

Appendix D
Cultural Resources Assessment;
Cultural Resources Investigation for Replacement Sites; and
Protection of Tribal Cultural Resources –
Gabrieleno Band of Mission Indians – Kizh Nation

CULTURAL RESOURCES ASSESSMENT
Sierra and Casa Grande General Plan and Zone Change Project
Fontana, San Bernardino County, California

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USGS Quadrangle: 7.5-minute Devore, California (1988)



BCRCONSULTING LLC

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MANAGEMENT SUMMARY

BCR Consulting LLC (BCR Consulting) is under contract to Kimley Horn to conduct a Cultural Resources Assessment of the proposed Sierra and Casa Grande General Plan and Zone Change Project (the project) located in the City of Fontana (City), San Bernardino County, California. Tasks completed for the scope of work include a cultural resources records search, reconnaissance-level pedestrian cultural resources survey, Sacred Lands File search with the Native American Heritage Commission, and a paleontological resources overview. These tasks were performed pursuant to the California Environmental Quality Act (CEQA).

Data from the SCCIC revealed that 34 cultural resource studies have taken place resulting in the recording of 15 cultural resources (all historic-period) within a one-mile radius of the project site. None of the previous studies have assessed the project site for cultural resources. Several historic-period roads are located near the project site, although none have been identified within its boundaries. The inferred boundaries of the Grapeland Homestead and Waterworks (designated P-36-015376/California Point of Historical Interest [CPHI]-SBR-116) encompass a large portion of Fontana that includes the project site, however no cultural resources in the project site boundaries can be associated with P-36-015376. During the field survey, BCR Consulting archaeologists identified the remnants of a post-World War II residential complex, consisting of several concrete foundations and footings. It is temporarily designated KIM1908-H-1 and has been documented on Department of Park and Recreation (DPR) 523 forms. It is not recommended eligible for listing in the California Register of Historical Resources, and as such is not recommended a "historical resource" under CEQA. BCR Consulting recommends that no additional cultural resources work or monitoring is necessary during proposed project activities. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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INTRODUCTION

BCR Consulting LLC (BCR Consulting) is under contract to Kimley Horn to conduct a Cultural Resources Assessment of the proposed Sierra and Casa Grande General Plan and Zone Change Project (the project) located in the City of Fontana (City), San Bernardino County, California. The project site is located in Section 20 of Township 1 North, Range 5 West, San Bernardino Baseline and Meridian, in the City of Fontana. It is depicted on the United States Geological Survey (USGS) *Devore, California* (1988) 7.5-minute topographic quadrangle (Figure 1).

