



United States
Department of
Agriculture

Forest
Service

Plumas
National
Forest

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File Code: 2360

Date: September 9, 2019

Tom McCulloch, Ph. D., R.P.A.
Assistant Director, Federal Property Management Section
Office of Federal Agency Programs
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, D.C. 20001-2637

Re. Determination of Eligibility for the Hays/Taws Cabin, Plumas National Forest, Sierra County, California. ACHPConnect Log Number: 013950

Dear Dr. McCulloch,

On July 30, 2019, the Plumas National Forest (Forest) received a letter from the Advisory Council on Historic Preservation (ACHP) indicating that a disagreement had been registered with their office by Sierra County (County) regarding the Forest's recent determination of eligibility for what is referred to as the Hays/Taws Cabin (Cabin) located on the Feather River Ranger District within the historic town site of Howland Flat; also located within the County (see Enclosure 1). In October of 2018, the Forest determined that Howland Flat, an archaeological property, was eligible for listing on the National Register of Historic Places (NRHP) but the Cabin was ineligible for listing. This determination was conducted as per Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR 800) in response to the Forest's proposal to removal of the Cabin. A report entitled *National Register of Historic Places Determination of Eligibility for the Howland Flat Town Site (FS 05115300026 / CA-SIE-581/H) and the Hays/Taws Cabin (Feature 4), Howland Flat, Sierra County, California, Feather River Ranger District, Plumas National Forest – October 2018* (Report) documenting these findings was submitted to the California State Historic Preservation Officer (SHPO) on November 1, 2018. The Forest received concurrence on these findings on December 13, 2018.

The ACHP indicated in their letter that the County requested an independent review and evaluation of the Forest's findings as it pertained to the Cabin. As stated in ACHP's letter, it is not their role to review determinations of eligibility or settle disputes in this regard. In this case there was agreement between the Forest Service (federal agency) and the SHPO on the findings outlined in the Forest's October 2018 report. However, the ACHP did raise the question as to the manner the Forest complied with 36 CFR 800.2(f) in identifying and inviting interested parties that are entitled to be consulting parties to participate in the Section 106 process. While the Forest has had a number of meetings and past communications with the County regarding the Cabin well prior to the preparation of the Report, the Forest acknowledges that we could have improved our process to directly invite the County to be a consulting party in the identification and evaluation process. We have provided the County with a redacted copy of the Report for



review. The redactions are solely for withholding information on sensitive archaeological resources in the vicinity of the Cabin (see Section 304 of the NHPA (16 U.S.C. 4702-3)) but all information pertaining to the Cabin itself including the historic context, architectural description, application of NRHP criteria for significance (36 CFR 60.4) and findings were not redacted from the copy provided.

In its correspondence to the ACHP, the County included an independent analysis and response to the Forest's determination of eligibility of the Cabin conducted by an architectural historian (Enclosure 2). This analysis provides a number of areas where there is disagreement with the Forest's determination. The ACHP recommended that the Forest review the architectural historian's eligibility statement and respond to both the County and the ACHP. The Forest has now closely examined this document and is providing a response (Enclosure 3). Based on contextual information, research and fieldwork that was conducted by the Forest, and the concurrence received from the SHPO on our findings, the Forest affirms that while Howland Flat is eligible for listing on the NRHP under Criterion D (a finding that does not appear to be in contention), the Cabin does not meet any of the four criteria and is neither individually eligible for the NRHP nor contributes to the significance of the larger Howland Flat archaeological property.

The Forest invites the County to meet at any time to discuss the findings in the Report and to explore options for the future management of the Hays/Taws Cabin. If you have any questions or require any additional information please contact me, or contact David Brillenz, Feather River District Ranger at (530) 534-6500 or email at david.brillenz@usda.gov, or contact Daniel Elliott, Forest Archaeologist/Heritage Program Manager at (530) 283-7774 or email at dan.elliott@usda.gov. Thank you.

Sincerely,



CHRIS CARLTON
Forest Supervisor

Enclosures

cc.

Julianne Polanco, *California State Historic Preservation Officer*
Lee Adams III, County Supervisor, Sierra County, California

Enclosure 1

Letter from Advisory Council on Historic Preservation to the
Plumas National Forest regarding a
Finding of Non-Eligibility for Listing on the National Register of Historic Places
for the Hays/Taws Cabin

July 30, 2019



Preserving America's Heritage

July 30, 2019

Ms. Barbara Drake
Acting Forest Supervisor
United States Forest Service
Plumas National Forest
159 Lawrence Street
Quincy, CA 95971-6025

Ref: *Determination of Eligibility for the Hayes/Taws Cabin at Plumas National Forest
Sierra County, California
ACHPConnect Log Number: 013950*

Dear Ms. Drake:

On April 24, 2019, the Advisory Council on Historic Preservation (ACHP) was contacted by the Sierra County Supervisor, Mr. Lee Adams, regarding the Forest Service's eligibility determination for the Hayes/Taws Cabin (Cabin), located at Howland Flat within Plumas National Forest (PNF). The letter and attached correspondence outlined Sierra County's (County) disagreement with the PNF's determination that the Cabin was ineligible for listing on the National Register of Historic Places (enclosed). This eligibility determination was conducted as part of an ongoing Section 106 consultation for the proposed removal of the Cabin from Forest Service land. In response to the Sierra County's concerns and to aid the PNF in meeting the requirements of the Section 106 regulations, "Protection of Historic Properties" (36 CFR Part 800), the ACHP offers the following comments and recommendations under our general commenting authority at 36 C.F.R. § 800.9(a).

