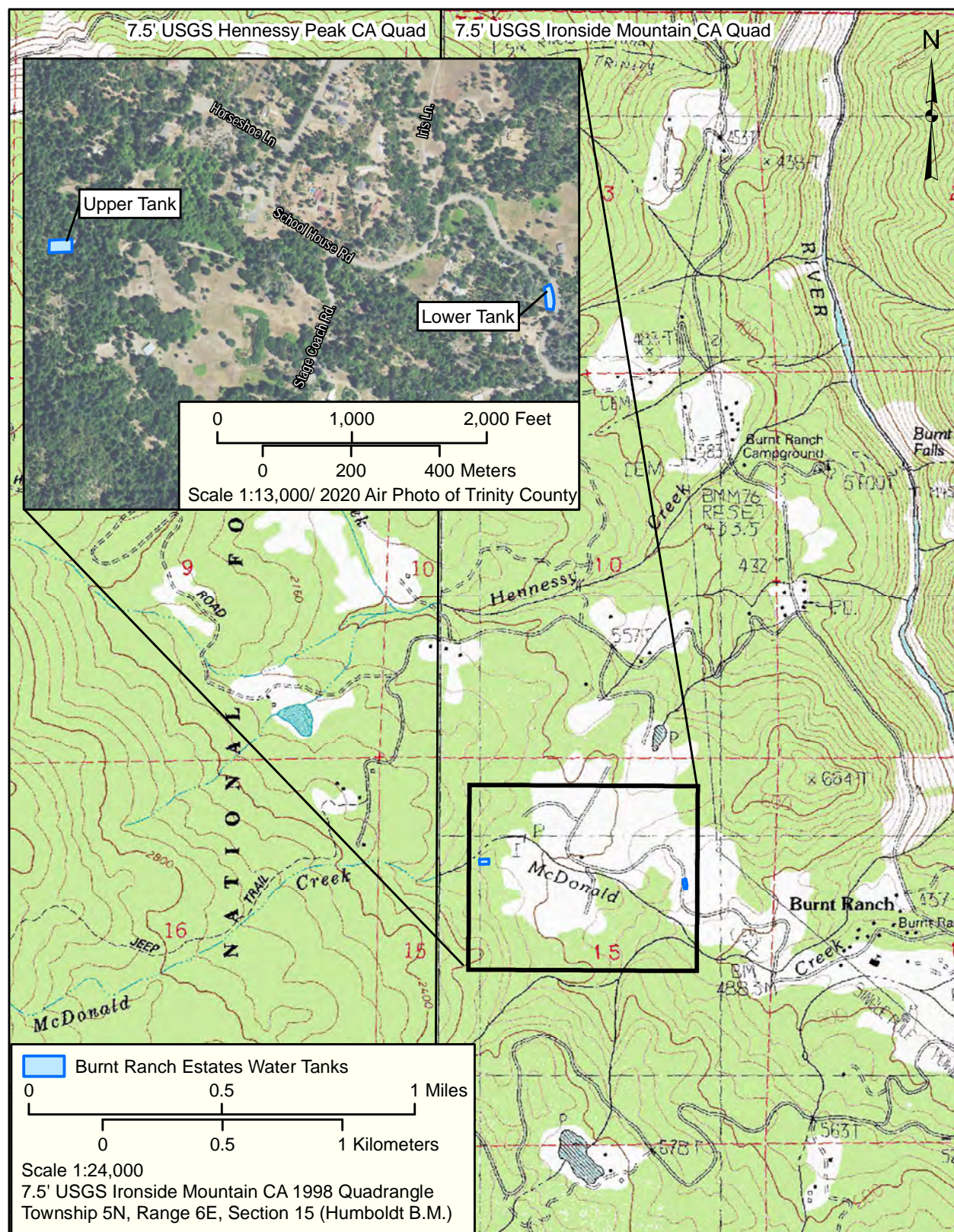
Fax: _____

Email: wcr@williamrichandassociates.com

Date: 12/5/2022

Project Description: Burnt Ranch Estates Water Tank Replacement

William Rich and Associates - March 2023





WILLIAM RICH AND ASSOCIATES
Cultural Resources Consultants

June 20, 2023

Distribution List

1. Nor Rel Muk Wintu Nation – John Hayward, Chairperson
2. Hoopa Valley Indian Reservation – Joe Davis, Chairperson; Keduescha Lara-Colegrove, THPO
3. Tsungungwe Council- Paul Ammon, Chairperson; Robert Benson, Elder
4. Redding Rancheria – Jack Potter, Jr. Chairperson; James Hayward Sr., Cultural Resources Program
5. Wintu Tribe of Northern California- Gary Rickard, Chairperson; Kelli Hayward, Cultural Resources Director; Brendan Hogan, Cultural Resources Manager
6. Wintu Educational and Cultural Council – Tracy Foster-Olstad, Chair