NATURAL SETTING

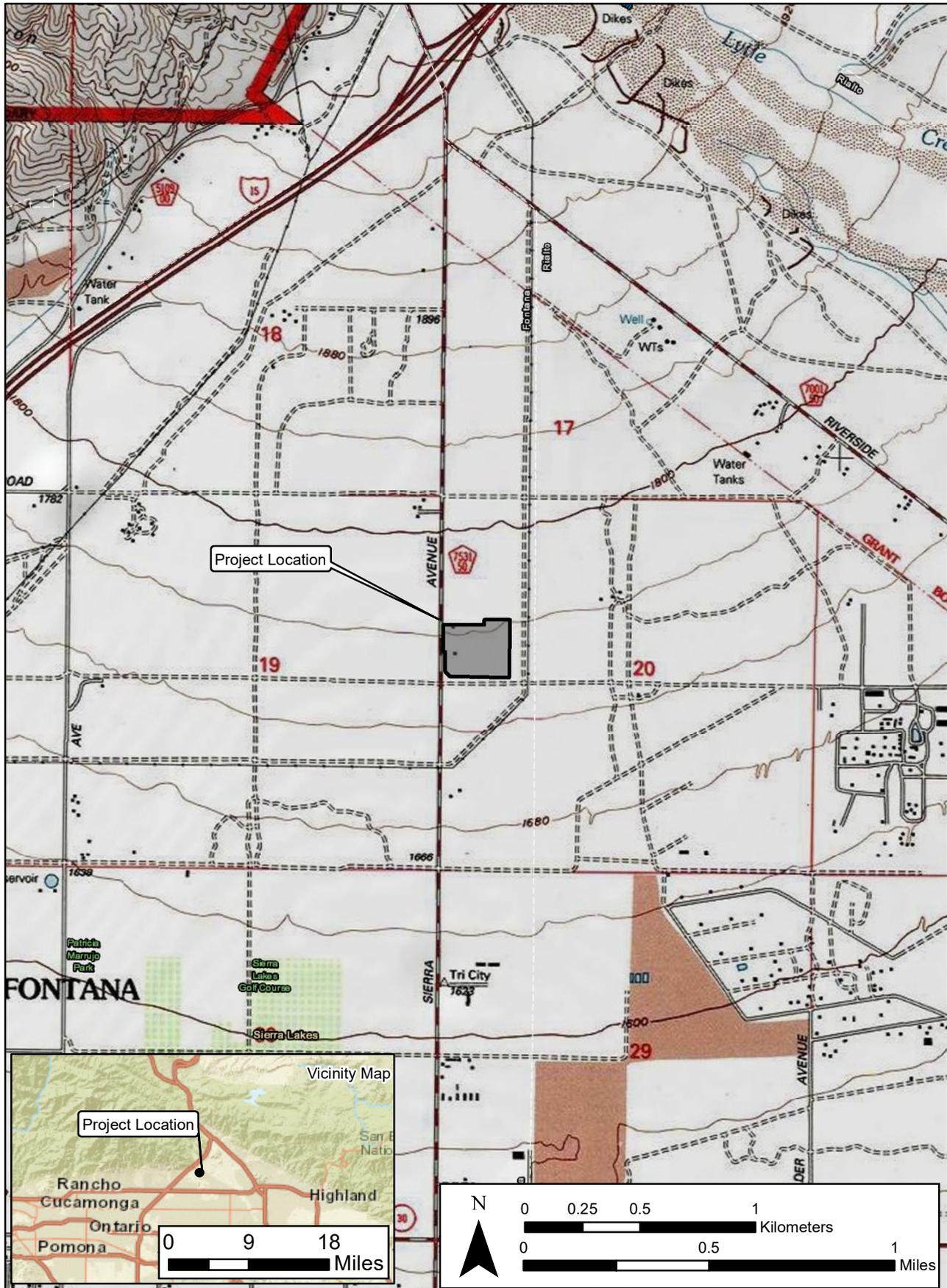
The elevation of the project site is approximately 1750 feet above mean sea level (AMSL). The property has been subject to disturbances related to surface erosion, weed abatement, and excavation for building construction and adjacent roads. The project site is covered with alluvial-fan deposits (Qyf 5) derived from the San Gabriel Mountains (Morton and Matti 2001). The current study has not yielded any evidence that such sediments have locally produced raw materials used in prehistoric tool manufacture. Local rainfall ranges from 5 to 15 inches annually (Jaeger and Smith 1971:36-37). The project site is flat, although the general slope conveys local water from northwest to southeast (USGS 1980).

Although recent and historic-period impacts have decimated local vegetation, remnants of a formerly dominant coastal sage scrub vegetation community have been sporadically observed in the area. Signature plant species include black sage (*Salvia mellifera*), California brittlebush (*Encelia californica*), California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), deerweed (*Lotus scoparius*), golden yarrow (*Eriophyllum confertiflorum*), laurel sumac (*Malosma laurina*), lemonadeberry (*Rhus integrifolia*), poison oak (*Toxicodendron diversilobum*), purple sage (*Salvia leucophylla*), sticky monkeyflower (*Mimulus aurantiacus*), sugar bush (*Rhus ovate*), toyon (*Heteromeles arbutifolia*), white sage (*Salvia apiana*), coastal century plant (*Agave shawii*), coastal cholla (*Opuntia prolifera*), Laguna Beach liveforever (*Dudleya stolonifera*), many-stemmed liveforever (*Dudleya multicaulis*), our Lord's candle (*Yucca whipplei*), prickly pear cactus (*Opuntia* sp.) (Williams et al. 2008:118-119). Signature animal species within Coastal Sage Scrub habitat include the kangaroo rat (*Dipodomys* sp.), California horned lizard (*Phrynosoma coronatum frontale*), orange throated whiptail (*Cnemidophorus hyperthrus*), San Diego horned lizard (*Phrynosoma coronatum blainvillii*), brown-headed cowbird (*Molothrus ater*), California gnatcatcher (*Polioptila californica californica*), California quail (*Callipepla californica*), and San Diego cactus wren (*Campylorhynchus brunneicapillus sandiegensis*) (Williams et al. 2008:118-120). Local native groups made use of many of these species (see Lightfoot and Parrish 2009).