Though Sierra County, in its letter, requests the ACHP conduct an "independent review and evaluation" of the PNF's "Section 106 Determination of Eligibility" for the Cabin, it is not the ACHP's role to review determinations of or settle disputes regarding eligibility. The Section 106 regulations specify (at 36 C.F.R. § 800.4(c)(2)) that when a federal agency and a State Historic Preservation Officer (SHPO) do not agree on the agency's determination of eligibility, "the agency official shall obtain a determination of eligibility from the Secretary [of the Interior] pursuant to 36 CFR part 63." In this instance, the California SHPO has already concurred with the PNF's determination that the cabin is not historically significant in its December 13, 2018 letter to the Forest Supervisor.

However, based on the correspondence provided by PNF, SHPO, and the County, it is unclear how the Forest Service, as part of the Section 106 responsibilities, identified other consulting parties and determined the scoped of its identification efforts leading up to its November 1, 2018 eligibility determination. Pursuant to 36 C.F.R. § 800.2(f) of the 106 process, an agency, in consultation with the SHPO, "shall identify any other parties entitled to be consulting parties and invite them to participate" in the consultation process. The administrative record available to the ACHP does not indicate how or whether the PNF sought to identify consulting parties, in this case the County. Through its voiced concerns and Resolutions passed by the County Board of Supervisors in 2014 and 2018 respectively, the County has indicated its preservation interest in the Cabin to the PNF and as the local governmental entity

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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is entitled to participate as a consulting party ((see 36 C.F.R. § 800.2(f)(1)).

The identification process, under 36 C.F.R. § 800.4(a)(3), requires an agency to “seek information, as appropriate, from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area,” which will then inform the agency’s identification efforts and eligibility determinations. As mentioned above, it appears Sierra County indicated its concerns related to historic properties within in the area; however, it’s unclear whether the PNF undertook efforts to seek that information. In its correspondence to the ACHP, the County also included an independent analysis to the PNF’s Determination of Eligibility of the Cabin, conducted by an Architectural Historian. This analysis sought to highlight points of disagreement with the Forest’s determination. Information such as this, when provided by a consulting party in a prudent and reasonable manner within the Section 106 process should be consider as part of the agency’s identification efforts..

The ACHP recommends that PNF review the architectural historian’s eligibility statement commissioned by the County for the Cabin and respond, in writing, to the County and the ACHP, on whether this consideration has raised the possibility that the Hayes Cabin is, in fact, historically significant. This information will help the Forest Service consolidate it administrative record concerning its identification efforts. If the PNF’s original determination stands (and which was concurred in by the SHPO), then we recommend the Forest invite the County to consult on the proposed Cabin removal actions.

We look forward to assisting the Forest Service in working to carry out its Section 106 compliance responsibilities. We appreciate your consideration of our comments and recommendations on these issues, and look forward to your response as we move forward. If you have any questions, please contact Mr. Christopher Daniel (202) 517-0223, or via e-mail at cdaniel@achp.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom McCulloch". The signature is written in a cursive style with a horizontal line above the first few letters.

Tom McCulloch, Ph.D., R.P.A.
Assistant Director
Federal Property Management Section
Office of Federal Agency Programs

Enclosure

Enclosure 2

C. Jimenez Report Contesting the
Plumas National Forest's
National Register of Historic Places Determination of Non-Eligibility Finding
for the Hays/Taws Cabin

March 28, 2019

Corri L. Jimenez, M.S.

Mailing Address: P.O. Box 580, Tahoe City, CA 96145
Mobile: (408) 710-2894 E-mail:

March 28, 2019

Lee Adams III
District 1, Supervisor
100 Courthouse Square, #200
Downieville, CA 95936

Re: Independent Evaluation of the Hays/Taws Cabin Determination of Eligibility (DOE), Howland Flats, Sierra County, CA

Dear Supervisor Adams,

1. Per your request as second opinion on the Hays/Taws Cabin Determination of Eligibility (DOE), I have found numerous inconsistencies and mistakes in both the report and the cultural form. Professionally, my qualifications meet the Secretary of the Interior's *Professional Qualification Standards* as an Architectural Historian with over 15 years of experience, plus I have recently listed two properties to the National Register of Historic Places (NRHP). In addition, I worked as the North Zone Historical Architect for the Sequoia NF in 2009-2010, completing "built environment" reports and applying five agency programmatic agreements.

2. In June, I was provided a Sierra County resolution for the "Hays Cabin" by Joseph Maslan who posted on the Society of Architectural Historian's website, looking for a professional to nominate it to the NRHP. The resolution determined the building *eligible* to the NRHP and background information I had prior to reviewing this Plumas NF document.

Secretary of the Interior's Professional Qualification Standards (PQS)

3. The Secretary of the Interior's Professional Qualification Standards (PQS) sets the criteria to all cultural resource professionals. A PQS architectural historian must have a graduate degree in architectural history, art history, historic preservation, or a related field as well as have experience in that field. Some archeologists I have personally worked with are exemplary in my field as an architectural historian. The Hays/Taws Cabin was completed by Feather River Ranger District Forest Archeologist Jamie Moore and Plumas NF Archeologist Daniel Elliott and neither two meet the Secretary of the Interior's PQS. Their unfamiliarity is obvious in the evaluation in how they applied the NRHP criteria and their knowledge of architecture in describing the Hayes/Taws Cabin.

4. Archeologists' evaluating built environment resources is sadly very common in my field, and in many times, these documents are not even peer reviewed by a PQS architectural historian. Bad reviews of built environment resources do not justify good cultural evaluations and detrimentally affect these resources. As an example, no archeologist would allow an architectural historian to consult with a Native American tribe or do an intensive archeological survey or exploration as a dig. Therefore, why is this standard okay for built environment resources?

