



National Park Service
U.S. Department of the Interior

Joshua Tree National Park

Attachment B – NHPA Assessment of Effect (AOE)

Project: Barker Dam Parking Lot Expansion Project

PEPC #: 97997



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Joshua Tree National Park

2. **Project Description:**

Project Name: Barker Dam Parking Lot Expansion Project

Prepared by: Christina Hood **Date Prepared:** 11/09/2020 **Telephone:** 760-367-5573

PEPC Project Number: 97997

Locations:

County, State: San Bernardino, CA **District, Section:** CA 8,

Describe project:

This project will be the removal of two vegetation islands at Barker Dam parking area. Currently the parking lot becomes full to capacity during months of peak visitation. This expansion would remove two vegetation islands totaling almost 11,000 square feet. The project will create space for an additional 40 cars.

This project has three stages that it will go through. The initial stage will be the saw cutting and removal of curb line around the two vegetation islands. Then the two areas will be cleared, grubbed, and stripped of all vegetation and organic material. A 3" cap of road base will be installed in the islands and then watered and compacted followed by striping with waterborne traffic paint.

Stage 2 will include the mixing of Portland cement with the top three inches of road base to create a soil cement base. This base is going to be mixed at a 6% mix and will be more durable than the previously compacted road base. The parking lot will remain in this configuration for approximately two years until a submitted FLREA project is ready.

Stage 3 will consist of removing the previously installed soil cement. The area will then have a 6" road base cap installed before a 4" hot mix asphalt lay is completed. At this point the parking lot will be finished and striped.

Project details are included in the attached internal PowerPoint file.

Area of potential effects (as defined in 36 CFR 800.16[d])

The Area of Potential Effect is the Barker Dam parking lot islands, as well as the location to which Joshua Trees will be moved.

3. **Has the area of potential effects been surveyed to identify historic properties?**

☐ No
☒ Yes

Source or reference: JOTR 2014 A

4. **Potentially Affected Resource(s):**

Archeological Resources Present: No

Archeological Resources Notes: Archeological resources have not been identified within the parking islands. However, the larger area contains cultural materials and it is possible that unanticipated subsurface artifacts may be encountered.

Historical Structures/Resources Present: No

Historical Structures/Resources Notes: The parking lot has been determined to be a non-contributor to the Keys Ranch cultural landscape.

Cultural Landscapes Present: Yes

Cultural Landscapes Notes: The parking lot location is within what is likely an eligible indigenous/archeological cultural landscape that has not been officially evaluated for inclusion on the National Register. The parking lot is also within the Keys Ranch cultural landscape, but it has been determined to be a non-contributing resource to that cultural landscape. This project will have no effect to any resource which contributes to that cultural landscape.

Ethnographic Resources Present: No

5. The proposed action will: (check as many as apply)

☐ No Destroy, remove, or alter features/elements from a historic structure

☐ No Replace historic features/elements in kind

☐ No Add non-historic features/elements to a historic structure

☐ No Alter or remove features/elements of a historic setting or environment (inc. terrain)

☐ No Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape

☐ No Disturb, destroy, or make archeological resources inaccessible

☐ No Disturb, destroy, or make ethnographic resources inaccessible

☒ Yes Potentially affect presently unidentified cultural resources

☐ No Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources

☐ No Involve a real property transaction (exchange, sale, or lease of land or structures)

☐ Other (please specify): _____

6. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

[X] 106 Advisor

Name: Christina Hood

Date: 07/15/2021

Check if project does not involve ground disturbance ☐

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse Effect ☐ Streamlined Review

Recommendations for conditions or stipulations: Archeological monitoring required for ground disturbing activities.

Doc Method: Standard 4-Step Process

[X] Archeologist

Name: Jason Theuer

Date: 06/30/2021

Comments: Archeological sites present. The boundaries of archeological sites recorded by SSU in this area are significantly larger than the areas that actually contain archeological data potential. No known archeological resources have been identified in the parking "island" areas from which joshua trees will be removed. The areas proposed for relocating the joshua trees as well do not have known archeological resources visible on the surface. Archeological monitoring required during all ground disturbing activities.

Check if project does not involve ground disturbance ☐

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse Effect ☐ Streamlined Review

Recommendations for conditions or stipulations: Archeological monitor required.

Doc Method: Standard 4-Step Process

[X] Historical Landscape Architect

Name: Christina Hood

Date: 04/22/2021

Comments: This project is proposed within the boundaries of the NRHP-eligible Keys Ranch cultural landscape. It will remove interior parking islands from a non-contributing feature within the landscape; no contributing resources are found within the parking islands. The project will not have an adverse effect to the integrity of the landscape.

Check if project does not involve ground disturbance ☐

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse Effect ☐ Streamlined Review

Recommendations for conditions or stipulations: Because this is an expansion of a parking surface, it is required to go through standard 106 process.

Doc Method: Standard 4-Step Process

No Reviews From: Curator, Historical Architect, Historian, Other Advisor, Anthropologist

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

<input type="checkbox"/>	No Potential to Cause Effects
<input type="checkbox"/>	No Historic Properties Affected
<input checked="" type="checkbox"/>	No Adverse Effect

2. Documentation Method:

☒ A. Standard 36 CFR Part 800 Consultation

Further consultation under 36 CFR Part 800 is needed.

☐ B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

Applicable Streamlined Review Criteria

(Specify 1-16 of the list of streamlined review criteria.)