CULTURAL SETTING

Prehistoric Context

The local prehistoric cultural setting has been organized into many chronological frameworks (see Warren and Crabtree 1986; Bettinger and Taylor 1974; Lanning 1963; Hunt 1960; Wallace 1958, 1962, 1978; Campbell and Campbell 1935), although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for western San Bernardino County are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the area and their territories often overlap spatially and chronologically



resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, local chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive, but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or re-sharpening, as well as researchers' mistaken diagnosis, and other factors (see Flenniken 1985; Flenniken and Raymond 1986; Flenniken and Wilke 1989). Recognizing the shortcomings of comparative temporal indicators, this study recommends review of Warren and Crabree (1986), who have drawn upon this method to produce a commonly cited and relatively comprehensive chronology.

Ethnography

Although no prehistoric sites have been locally recorded, in general the project site is situated at an ethnographic nexus peripherally occupied by the Gabrielino and Serrano. Each group consisted of semi-nomadic hunter-gatherers who spoke a variation of the Takic language subfamily. Individual ethnographic summaries are provided below.

Gabrielino. The Gabrielino probably first encountered Europeans when Spanish explorers reached California's southern coast during the 15th and 16th centuries (Bean and Smith 1978; Kroeber 1925). The first documented encounter, however, occurred in 1769 when Gaspar de Portola's expedition crossed Gabrielino territory (Bean and Smith 1978). Other brief encounters took place over the years, and are documented in McCawley 1996 (citing numerous sources). The Gabrielino name has been attributed by association with the Spanish mission of San Gabriel, and refers to a subset of people sharing speech and customs with other Cupan speakers (such as the Juaneño/Luiseño/Ajachemem) from the greater Takic branch of the Uto-Aztecan language family (Bean and Smith 1978). Gabrielino villages occupied the watersheds of various rivers (locally including the Santa Ana) and intermittent streams. Chiefs were usually descended through the male line and often administered several villages. Gabrielino society was somewhat stratified and is thought to have contained three hierarchically ordered social classes which dictated ownership rights and social status and obligations (Bean and Smith 1978:540-546). Plants utilized for food were heavily relied upon and included acorn-producing oaks, as well as seed-producing grasses and sage. Animal protein was commonly derived from rabbits and deer in inland regions, while coastal populations supplemented their diets with fish, shellfish, and marine mammals (Boscana 1933, Heizer 1968, Johnston 1962, McCawley 1996). Dog, coyote, bear, tree squirrel, pigeon, dove, mud hen, eagle, buzzard, raven, lizards, frogs, and turtles were specifically not utilized as a food source (Kroeber 1925:652).

Serrano. The Uto-Aztecan "Serrano" people occupied the western Mojave Desert periphery. Kroeber (1925) applied the generic term "Serrano" to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. "The Serrano resided in an area that extended east of the Cajon Pass, located in the San Bernardino Mountains, to Twenty-nine Palms, the north foothills of the San Bernardino Mountains and south to include portions of the Yucaipa Valley" (Bean and Smith 1978:570). Both the Serrano and Cahuilla utilized the western Mojave region seasonally.

Evidence for longer term/permanent Serrano settlement in the western Mojave most notably includes the Serrano-named village of Guapiabit in Summit Valley (de Barros 2004). Access to water determined where the Serrano built their settlements/villages (Bean and Smith 1978). Most of the villages were located within the Sonoran life zone (Scrub Oak [*Quercus* sp.] and sagebrush [*Salvia* sp.]), or forest transition zone, (Ponderosa pine [*Pinus ponderosa*]) (Bean and Smith 1978; Kroeber 1925).