5. One recommendation for the Office of Historic Preservation (OHP) is to require architectural historians review and evaluate all built environment resources at the agency level. As a former employee with the US Forest Service, the Sequoia NF recognized the validity of the PQSs and hired me as a GS-9 Archeologist as the forest's North Zone Historic Architect to survey their unsurveyed

forest built environment resources. For more information on the PQS, see

Department of Parks & Recreation (DPR) 523 form

6. The Department of Parks & Recreation (DPR) 523 form for the Hays/Taws Cabin does not synchronize with the actual Determination of Eligibility (DOE). The DPR 523 form typically should stand-alone in the event it is separated from the original document. It would have been best that the information included in the DOE were copy/pasted or summarized better in the DPR 523.

The OHP has a detailed document, "Instructions for Recording Historical Resources," on how to fill out a Building Structure, Object (BSO) Record form. Because it doesn't stand alone as a DPR 523 form, this BSO form is missing major components, such as an architectural description, construction or historic building analysis that includes measurements, and an evaluation per all four NRHP criteria as well as a justification of the building's integrity.

 - See link: "Instructions for Recording Historical Resources" at
8. To begin, the NRHP Status Code "2S2" is reserved for Properties *determined eligible* for listing in the NRHP and the California Register of Historical Resources (CRHR). Technical Assistance Bulletin #8, an OHP publication, records "2S2" as "Individual property determined eligible for NR by a consensus through Section 106 process. Listed in CR." Therefore, this code contradicts the Significance (B10), which is listed as "N/A." This code contradicts the DOE, which recorded the cabin as not eligible to the NRHP and the archeological site as eligible.
 - See link: "User's Guide to the California Historical Resource Status Codes & Historic Resources Inventory Directory" at
9. In Original Use and Present Use (B3 and B4), the same use is recorded. The building's original use is fine but is it presently being used as a mining cabin? Appears to me to be abandoned or vacant. In addition, "mining cabin" is not correct for Historic Use, and perhaps a "Residence" or "Cabin" would be more appropriate, which would be the same for Present Use, if it were occupied. Refer to "Instructions for Recording Historical Resources."
10. In the Architectural Style (see B5), it should only record the resource's *style*. In this form, it has a lot of miscellaneous information added that obviously demonstrates the authors unfamiliarity in filling out a BSO form. Professionally, I don't add text here and just record the building's architectural style. Most of this text would be better suited under Construction History (B6) section. Regardless, what is written in this BSO has inaccuracies:
 - This section mentions "vernacular characteristics" but doesn't mention what are these characteristics. If the authors meant the building's character-defining features, then this should have been mentioned. Character-defining features is language architectural historians use and for this building it would be cedar shingles, horizontal siding, stovepipes, and its side hinged windows on its east and west elevations.
11. The Construction History (see B6) is reserved for construction information, specific to the building's physical description. This section should predominantly speak to alterations or original materials. There is nothing mentioned on the resource's historic fabric or building materials, physical measurements, or construction details.

- 11a • The cabin's architectural description is non-existent and doesn't mention anything per the building's design, such as it "is a 2½-story gable building" or what type of windows are on the building or that they are shuttered.
 - 11b • The building is definitely interesting and has a cedar shingle elevation, horizontal sided elevation and even plywood covering original siding on a third elevation. Are these unique siding materials historic or alterations?
 - 11c • Obviously, the authors did not know how to read the building, even though they provided both photographs and sketches of it from photographs. Images shouldn't be enough, but a conversation on what these images communicate.
 - 11d • The section mentions the building's past use as the Howland Flat School and abandoned buildings. Is this evident currently on the resource?
 - 11e • Referencing the DOE for the building is fine, however, info from the DOE related to this section would have been better. The DOE is cited as a Reference but what it says related the building's alterations would have been better.
- 12 The Moved (B7), I feel, honestly this should be checked since the building looks like the Howland Flat School, not materials that were reused to construct a mining cabin.
- 12a • In California mining towns, buildings were constantly moved around to newer locations. Architecturally, the building looks like a school and was probably moved to its current location, and historic fabric from other buildings was added to the building.
 - 12b • In Sierra County, school districts as individual schools were moved regularly, set on skids, and transferred to urban areas. Many of the county's schools look similar in design to this cabin. See *History of the Schools of the Sierra Valley* published by the Sierra County Historical Society (2004).
- 13 The Related Features (B8) should have architectural descriptions of all of the resources or Features that are within the setting to the Hays/Taws Cabin. Just like what is added under Construction History (B6), there needs to be a resource description to all. How big are these resources? What is their architectural description? Are the sheds and garages affiliated with the cabin? Are these Features moved resources from the historic town or new resources? When were they built and are the contemporary with the Hays/Taws Cabin or older? Do they contribute to the Cabin's site?
- 14 The Significance (B10) sadly is notably off in what needs to be added in this BSO form and doesn't correlate with its NRHP Code of "2S2."
- 14a • First, Significance should really be "Townsite of Howland Flats" not "Gold Mining." Gold mining is represented all over the state and is well-known to many areas in Sierra County. The DOE has a full historic context that can be pulled from in creating a one line on what makes *this* site significant.
 - 14b • Second, the Theme is inaccurately labeled. "Residential architecture" would be a subdivision in an urban area within a city. This is a lone site in a forest. The Theme for this site should be something like, "Gold Mining in Northern Sierra County."
 - 14c • Third, the Period of Significance (1945-1970) is not justified in its Significance description. How was this period defined? How was 1970 drawn as an ending date?
 - 14d • Fourth, Property Type, I would not call this as "residential housing" because again that is best suited for urban areas or a subdivision. "Mining inhabitant" would have been better as a property type.
 - 14e • Within the Significance section, there should be a narrative as to *why* the cabin is not eligible per the NRHP criteria and why the Applicable Criteria is listed as "N/A." There should be a

NRHP argument per all four criteria (A-D) that the site is *not eligible*. In addition, there is no justification per NRHP on the site's integrity (Design, Workmanship, Setting, Location, Association, Feeling, and Materials). There is nothing or any citation, such as "See DOE" that is cited in a few other sections. Because nothing is listed as a NRHP justification on the cabin or its associated outbuildings, this leaves me speechless and not acceptable.