RE: Cultural Resources Investigation for Burnt Ranch Estates Mutual Water Company – Water Tank Replacement Project, Burnt Ranch, Trinity County, CA

Dear Tribal Representative,

William Rich and Associates was retained to conduct a cultural resources investigation for a water tank replacement for the Burnt Ranch Estates Mutual Water Company. The two new water tanks will be placed next to existing facilities in Burnt Ranch, Trinity County, CA. Specifically, the project is located in:

- Section 15; T5N, R6E, as shown on the USGS 7.5' Ironside Mountain, CA Topographic Quadrangle (Humboldt B.M.)

The field survey has been conducted and no cultural resources were identified. Background research is ongoing at this time and we would greatly appreciate any information that would help identify tribal cultural resources in the project area (see attached map). Any culturally sensitive information that you may disclose to WRA will be held under strict confidentiality and will not be made available to the public. All cultural sites will be documented in accordance to the guidelines established by the State Office of Historic Preservation. A copy of the final report and any completed archaeological site records will be submitted to the California Historical Resources Information System's regional Northeast Information Center.

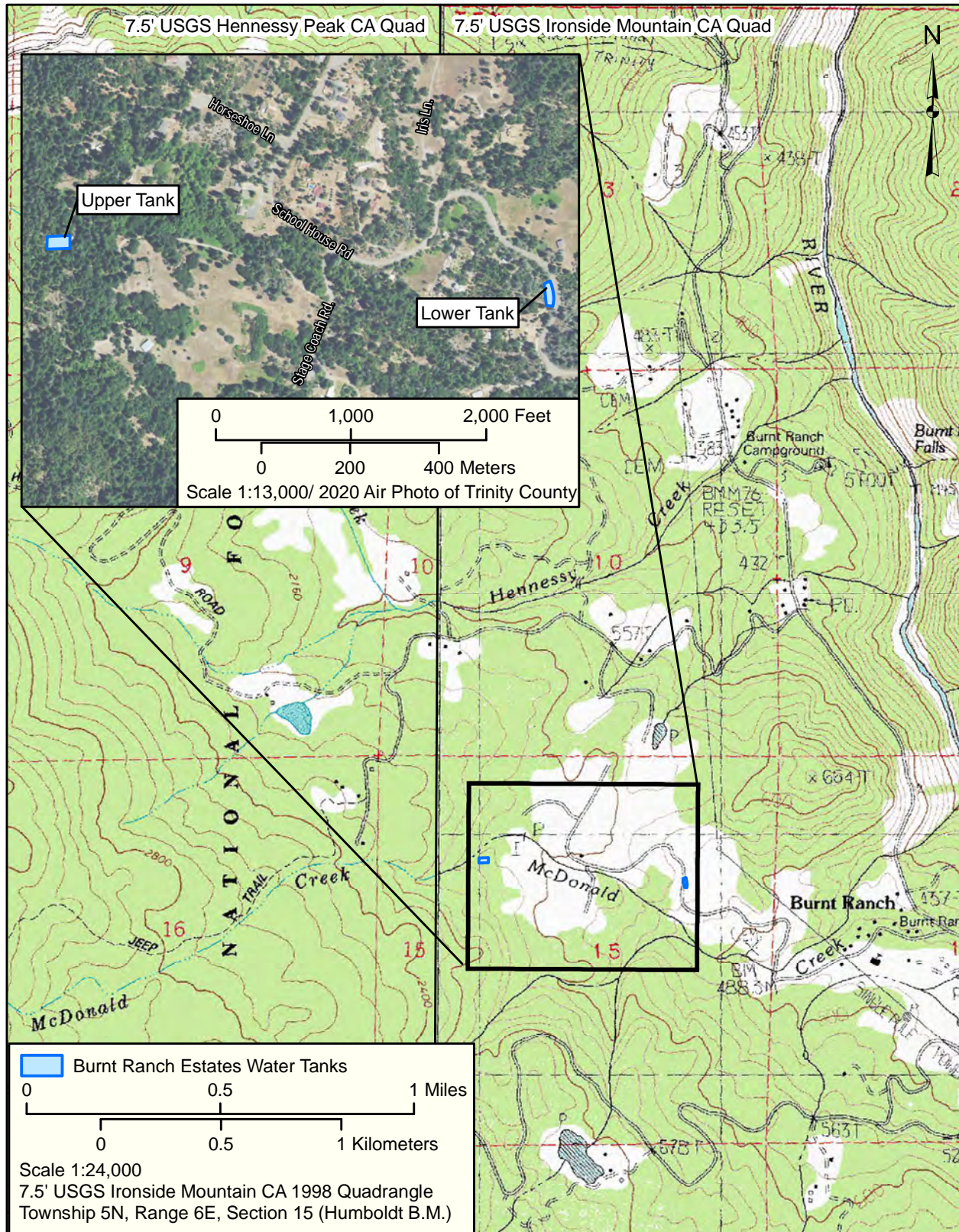
Thank you,

William Rich

William Rich, M.A., RPA
P.O. Box 184, Bayside, CA 95524
wcr@williamrichandassociates.com; (707) 834-5347
Enclosures (1)

Cultural Resource Investigation Burnt Ranch Estates Water Tanks Trinity County California

William Rich and Associates - March 2023





William <wcr@williamrichandassociates.com>

Cultural Resources Investigation-Burnt Ranch

1 message

William <wcr@williamrichandassociates.com>

Tue, Jun 20, 2023 at 3:03 PM

To: Keduescha Lara-Colegrove THPO <hvt.thpo@gmail.com>

Hello Keduescha,

We are conducting a cultural resources investigation for the Burnt Ranch Estates Mutual Water Company. They will be placing two new water tanks near existing facilities. Please let me know if you have any questions or concerns after looking at the map provided.

Hope you are doing well!

Bill

William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resources Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Visit our website - www.williamrichandassociates.com



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William <wcr@williamrichandassociates.com>

Cultural Resources Outreach-Burnt Ranch Estates

1 message

William <wcr@williamrichandassociates.com>
To: John Hayward <cybersonnyhayward@gmail.com>

Tue, Jun 20, 2023 at 3:01 PM

Hello Chairman Hayward,

We are conducting a cultural resources investigation for the Burnt Ranch Estates Mutual Water Company. They will be placing two new water tanks near existing facilities. Last week, I went and surveyed and did not find anything, but please let me know if you have any questions or concerns after looking at the map provided.

