

### **Appendix D3. May 18, 2011 Email/Letter to James Black, Planner, Josephine County Planning Department**

The May 18, 2011 Email/Letter to James Black, Planner, Josephine County Planning Department, from the Hugo Land Use Committee (HLUC) is one of three reports serving as relevant evidence for the “Applegate Trail Site: East I-5 Manzanita Rest Area” (EI-5Man Site).

1. University of Oregon. May 27, 2010. *Pedestrian Survey of Stockpile Site South of Chancellor Quarry in the I-5 Jumpoff Joe-Glendale Project, Josephine County* (ODOT Key 16763; Museum of Natural and Cultural History Report No. 2010-026). Eugene, OR.
2. University of Oregon. May 27, 2010. *Subsurface Reconnaissance of the I-5 Chancellor Quarry Stockpile Project, and Metal Detector Survey Within the George and Mary Harris 1854 - 55 DLC (35JO246), Josephine County*. Museum of Natural and Cultural History Report No. 2011-002) Eugene, OR.
3. Hugo Land Use Committee. May 18, 2011. *Email/Letter to James Black, Planner, Josephine County Planning Department*. From Hugo Land Use Committee, HNAHS. Hugo, OR.

The following are excerpts from the email/letter addressing Chapter 7, Recommendations, of Oregon Museum of Natural and Cultural History’s 2011 Report No. 2011-002. The email/letter was public testimony for the site review/variance, without hearing, for the Oregon Department of Transportation (ODOT) land use application for resuming the Chancellor Quarry, and expanding aggregate processing, stockpiling, and equipment storage onto the adjacent property.

The issue with the proposed land use application is the proposed aggregate processing, stockpiling, and equipment storage on Tax Lot 300 between I-5 and Highland Avenue and the probable significant adverse impacts from the proposal to the very shallow, and therefore extremely fragile archaeological site and objects, and historic site located there. If the land use request was approved, the HLUC recommended that the University of Oregon’s (UO) recommendations become conditions of approval to protect the known archaeological site and objects, and historic site.

The HETC, HNAHS, and the Josephine County Historical Society, had been researching and inventorying the Applegate Trail in northern Josephine County for over ten years (<http://www.hugoneighborhood.org/applegat.htm>). Known 1850s surveyed locations of the Applegate Trail are in very close proximity to the ODOT administered lands of the land use application (<http://www.hugoneighborhood.org/tableIIB2c.htm>). Known features are located on the subject property. Four 1855 GLO surveyed sites are located north and south of the EI-5Man Site.

POI OR-AG-00-35-06-24/25-W-JA-03-A. Louse Creek Saddle JA-3A  
POI OR-AT-00-35-06-13-W-JA-04. Harris Road 1 (Rest Area) JA-4  
POI OR-AT-00-35-06-13-N-JA-05. Harris Road 2 (Harris Creek) JA-5  
POI OR-AT-00-35-06-13-N-JA-06. Harris Road 3 (Pond) JA-6

Located in the ODOT administered lands of the land use application is the Harris DLC and the site of the Harris cabin, the location of a famous 1855 Rogue Indian War attack.

POI OR-AG-23-35-06-13-n/a-n/a-JA-H-2AA Harris House JA-H2AA

The UO published a subsurface reconnaissance and metal detector survey undertaken as part of the ODOT's Chancellor Quarry Stockpile Project (Museum of Natural & Cultural History, University of Oregon. April 2011. University of Oregon Museum of Natural and Cultural History's Report No. 2011-002, *Subsurface Reconnaissance of the I-5 Chancellor Quarry Stockpile Project, and Metal Detector Survey within the George and Mary Harris 1854-55 DLC (35J0246), Josephine County*). This work on the subject property by the UO had been preceded by a pedestrian survey (University of Oregon. May 2010. *Pedestrian Survey of the Stockpile Site South of Chancellor Quarry in the I-5 Jumpoff Joe – Glendale Project, Josephine County*).

The project was for 58 acres administered by ODOT, including Tax Lot 300 between I-5 and Highland Avenue. One result of the UO project were management recommendations (Report No. 2011-002, Chpt. 7, pps. 81 - 83).

The project area is on a prehistorically fire-managed prairie with a high potential for archeological sites: the 19<sup>th</sup> century Applegate Trail and later Willamette Valley to Jacksonville wagon road passed through the project area, and the Harris DLC, the location of a famous 1855 Rogue Indian War attack, lies on the western third of the project area.

The Harris Homestead is a very important archeological site worthy of preservation, but it present two problems: 1) its deposits are very shallow and therefore extremely fragile; and 2) the number and location of the homestead features are unknown. The Harris Homestead has been recorded by a qualified archaeologist from the UO with the Oregon State Historic Preservation Office (SHPO) as State of Oregon Archaeological Site 35JO246. As such it is protected by ORS 358.920 and the Josephine County Comprehensive Plan, Goal 7, Policy 1, Policy 3, and Policy 4.