15. In addition to the BSO form, Continuation Sheets are included on the Hays/Taws Cabin's as architectural drawings with dimensions. The drawings are probably the best attribute to the entire DPR 523 with valuable information that should have been conveyed as the Construction History (B6) description. The images, however, are not labeled correctly and should have a caption, plus who is the delineator of the drawings. Note, as an architectural historian, "facing walls" or "side" is not a correct term and should be labeled, "elevation." The drawings in the sheets cite "First Floor" and "Half Floor" when the building is 2½-stories. I believe the Second Floor Plan is missing from these pages.

Determination of Eligibility (DOE)

16. In establishing a resource as *eligible* or *not eligible* to the NRHP, an argument must be made through the historic context that does or doesn't meet the significance of an Event (Criterion A), a Person (Criterion B), Architecture or Building Construction (Criterion C), and/or Yield data to a historic/prehistoric event (Criterion D). In addition to the NRHP Criteria, significant sections historic integrity (location, setting, feeling, design, materials, association, and workmanship).

17. The Hays/Taws Cabin Determination of Eligibility (DOE) is justified in two main contexts, Town of Howland Flat (Criterion A) and Everett Hays (Criterion B). Because the DOE was authored by archeologists and situated in an NRHP eligible archeological site, most of the document is redacted, aka blacked out. Redacting is reserved for "archeological resources," typically reserved for Native American tribe or sensitivity of an archeological site or the specifically of its location. This, however, is a *building*—a building I can drive up and see today; therefore, it is unclear why parts, like the building's NRHP Integrity, are redacted as sensitive information.

Criteria A & B Historic Context

NRHP Criterion A states: "Properties that are associated with events that have made a significant contribution to the broad patterns of our history."

NRHP Criterion B states: "Properties may be eligible for the National Register if they are associated with the lives of persons of significant in our past."

18. Under the building's significance to an event, the "Howland Flat Historic Context" specifies the town's period of significance was established in 1864, and ended in 1922 when the Table Rock Post Office was closed. However, despite the closing of the post office, the town continued to be inhabited and prospered due to hydraulic mining as late as 1941-42. Most gold mines dried up in 1942 due to federal laws, restricting gold mining throughout the U.S. due to World War II. In Howland Flats, people appeared to live and work in the area into the early 1970s. Like the Howland Flat's historic context, the background on Everett Hays is general and could have more history connecting Hays' significance to Howland Flats.

Significant historic context questions missing:

- 19a
- The Howland Flat historic context provides *no* overall background to the community in Sierra County, also known as "Over North," and gleans over the town's historic period. It vaguely mentions it is significant to mining and the Chinese, but more development is

needed in establishing *why* the period of significance is 1864-1922 when the community continued forward into the early 1940s and 1970s.

- 19b • The Hays/Taws Cabin is the last standing building in the town of Howland Flats with Everett Hays as the last inhabitant in town. Hays himself is referenced in a 1920s photo (see DOE Figure 7) aside other Howland Flat residents, therefore, he lived in the community prior to building the cabin c.1945. The context does not address Hays significance to the town, his relationship with the Howland Flat residents, and the hydraulic mine sites he worked as significant to its development.
- 19c • The context establishes the Hays/Taws Cabin represents reused buildings, specifically a schoolhouse, built c.1936. In most mining towns, buildings are regularly reused, relocated, and recycled; however, it does not mean these resources are "not eligible."
- 19d • There is general information on Gerald Taws Sr. and his wife Arlene Taws who purchased the building in 1972. So, why is Taws attached to the Hays/Taws Cabin as a resource, if he was not part of the original building and used it a short period? As an architectural historian, I would have left Taws off since Hays lived in Howland Flat approximately 50 years.

Architectural Description of the Hays/Taws Cabin

20. The architectural description for the Hays/Taws Cabin DOE was written by individuals that did not meet the Secretary of the Interior's PQS as an Architectural Historian. With that said, there are multiple concerns in the DOE's architectural description.

- 20a • First, the architectural description should be a physical *description*, not a dialogue or a history of changes made over time. The history details in this description should be clarified in the above historic contexts, not in the description. Additionally, an architectural description should be a physical, such as the "Hays/Taws Cabin (c.1945) is a 2 ½-story wood framed building that faces north..." The DOE architectural description is not a physical description and brings up more concerns, new analysis as an older building set on a new concrete perimeter foundation.
- 20b • Second, it is questionable this building was "built c.1945" when Hays lived in Howland Flats in the 1920s, reused existing buildings, such as the Howland Flat Schoolhouse (c.1936), and there is a sign on the cabin that states "est. 1910." Therefore, the building appears to be older than 1945 and was perhaps relocated on a new concrete pier foundation. I speculate it is the original school and Howland Flat building materials were recycled on the cabin, again typical in mining towns.
- 20c • Third, it is sad there was no access to the interior since it could tell additional information in how old this building is, alterations, modifications, and if it retained integrity.
- 20d • Fourth, the architectural description eludes an unfamiliar to building construction. For example, the text mentions details of what is *not* there, such as roof dormers, which is odd since not all roofs have dormers. A second example is the text mentioned "balloon design" that is only identifiable by looking down from a building's sill plate or by opening a wall to see if the studs are continuous, which is not visible by looking at a wall. Moreover, this wood framing is found in late 19th century buildings and not a building that dates to c.1945. A third example is the double hung wood windows on the west elevation, which predate c.1945 and are early 20th century windows.
- 20e • Fifth, all of the NRHP integrity is redacted. This is important in understanding the argument if an architectural resource meets the NRHP, and to me, is not sensitive information.
- 20f • Last, the auxiliary structures architectural descriptions are confusing because they are not architectural descriptions and a mix that includes an archeological opinion. It is my opinion

that the building types are questionable, and the "cold storage" building could be a coolhouse or a root cellar. In addition, the outbuildings appear to be older and it could lead to questions to the overall site. How does these outbuildings associate with the Hays/Taws Cabin? Do they contribute to their setting?