☐ C. Undertaking Related to Park Specific or Another Agreement

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14.

☐ D. Combined NEPA/NHPA Process

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

☐ E. Memo to Project File

3. Consultation Information

SHPO Required: Yes

SHPO Sent: Jun 14, 2021

SHPO Received: Aug 4, 2021

THPO Required: Yes

THPO Sent: Mar 15, 2021

THPO Received: Mar 29, 2021

SHPO/THPO Notes: Sent to 15 traditionally associated Native American communities on 3/15/21. Once we have received comment from these communities, we will begin consultation with the SHPO and complete consultation with the associated communities. Response received from CRIT 3/29/21 requesting to be notified if human remains or if artifacts are encountered, and otherwise deferring to the other associated Native American communities. San Manuel: work must stop if human remains are encountered & coroner called; If pre-contact resources located, all work cease, archaeologist called, San Manuel contacted; if resources are encountered and cannot be avoided, SOI-qualified archaeologist retained to develop treatment plan and and discovery monitoring plan, and drafts of these plans will be shared with San Manuel staff. See letter for full text.. - - - - Second letter sent to tribes and full, single letter to SHPO on 6/14/21 requesting concurrence on NAE and clarifying no new information had been received. Augustine responded 6/14/21 without identifying additional resources but asking to contacted in the event any resources were encountered. San Manuel responded 7/14; agree with NAE. Agua Caliente requested archeological monitoring during all phases of the project and tribal cultural monitors during phase III in a letter dated 11/17/2021.

Advisory Council Participating: No

Advisory Council Notes:

Additional Consulting Parties: No

4. Stipulations and Conditions: Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.

Archeological monitoring required for all ground disturbing activities. If unanticipated resources are encountered, all ground disturbance work must cease and may not continue until an SOI-qualified archeologist clears the activity to continue. Any applicable requirements under 36 CFR 800 (NHPA), 43 CFR 10 (NAGPRA) and/or the 2008 Programmatic Agreement must be followed.

5. Mitigations/Treatment Measures: Measures to prevent or minimize loss or impairment of historic/prehistoric properties: (Remember that setting, location, and use may be relevant.)

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- A public information program to warn of temporary closures, delays, and hazards during construction shall be implemented. This program would help convey appropriate messages to the public and aid in mitigating potential impacts on visitors' expectations and experiences.
- Adequate drainage of the site shall be addressed. To the extent feasible, water shall not be allowed to accumulate in areas where active parking is occurring. Stormwater from this area will be channeled so it will not contribute to soil erosion or other undesirable conditions.
- During soil clearing activities, dust control measures will be implemented to minimize fugitive dust.
- Survey for and control invasive non-native vegetation in the project area for one to three years after project activities are completed. Equipment will be inspected to be weed-free before starting the project.
- Assure salvaged trees are not water-stressed during harvest and transplanting through supplemental watering.
Comment: Joshua Trees to be salvaged and relocated from parking lot islands shall be watered one or more times prior to salvage to assure trees are not water-stressed at time of salvage and that soil of the harvested root ball is moist to promote it remaining intact. The hole to receive a salvaged tree shall be dug before the tree is removed from its existing location and the hole watered prior to placement of the salvaged tree. Salvaged trees shall be watered immediately or as soon as practically possible after placement.
- Provide supplemental water to transplanted Joshua Trees to promote survival and establishment.
Comment: Salvaged and transplanted Joshua Trees shall be periodically watered by filling an earthen ring reservoir around each tree with supplemental water. Supplemental watering shall occur once every two weeks in the month following transplanting and once a month thereafter for a period of one year. Frequency of supplemental watering may be adjusted based on monitoring of salvaged trees. Frequency and quantity of supplemental water may be adjusted on the basis of precipitation events if these events result in moist soil at a depth of 8 inches.
- Agua Caliente has requested a cultural monitor for Phase III of construction.
- Archeological monitoring required.
- Area will be surveyed before groundbreaking activities begin. A desert tortoise monitor will be present to ensure that there is no effect to desert tortoise. Open pits or trenches will be fenced or filled at the end of the day to avoid tortoise entrapment.
- If eligible pre-contact resources are discovered, and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop a cultural resources Treatment Plan and a Discovery and Monitoring Plan. Drafts of which shall be provided to the traditionally associated Native American communities for review and comment. The Lead Agency or designated POC shall, in good faith, consult with traditionally associated communities on the disposition and

treatment of any artifacts or other cultural materials encountered during the project.

Comment: Requested by San Manuel Band of Mission Indians

- If human remains or funerary objects are encountered during any activities associated with the project, work within a 100-foot buffer of the find shall cease, and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Comment: Requested by San Manuel

- In the event that any pre-contact cultural resources are discovered during project activities, all work within a 60-foot buffer shall cease, and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Traditionally associated Native American communities (including San Manuel Band of Mission Indians) will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, in order to provide Tribal input. The archaeologist shall complete an isolate/site record for the find and submit this document to the Lead Agency and it will be shared with the traditionally associated communities (including the San Manuel Band of Mission Indians).

Comment: Requested by San Manuel

6. Assessment of Effect Notes:

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Compliance Specialist:

NHPA Specialist

Christina Hood _____ **Date:** _____

Jason Theuer _____ **Date:** _____

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.

Signature

Superintendent: _____ **Date:** _____

David Smith (JOTR)