Due to the high potential for archeological sites and cultural resources the UO recommended several mitigating measures.

1. Construction/Development: A NO WORK ZONE be created west of Highland Avenue which will prohibit new ground disturbing activities, staging, or stockpiling of materials.
2. Maintenance: ODOT maintenance vehicles accessing this area should be restricted to the existing main dirt tracks.

Especially important are the following site review actions by the county.

1. Evaluation of the archaeological site for its significance - if found to be significant, the county will apply the provisions of the Goal 5 rule (Policy 1 of of JCCP Goal 7),
2. Establishment of a historic sites review committee to determine conflicts with primary historic resources and requests for alteration (Policy 3 of of JCCP Goal 7), and
3. Employ a review process pursuant to the historic review provisions of Chapter 14 of the Zoning Ordinance (Policy 4 of of JCCP Goal 7).

If the land use request was approved, the HLUC recommended that all the UO's recommendations to ODOT become conditions of approval.

What follows is the title page of the UO report along with the recommendations section.

Findings:	+ 35JO246
County:	Josephine
Legal:	SW¼ Sec 13 T35S R6W
USGS Quad:	Sexton Mountain (7.5')
Acreage:	58 acres
Project Type:	Subsurface Reconnaissance
Curation Location:	OSMA, University of Oregon
AP No:	1400
Accession Number:	1921

**Subsurface Reconnaissance of the I-5 Chancellor  
Quarry Stockpile Project, and Metal Detector Survey  
within the George and Mary Harris 1854-55 DLC  
(35JO246), Josephine County**

A Report to the

Oregon Department of Transportation  
Geo-Environmental Services Section  
4040 Fairview Industrial Drive SE  
Salem, Oregon 97302-1142

Key No. 16763

by

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Museum of Natural and Cultural History  
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OSMA Report 2011-002  
Thomas J. Connolly, Series Editor  
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The extant cultural resources at that portion of the Harris Homestead examined archaeologically appear to meet at least two of the criteria to be eligible for the National Register (Townsend et al. 1993).

- **Criterion A—Event:** The events of October 9, 1855, made the Harris Homestead important to local, regional, and national history.
- **Criterion D—Information Potential:** The archaeological work has shown that much of the site has been preserved and would be likely to furnish a great deal of information about the attack, as well as the context in which to understand the day-to-day lives, specifically of the Harris family, but more generally of early Oregon pioneer homesteaders.

It is also likely that further information about the Applegate Trail, the Willamette Valley to Jacksonville Wagon Road, and the later 19<sup>th</sup> and early 20<sup>th</sup> century uses of the area are preserved within the site deposits.

### Recommendations

The project area is on a prehistorically fire-managed prairie with a high potential for archaeological sites; 2) the 19<sup>th</sup> century Applegate trail and later Willamette Valley to Jacksonville wagon road passed through the project area; and 3) the Harris Donation Land Claim, the location of a famous 1855 Rogue Indian War attack, lies on the western third of the project area. Subsurface reconnaissance was recommended for the entire 58 acres of the Chancellor Quarry project area because heavy vegetation obscured the surface of this high probability area.

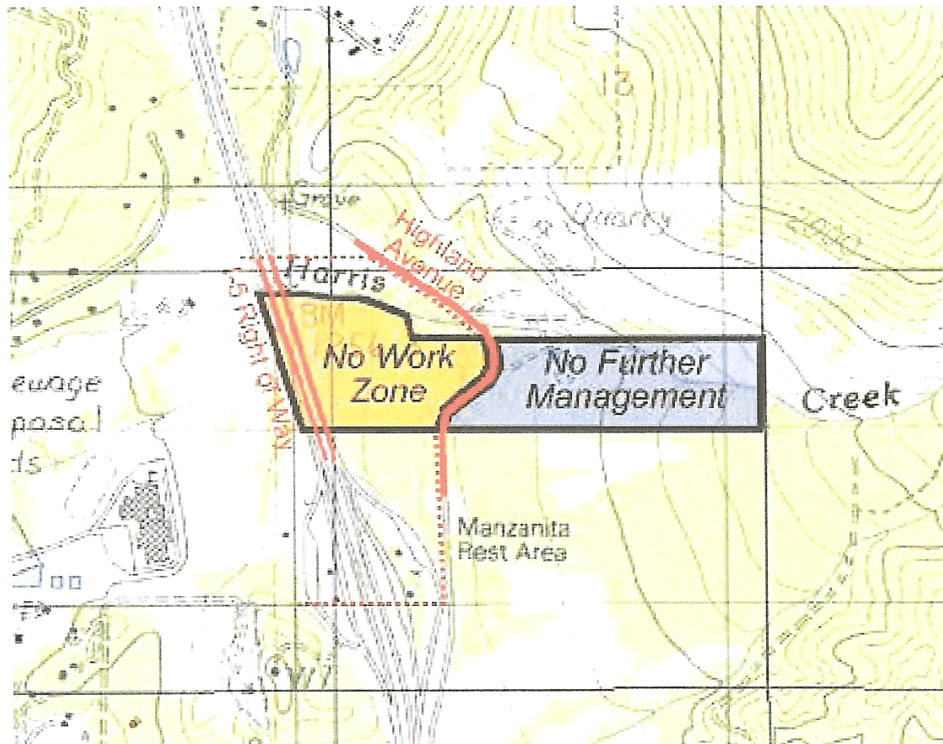
Systematic subsurface reconnaissance consisting of a grid of 30x30 cm shovel probes excavated to 50 cm below the surface, or to 20 cm below cultural materials, unless stopped by an impasse, recovered only one prehistoric item, an isolated obsidian flake, in a probe placed east of Highland Avenue.