Hays/Taws Cabin Period of Significance

21. The Howland Flats DOE historic context draws the period of significance from 1864-1922 after the closing of the Table Rock Post Office. However, this period is arbitrary when mining continued as late as 1942 and Everett Hays sold the property to Gerald Taws Sr. in 1972. In addition, the date of 1972 or even 1970 is better suited as an end date than 1922, because the ownership of Howland Flats changed and literally became a ghost town.

National Register Criteria Findings

22. Within the DOE's findings, the Hays/Taws Cabin is determined *not eligible* to the NRHP under all four criteria. There are however, numerous inconsistencies in DOE and the BSO that further information is needed to confirm the argument the cabin is not eligible. In addition, the architectural description is unprofessional and substantial portions are redacted, especially the building's integrity. I agree with the findings that the cabin is probably not eligible to the NRHP under Criterion B for an important person or Criterion C for its architecture; however, I do feel it is potentially eligible under Criterion A for its association with the town of Howland Flats and as the last building in this rural community. If it was not for Everett Hays, all of the town would be archeological remains. From the DOE document, Gerald Taws Sr. is limited and appears to not be an important person, per Criterion B of the NRHP.

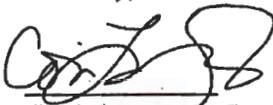
Therefore, my argument is per NRHP Criterion A, with a Criteria Consideration B & G:

23. The Hays Cabin is the last and only building still standing in the town site of Howland Flat. Everett Hays as the last resident of this town lived there in the 1920s, hydraulic mining in the area up until 1942, and reused the old schoolhouse that was set on a new foundation in 1945. Architecturally, the cabin is the old schoolhouse that was moved and set on a new concrete pier foundation. In 1970, Howland Flat was annexed into the Plumas NF. I feel the Hays Cabin and its outbuildings could be potentially *eligible* to the Howland Flat archeological site as a contributing resource. (Period of significance, 1922-1970.)

24. My overall opinion is the Plumas NF established the Hays/Taws Cabin as not eligible to the NRHP for the agency's best interests so the building could be demolished. Their argument sadly should not have been concurred by the OHP.

I hope this answers your questions. Please feel free to contact me if you have any questions or concerns and I will look forward to your response.

Sincerely,



Corri Jimenez, M.S.

Architectural Historian/Historic Preservation Specialist

Enclosure 3

Response to C. Jimenez and Sierra County Regarding
the Plumas National Forest's
National Register of Historic Places Determination of Non-Eligibility Finding
for the Hays/Taws Cabin

September 4, 2019

Response to Report Submitted to Mr. Lee Adams III, District 1 County Supervisor, Sierra County, California by Corri L. Jimenez, Architectural Historian – Independent Evaluation of the Hays/Taws Cabin Determination of Eligibility, Howland Flats [sic], Sierra Count, CA dated March 28, 2019.

The following addresses the letter report submitted to Sierra County and subsequently to the Advisory Council on Historic Preservation by Ms. Jimenez refuting the validity of the Plumas National Forest’s (Forest) Section 106 evaluation found within the *National Register of Historic Places Determination of Eligibility for the Howland Flat Town Site (FS 05115300026 / CA-SIE-581/H) and the Hays/Taws Cabin (Feature 4), Howland Flat, Sierra County, California, Feather River Ranger District, Plumas National Forest – October 2018 (Report)* and questioning the qualifications of its authors. To ensure the Forest adequately addresses all comments that Ms. Jimenez outlines in her report, we have numbered the paragraphs and bullets in her letter No. 1 thru 24 (see attached copy) addressing each sequentially.

Page 1

1. No comment.
2. No comment.

Secretary of the Interior Professional Qualification Standards

3. The Forest adheres to the Secretary of Interior’s Standards and Guidelines in relation to Professional Qualifications Standards. Mr. Elliott holds a BA (1985) and an MA (1994) in Anthropology, both from California State University (CSU) Chico, and has 38 years of experience in historic preservation with a 32 year career with U.S. Forest Service. This includes numerous National Register of Historic Places (NRHP) determinations of eligibility (DOE) and findings of effect (FOE) for historic buildings, administrative compounds, and variety of other “built environment” properties. Some have been in direct collaboration with architectural historians and other DOE’s and FOE’s have been prepared independently. These have all been reviewed by a qualified architectural historian (including the present Report) at the California State Historic Preservation Office (SHPO) and, in each case, have resulted in concurrence with the Forest’s findings as per Section 106, or Section 110, of the National Historic Preservation Act (NHPA). Mr. Moore holds a BA from CSU Chico (1996) and an MA from CSU Sacramento (2002), both in Anthropology, and 26 years of professional experience in historic preservation. This has included extensive archaeological experience as well as the restoration of historic buildings including log cabins, Forest Service lookouts and historic railroad logging residential “skid shacks” as well as historic cemetery restoration work. He has performed numerous historic and prehistoric NRHP evaluations since 1997 on both the Lassen and Plumas National Forests. Although he does not meet all the qualifications to individually conduct a built environment evaluations, he has more than enough qualifications to be a coauthor.