Thank you!
Bill

William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resources Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Visit our website - www.williamrichandassociates.com

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William <wcr@williamrichandassociates.com>

Cultural Resources Investigation - Burnt Ranch

3 messages

William <wcr@williamrichandassociates.com>
To: Tracy Foster-Olstad <tfoster-olstad@ncidc.org>

Fri, Jun 23, 2023 at 12:02 AM

Hello Tracy,

We are conducting a cultural resources investigation for the Burnt Ranch Estates Mutual Water Company. They will be placing two new water tanks near existing facilities. Last week, I surveyed the two water tank placement locations and did not identify any archaeological material. Please let me know if you have any concerns or questions after looking at the map provided.

Thank you!

Bill

William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resources Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Visit our website - www.williamrichandassociates.com



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Tracy Foster-Olstad <tfoster-olstad@ncidc.org>
To: William <wcr@williamrichandassociates.com>

Thu, Jun 29, 2023 at 6:29 PM

Hello Bill,

Hope all is well with you. It's good to hear from you.

This Burnt Ranch Project is in Tsungwe territory and would not be one we would respond to. I have offered Cultural Resource Monitoring services to the Tsungwe Tribe through Wintu Educational & Cultural Council if they didn't have enough certified monitors. No feedback as of yet.

[REDACTED]

Thank you for all you do for Indian Country,
Tracy Foster-Olstad, M.S
Cultural Resource Officer
Nor Rel Muk Wintu

Sent from my iPad

On Jun 23, 2023, at 12:03 AM, William <wcr@williamrichandassociates.com> wrote:

[Quoted text hidden]

<BurntRanch_CulturalResources_Letter_WRA_06_20_2023.pdf>



William <wcr@williamrichandassociates.com>

Cultural Resources Investigation - Burnt Ranch

1 message

William <wcr@williamrichandassociates.com>
To: J Ammon <tsnungweofcalifornia@gmail.com>
Cc: Robert Benson <robert.franklin.benson@gmail.com>

Tue, Jun 20, 2023 at 3:05 PM

Hello Chairman Ammon and Bob,

We are conducting a cultural resources investigation for the Burnt Ranch Estates Mutual Water Company. They will be placing two new water tanks near existing facilities. Last week, I surveyed the two water tank placement locations and did not identify any archaeological material. Please let me know if you have any concerns or questions after looking at the map provided.

Thank you!

Bill

William C. Rich, M.A., RPA
Principal Investigator
William Rich and Associates
Cultural Resources Consultants
P.O. Box 184
Bayside, CA 95524
(707) 834-5347

Visit our website - www.williamrichandassociates.com



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