Like many neighboring tribes, the Serrano and Cahuilla were Takic (Uto-Aztecan language family) speakers (Lightfoot and Parrish 2009:341). Serrano traded with their neighbors and actively participated in a shell bead exchange economy with the Cahuilla, Luiseno, and Gabrielino (McCawley 1996). Occasionally, villages were located in the desert, adjacent to permanent water sources. Structures for families were usually circular domes, constructed of willow frames and tule thatching. Individual family homes were used primarily for sleeping and storage. Families conducted many of their daily routines outside of their house or under a ramada. A ramada consisted of a thatched roof supported by vertical poles in the ground, which provided a shaded work area (Lightfoot and Parrish 2009:344). Other village structures included a ceremonial house, granaries and sweathouses. Subsistence strategies focused on hunting and gathering, occasionally supplemented by fishing. Food preparation varied and included a variety of cooking techniques. These ranged from baking in earth ovens to parching. Food processing utilities included scrapers, bowls, baskets, mortars, and metates (Bean and Smith 1978). A lineage leader, or kika, administered laws and ceremonies from a large ceremonial house centrally located in most villages. The size of lineages is a matter of some dispute, but most probably numbered between 70 and 120 individuals (Lightfoot and Parrish 2009). Serrano people were organized into clans affiliated with one of two exogamous moieties. Clans were led by a hereditary chief who occupied the village “big house” where ceremonies took place and shamans were initiated (Bean and Smith 1978:572; Strong 1929).

History

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

Spanish Period. The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena (Beck and Haase 1974). Garces was followed by Alta California Governor Pedro Fages, who briefly explored the region in 1772. Searching for San Diego Presidio deserters, Fages had traveled through Riverside to San Bernardino, crossed over the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley (Beck and Haase 1974).

Mexican Period. In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes (Beattie and Beattie 1974).

American Period. The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day (Beattie and Beattie 1974; Cleland 1941).

Local Sequence (see McKenna and Brunzell 2001:4-7). During the early 19th century, Anglo trader Michael White traveled across southern California with explorer Jedediah Smith. Having befriended the Lugo family of Rancho San Bernardino, White settled in California by 1840. As an accepted member of the local Mexican community he became known as Miguel Blanco and was granted Rancho de Muscupiabe (northeast of the project site) by California Governor Manuel Micheltozero in 1843 (Avina 1932:74). After California became a state, Anglo settlement continued to increase. By the late 1850s Mormon pioneers from Salt Lake City had purchased Rancho San Bernardino and began to settle at Rancho de Muscupiabe (Beck and Haase 1974:38). By the 1860s large tracts owned by the U.S. Government became available for homesteading.

Due to various population pressures, the Mormon pioneers began to recede to Salt Lake City in the 1870s. In the wake of the Mormon exodus, Greenberry Ferdinand Rubidoux Benton (GFRB) Perdew and his family settled near the present-day intersection of Summit Avenue and Citrus. Perdew's developments included a local school and post office, which attracted other members of the Perdew family, as well as the Scofield family, the Myers family, and the Ousterhout family. These people formed the settlement of Grapeland, which was named for grape and raisin vines planted locally between the 1860s and 1890s. Grapeland owed its early viability to these enterprising individuals, and to the entry of the Southern Pacific and the Santa Fe Railroads, locally established in 1875 and 1887 respectively.

In spite of burgeoning agricultural developments, water was difficult to come by and D.G. Scofield began to develop a local reservoir and canal system. Water rights were eventually acquired for Lytle Creek and the Grapeland Irrigation District was formed in an attempt to eliminate the need for marginally productive dry farming. While the district did construct reservoirs, canals, and ditches during the 1890s, shortages could not be overcome to the satisfaction of potential recipients, and by 1901 the Grapeland Irrigation District lost its rights to Lytle Creek. Those rights were eventually sold to the Fontana Development Company, signifying the end of Grapeland as an independent entity (McKenna and Brunzell 2001:5-6).

Significant development of the area did not resume until the Fontana Development Company surveyed and laid out a small community along the Santa Fe railroad. American rancher and entrepreneur Azariel Blanchard (A.B.) Miller purchased 17,000 acres locally and was largely responsible for transforming the area into a profitable center for citrus,

poultry, and livestock. A.B. Miller is credited with founding the community of Fontana in 1913 (Fontana Unified School District 2008). Like much of southern California, the success of railroads and agriculture during the early 20th century set the stage for expansion of agricultural and real estate development in the teens and twenties. After the slowdown of the depression years, demands related to World War II punctuated an economic revival. Expansion was particularly spurred on by the entry of Kaiser Steel into the area. Kaiser's local steel mill was constructed to supply wartime shipyards (Center for Land Use Interpretation 2013), which helped form the municipal and residential developments that persist in Fontana to this day.

PERSONNEL

David Brunzell, M.A., RPA acted as the Project Manager and Principal Investigator for the current study and compiled the technical report with contributions from BCR Consulting Staff Archaeologist Nicholas Shepetuk. Mr. Shepetuk completed the cultural resources records search at the South Central Coastal Information Center (SCCIC) and completed the pedestrian field survey.