Interestingly, Ms. Jimenez notes that there are archaeologists who are doing “exemplary” work in the field of architectural history. This has been our experience as well.

4. All Section 106 evaluations submitted to the SHPO are reviewed by their qualified staff for quality and accuracy.
5. No further comment.

Page 2 Department of Parks and Recreation (DPR) 523 form

6. The DPR Primary Record and revised Location Map were prepared to complete the site record for the Howland Flat town site. This utilized a very extensive previous archaeological site record documenting a great many features within the site boundary. The Building, Structure, Object form (BSO) for the Hays/Taws Cabin (Cabin) was also prepared to record the structure but the DOE Report was the medium wherein the historic context, substantive architectural description, the application of NRHP criteria and the Forest's findings were documented in detail. The BSO is clearly linked by reference to the main Report. Cultural resource site records have, for the Forest at least, rarely included the full narrative of a detailed DOE. At no time should the DPR forms for evaluated sites ever be considered separately from an associated DOE report. Both remain on file within Forest Service records and at the Northeast Information Center of the California Historic Information System (CHRIS). There is no requirement the authors are aware of that dictates that a full narrative of a DOE report be included in the site record. This has been practiced in more recent years by some State agencies and contractors, often resulting in very large site records, but this has not been the standard practice of most National Forests in Region 5 (California).

7. The Forest follows the California SHPO's *Instructions for Recording Historical Resources* (1995), and has utilized DPR forms routinely and effectively since they were introduced – including BSO forms. These forms are designed to be flexible but obviously require a minimal amount of information to be accepted in the State's filing system (i.e. CHRIS). The Forest has never been challenged in meeting the minimum required level of information in a great many consultations with the SHPO and in our submissions of records to the CHRIS. All of the required fields for the present DPR forms are adequately populated.

8. The designation 2S2 on the BSO record is indeed in error. It should be 6Y (“...Determined ineligible for listing in the National Register through a consensus determination of a federal agency and the State Historic Preservation Officer”). This code was inadvertently brought forward from the Primary Record (addressing NRHP status for the larger Howland Flat site) to the BSO record (specific to the Hays/Taws Cabin). This will be corrected. It is possible the code could also be 5S1 (“...separately listed or designated under an existing local ordinance, or is eligible for such listing or designation”) or 5S3 (“...not eligible for separate listing or designation under an existing local ordinance but is eligible for special consideration in local planning”). The Forest will correct the code on the BSO to 6Y prior to submitting the Report and site record to the CHRIS.

The N/A under B10 on the form reflects the finding that the structure did not meet any NRHP criteria for historic significance. The directions found within *Instructions for Recording Historical Resources* (1995) for filling out the BSO form directs preparers to put N/A in such cases. If the finding was otherwise then these fields would have been filled out accordingly. The California Register was referred to here but, as a federal agency, the Forest Service assesses the significance of cultural resources utilizing NRHP criteria and not State criteria (CEQA).

9. The historic context presented in the Report strongly indicates the Cabin was established in association with the First and Second Chance Mining Claims. The Forest's records affirm this association as continuous over a long period of time. Thus, the authors believe the Cabin's use has been correctly identified.

10. The simple design elements of this cabin did not reflect any distinctive style that could be captured using a single term (i.e. Colonial, Ranch, Craftsman, etc.). This section of the BSO was utilized appropriately. The issue of character defining features was raised; a concept the authors are well aware of. The usage of the term vernacular was also questioned – a term that is admittedly over-used. This, however, taken from Wiki:

Vernacular architecture is architecture characterised [sic] by the use of local materials and knowledge, usually without the supervision of professional architects. Vernacular buildings are typically simple and practical, whether residential houses or built for other purposes.

The character defining features or elements of a given structure can be diverse but, simply stated, generally include much of what is present in assessing NRHP integrity such as the overall design of a building, its setting within the environment (natural, cultural, or both), materials utilized and the manner of use, the level workmanship that is evident, and the overall feeling and association of the property. These can be unique or can also be important examples of definable historic elements common to given property type.

11. The fields in the BSO are adequately filled out and the subject is well covered in the Report.

Page 3 (Department of Parks and Recreation (DPR) 523 form – continued)

11a. Covered in the Report (pg. 10-21).

11b. Covered in the Report (pg. 10-21). The authors did not observe plywood siding on the Cabin.

11c. Covered in the Report (pg. 10-21).

11d. Incorrect. References indicate that Hays dismantled the last schoolhouse in Howland Flat and utilized some or all of the lumber to construct the Cabin. Reuse is evident in the many older cut nail holes in lumber fastened to the building using more modern wire nails. The Cabin would not reflect the characteristics associated with a schoolhouse nor was anything like this indicated in the Report.

11e. No comment.

12. The Cabin is not a moved building.

12a. Agreed that moving buildings in historic mining towns of Northern California did occur but topography, very poor roads, and other factors likely made dismantling and reconstruction just as common; indeed perhaps far more common in later years. There is strong evidence in Howland Flat, where limited residential activity persisted following the decline of a substantial commercial community, that the reuse of abandoned structures was common. In a sense, there was a wealth of re-useable building material that could be acquired for little or nothing. The authors disagree that the Cabin currently “looks like a school.”

12b. No comment.

13. All of the questions regarding Related Features (B8) are covered in the Report. Only one small garage/storage shed was still standing and it was photographed and described. These are considered later era elements (post-1900) but most likely pre-dating the Cabin. The collapsed barn near the main road could be identified in at least one early 1900's era photograph prior to the Cabin being constructed. The issue with the NRHP code is addressed above (#8).