Metal detector survey, coupled with ground truthing of alerts in 32 20x20 m blocks located along the western edge of the project area, in the general vicinity of the Harris cabin, as marked on the 1856 General Land Office survey, established the presence of relatively dense scatters of historic artifacts within the boundaries of the Harris DLC. This survey was extended into the I-5 ROW in the area of the Feature 1 (MD Block 2). No ground truthing shovel probes were excavated in the I-5 ROW, but the lines of alerts shown to be the location of cut nails in MD Block 2 continue into the ROW. The 1856 GLO map shows the Harris fields and perhaps the location of outbuildings extending to the west. Further, Abbott's writings (1855 and 1909) noting the scarred trees from Mary Harris' shooting and the location of the musket ball, suggest that the attack may have left evidence in every direction, to include to the west, within the ROW.

The Harris Homestead is a very important archeological site worthy of preservation, but it presents two major problems: 1) its deposits are very shallow and therefore extremely fragile; and 2) the number and location of the homestead features are unknown.

#### **Due to these findings, it is recommended that within the project area**

- **Construction/development:** a **NO WORK ZONE** be created west of Highland Avenue (Figure 7.2) which will prohibit new ground disturbing activities, staging, or stockpiling of materials.
- **Maintenance:** ODOT maintenance vehicles accessing this area should be restricted to the existing main dirt tracks.



- Figure 7.2. Management recommendations in the Chancellor Quarry Stockpile Project: A NO WORK ZONE is recommended from Highland Avenue west across I-5.
- **Monitoring:** Further, the proximity of the Manzanita Rest area which draws transient campers to the area, and the recognition that Harris site deposits exist, creates a very real danger to the Harris Homestead resource. The importance of the Harris Homestead site and the fragility of its very shallow deposits make on-going monitoring of the resource to prevent disturbance, and immediate mitigation should disturbance occur, necessities.

**I-5 ROW corridor west of the project area**

- **Maintenance and access:** Metal detector alerts were recorded extending west into the I-5 corridor from the presumed Harris Cabin area and are part of site 35JO246. The extent of the site into the ROW remains unknown. It is recommended that access be limited to non-ground disturbing vehicles and no activities beyond normal maintenance, within both the north and south I-5 ROWs, until these areas are evaluated (see Figure 7.2 – dotted red lines).

**East of I-5, North and South of the Project Area:**

- **Maintenance and access:** It is also recommended that access be limited to non-ground disturbing maintenance vehicles and no activities beyond normal maintenance, on ODOT land to the north and south of the Chancellor Stockpile Project which was part of the Harris DLC, between Highland Drive and I-5, until these areas are evaluated. In the south, this extends into the Manzanita rest area (see Figure 7.2 – dotted red lines).

A recent newspaper article appearing in the Grants Pass Daily Courier (Hall 2010) reported the novel and well-intentioned approach to managing potential conflicts between travelers visiting the Manzanita Rest Area and panhandlers' dogs. The rest area manager has built a day-use doghouse to shelter the animals while their owners ask travelers for spare cash. The article further reported that several of the regular panhandlers live in makeshift camps west of the freeway. By facilitating long-term opportunities to reside casually in the area will continue to jeopardize, the near-surface archaeological deposits of the Harris Homestead.

The Harris Homestead provides ODOT an exceptional opportunity. The location, while making it vulnerable to vandals, also makes it easily accessible to the public. An interpretive trail north from the Manzanita rest area to the site, with information kiosks describing the site's history would provide both public outreach and protection from transient campers and vandals. Partnerships should be developed to help accomplish this goal.

While every effort was made to examine the area of potential effect of the Chancellor Quarry Stockpile Project in a fashion that would reveal buried cultural material, it is possible that scattered cultural features are present. If in the course of site development activities prehistoric or historic cultural remains are exposed—such as concentrations of fire-cracked rock, charcoal, chipped or ground stone tools, animal bones, bottles and cans, building foundations, wells, or outhouses—work should be halted immediately at that location until a qualified archaeologist can be consulted. This caution applies especially to Indian burials, which are specifically protected under Oregon law (ORS 97.745). Disturbance to such graves is prohibited, even “through inadvertence, including construction.”