14. No further comment – already addressed (#8)

14a. When the Cabin was built it was directly associated with placer gold mining. It was constructed within the old town site of Howland Flat which had not been a functional town with businesses for two decades. The appropriate Significance designation for the structure is gold mining. The authors appreciate the recognition that the Report contains a “full historic context” that supports the argument for the NRHP significance of the Howland Flat town site.

14b. Residential architecture can be found in rural or urban settings. The theme Residential architecture – associated with gold mining in this instance – is appropriate.

14c. Although a time period was provided, there is no NRHP period of significance since the Cabin does not meet NRHP criteria. The year 1970 is arbitrary but it is approximately 45-50 years ago which is generally used by the Forest Service as a cut-off for considering a property as a potential “historic era” resource.

14d. No further comment. “Mining inhabitant” would be a person.

14e. All of this information is covered thoroughly in the Report. Again, the link between the BSO and the DOE is referenced in B12 of the BSO.

Page 4 (Department of Parks and Recreation (DPR) 523 form – continued)

15. The authors are aware of the use of the term “elevation” and acknowledge its common usage in such applications. However, the use of this terminology is not a requirement and it is understood that the “north facing wall” is the same thing as “north elevation.” No interior access was available nor was it necessary to complete the DOE.

Determination of Eligibility (DOE)

16. No comment.

17. The application of NRHP criteria within the report addresses both the town site of Howland Flat and the Hays/Taws Cabin. The statement that “...most of the document...” was redacted is not correct. Only those sections pertaining to sensitive archaeological resources in the vicinity of the Cabin were redacted as per Sec 304 of the NHPA and other authorities for withholding such information from public dissemination. No part of the context, description or application of NRHP criteria specific to the Cabin was redacted from the report.

18. The beginning date for town's period of historic significance, for the purposes of the NRHP evaluation of Howland Flat, was set at 1854, not 1864. It could be argued that it should have been 1853 to match references that indicate the camp was first settled that year. Others note that the town's real

prosperity began in 1856 when sufficient water was directed to the rich diggings there. The Report (page 30) indicates that the terminal date is more difficult to define and this is given as the late 1920s reflecting the cessation of commercial activity and the period when year-round occupation of the old town generally ceased. These were major and visible changes measurable in time. The closure of the Post Office was certainly a distinct signal in the final decline of the town of Howland Flat. The Report further acknowledges continued seasonal residential use of the site during the Great Depression of the 1930s and beyond but this is outside the time period for the site's use as a substantial commercial and residential settlement. The Forest acknowledges that the response to the Great Depression is potentially a significant historic theme – as reflected in the increase in low scale gold mining in the Sierra Nevada during these years. The Cabin post-dates even this period.

19a. Ms. Jimenez indicates the Report “gleans over the town’s historic period” which the authors disagree with. We note that it is indicated earlier that the Report contained a “full historic context” (see comment #14a).

Page 5 (Determination of Eligibility – continued)

19b. The Cabin is not the last standing building in Howland Flat. The Forest Service has records that demonstrate the residential use of cabins here into the 1970s. The last condition assessment at the site indicated there were five standing and one partially collapsed building. It would be more accurate to say that the Cabin is the last habitable residential structure remaining at the site. As note already, it is not a part of the “town” but, rather, is situated within the site of the former town of Howland Flat. Characterizing Everett Hays as the “last inhabitant in town” is also not an accurate statement. It appears from the research provided that Mr. Hays began his tenure at Howland Flat sometime on or shortly after 1923. In those early years he did interact (and apparently befriend) individuals associated with some of the last of the old families who were still present or at least visited this place regularly. Again, this was a period of time well prior the establishment of the Cabin. The Report found that Mr. Hays did not rise to the threshold to be considered a significant person as per NRHP criteria (Criterion B). Ms. Jimenez appears to acknowledge this later in her rebuttal (see comment #22).

19c. Already addressed. The schoolhouse was not built ca. 1936 but was reportedly dismantled around this time. The authors acknowledge that, in some limited circumstances a moved structure can still be eligible for listing on the NRHP (see NRHP Criteria Consideration B: Moved Properties), however, the Cabin is not a moved property.

19d. The Taws family acquired the Cabin when Everett Hays sold it and mining claims ca. 1972. This information was included to provide as much context on the Cabin’s ownership as possible for the purposes of the Report.

20. Already addressed.

20a. Already addressed. The authors are unaware of the requirement... i.e. “description not dialog...” in the body of a narrative report. The narrative provides a reasonable description of the property.

20b. The aerial photo evidence provided is about as close to irrefutable as one can expect. It is unquestionably not present in the 1941 aerial view of Howland Flat (see Report, Figure 9, page 9). Hays officially located the First and Second Chance placer claims including the current location of the Cabin in October 1943 and July of 1944 respectively. It is a logical development that the Cabin would have been

placed there around this time and, therefore, the time period ca. 1945 is used for its estimated date of construction. The Hays historic background clearly demonstrated that Everett and his wife resided in a second, older house during his earlier time in Howland Flat (see Report, Figure 8, page 8). The Cabin rests on a concrete perimeter foundation with concrete piers used to support the center of the structure.

20c. Already addressed. Access to the interior of a historic building, while desirable, is not required for a NRHP DOE as it is the exterior elements that will, or will not, convey a structure's historic identity. Interiors can be drastically altered from their original configuration but if the exterior retains sufficient aspects of NRHP integrity, this would be the basis of a finding of historic significance.

20d. No further comment. There were no dormers on the roof of the Cabin. The use of a balloon frame was only hypothesized and it was clearly indicated that the frame could not be observed (page 13). Balloon framing was inexpensive, did not require highly skilled carpenters, and was comparatively easy to construct. It was used commonly into the 1930s and many of the older buildings in Howland Flat were very likely constructed in this manner. There was a mixture of window designs evident. This appears to support the contention that this house was constructed utilizing a variety of materials from different salvaged houses at Howland Flat or perhaps even elsewhere. This fits the history of the site when, in the 1930s and '40s, there was still a comparative wealth of abandoned structures in various states of decay available for scavenging. The collapsed barn and the two nearby outbuildings (one of which still barely stood as of last season) also show the same attributes including with miss-matched siding and lines of former cut nail holes not reused when boards were re-attached to a new building.

20e. Already addressed above.

20f. This was a very confusing comment. Only one of the outbuildings still stands. The hypothesized cold storage area could well be a semi-subterranean root cellar... same thing... and was not associated with any of these structures but rather a nearby house foundation that (again as hypothesized) may have been used as the earlier Hays house prior to the construction of the 1940s Cabin. The past association of these structures with the Cabin is surmised from their close proximity and admittedly circumstantial evidence (household items that appeared to post-date ca. 1960 noted in earlier records within at least one of them). Again, the authors believe these clearly pre-date the Hays/Taws Cabin but are of post-1900 construction like the collapsed barn which is captured in a late period (post-1900) photo of the town (see Figure 3, Page 5 of the Report).

Page 6 Hays/Taws Cabin Period of Significance

21. The period of significance has already been discussed above. The final sentence in this paragraph is erroneous.

National Register Criteria Findings

22. Ms. Jimenez opines that "...further information is needed to confirm the argument the cabin is not eligible." The Forest welcomes any meaningful information on the history of this location (or any other similar places) that can be added to the context. The redaction has already been explained. The authors note the acknowledgement here that the Cabin is "probably" not eligible under Criterion B or C, and presumably not eligible under Criterion D (although not stated) but does feel that it is potentially eligible under Criterion A. The authors have already provided the rationale within the Report as to why the

finding was that this property did not meet any of the four NRHP Criteria – including Criterion A as the Cabin was could not be directly linked to events that have made a significant contribution to the broad patterns of our history.

Again, the Cabin is not directly tied to the town of Howland Flat except by the benefit of its location (will return to this point below) and 2) because its association is clearly with Hays' placer mining claims in this same area dating from the mid-1940s and is, in this regard, quite unremarkable – a common improvement on mining claims operated by an individual or individuals (often a family based) throughout the 20th century. It is indeed more substantial than most in size – a point that was made in the Report. To return to the first point, however, while the cabin is not directly associated with the historic town site of Howland Flat, it is recognized that the cabin does have a historic link... or perhaps a series of links, that reach back into the deeper past of the settlement. Hays was not part of the prominent long-term families of Howland Flat but a more recent arrival. The manner in which the Cabin appears to have been constructed using elements of older buildings is an interesting phenomenon that appears to have been quite common during and after the demise of the town. Ms. Jimenez indicates that... "If it was not for Everett Hays, all of the town would be archeological remains." This statement is simply not based on fact.

23. Everything in the final summary paragraph, the "therefore" statement, has already been addressed above but the tenor of the statements offered here perhaps require additional emphasis.

a) "The Hays Cabin is the last and only building still standing in the town site of Howland Flat."

[Response: The Cabin rests with in the archaeological remains of Howland Flat town site and is the last habitable building present in this area.]

b) "Everett Hays as the last resident of this town lived there in the 1920s, hydraulic mining in the area up until 1942, and reused the old schoolhouse that was set on a new foundation in 1945." [Response: None of this is supported by field or historic research – Mr. Hays was not the last resident of the town, we are not aware of specific mining endeavors by Mr. Hays, i.e. hydraulic mining in the area up until 1942, and he it is not indicated that he set the old schoolhouse on a concrete foundation. It is noted here that the construction date of ca. 1945 appears to be accepted in this instance.]

c) "Architecturally, the cabin is the old schoolhouse that was moved and set on a new concrete pier foundation. [Response: Again, no evidence presented herein, or within any known historic research past or present, or as a result of repeated field assessments, that indicates the Cabin is the old schoolhouse as asserted here. The Forest is happy to review any additional information that may not have been available prior to or during the DOE.]

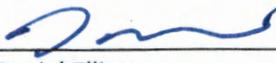
d) "In 1970, Howland Flat was annexed into the Plumas NF." [Response: The Howland Flat town site has been Forest System land since the establishment of the Plumas Forest Reserve in 1905]

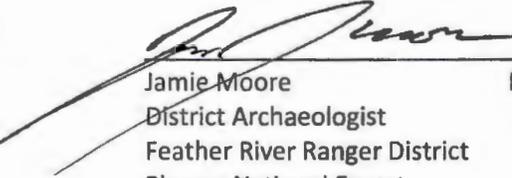
e) "I feel the Hays Cabin and its outbuildings could be potentially eligible to the Howland Flat archeological site as a contributing resource. (Period of significance, 1922-1970.) [Response: Already discussed. A NRHP period of significance cannot predate the creation of the property itself. This statement also appears to contradict the previous sentence affirming the 1945 construction date.]

24. To quote Ms. Jimenez: "My overall opinion is the Plumas NF established the Hays/Taws Cabin as not eligible to the NRHP for the agency's best interests so the building could be demolished. Their argument sadly should not have been concurred by the OHP." [In regard to this particularly difficult first sentence – the authors, indeed the Forest, would ask how Ms. Jimenez defines the "agency's best interests"? There appears to be an assumption (erroneously) that the authors of the DOE Report advocate for the

removal of the Hays/Taws Cabin which is not the case. The Forest will defer a response to the final sentence to the California SHPO (and their highly qualified staff) who thoroughly reviewed this report and concurred with the Forest's findings.]

This response prepared by:

 9/6/19
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 9-5-19
Date
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