RESEARCH DESIGN

This work was completed pursuant to CEQA, the Public Resources Code (PRC) Chapter 2.6, Section 21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, Section 15064.5. The pedestrian cultural resources survey was intended to locate and document previously recorded and new cultural resources, including archaeological sites, features, isolates, and historic buildings, that exceed 45 years in age within defined project boundaries. The project site was examined using systematic pedestrian field survey methods. The study is intended to determine whether cultural resources are located within the project boundaries, whether any cultural resources are significant pursuant to the above-referenced regulations and standards, and to develop specific mitigation measures that will address potential impacts to existing or potential resources. Tasks pursued to achieve that end include:

- Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one-mile radius of the project boundaries
- Additional research through various local and regional resources
- Systematic pedestrian survey of the project site
- Evaluation of California Register of Historical Resources (California Register) eligibility for any cultural resources discovered
- Development of recommendations for cultural resources documented within the project boundaries, following CEQA guidelines
- Completion of Department of Park and Recreation (DPR) 523 forms for any discovered cultural resources
- Vertebrate paleontology resources report through Dr. Samuel McLeod of the Los Angeles County Natural History Museum.

METHODS

Records Search

Prior to fieldwork, an archaeological records search was conducted at the SCCIC. This included a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources, and survey and excavation reports generated from projects completed within one mile of the project site. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Additional Research. Additional land use history research was conducted through the San Bernardino County Assessor-Recorder-County Clerk, records of the General Land Office managed by the Bureau of Land Management, and various internet resources.

Field Survey

An archaeological pedestrian field survey of the project site was conducted on June 24, 2019. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across 100 percent of the project site. Soil exposures, including natural and artificial clearings were carefully inspected for evidence of cultural resources. Vegetation was cleared by hand at regular intervals to maximize surface visibility.

RESULTS

Records Search

Data from the SCCIC revealed that 34 cultural resource studies have taken place resulting in the recording of 15 cultural resources (all historic-period) within a one-mile radius of the project site. None of the previous studies has assessed the project site for cultural resources. Several historic-period roads are located near the project site, although none have been identified within its boundaries. The inferred boundaries of the Grapeland Homestead and Waterworks (designated P-36-015376/California Point of Historical Interest [CPHI]-SBR-116) encompass a large portion of Fontana that includes the project site, however no cultural resources in the project site boundaries have been associated with P-36-015376 by the current study. The records search is summarized as follows:

Table A. Cultural Resources and Reports Located Within One Mile of the Project Site

USGS Quad.	Cultural Resources Within One Mile of Project Site	Studies Within 1 Mile
<i>Devore, Calif.</i> (1988)	P-36-6112: historic-period homestead (1/2 mile NE) P-36-6589: Grapeland Irrigation District Canal (1/2 mile W) P-36-8697: historic-period farm/ranch complex (1/4 mile E) P-36-8698: historic-period dirt road (adjacent E) P-36-10878: historic-period stone trough (3/4 mile N) P-36-11506: historic-period bldg. footing (1/2 mile W) P-36-11507: historic-period refuse (1/2 mile SW) P-36-11508: historic-period road (1/2 mile W) P-36-11509: historic-period road (1/4 mile SW) P-36-11510: historic-period road (1/4 mile W)	SB-106-1407, 1501, 1611, 1737, 1751, 1781, 1847, 1983, 2064, 2096, 2621, 3049, 3538, 3634, 4012, 4013, 4016, 4017, 4020, 4021, 4022, 4552, 4555, 5088, 5691, 5766, 6982, 6984, 6986, 7517, 7582, 7783, 7813, 8104

USGS Quad.	Cultural Resources Within One Mile of Project Site	Studies Within 1 Mile
	P-36-11511: historic-period road (adjacent SW) P-36-11512: historic-period road (1/2 mile S) P-36-11513: historic-period road (Adjacent W) P-36-15376: Grapeland Homestead (Encompasses Project Site) P-36-21495: historic-period cobble debris (1/4 mile SE)	

Additional Research. The project site was first privately owned by Albert G Pier as part of a land patent that encompassed the northwest quarter of section 20, Township 1 North, Range 5 West (General Land Office 1892). One residential building was constructed on the project site between 1942 and 1959 (U.S. Army Corps of Engineers 1942; United States Department of Agriculture 1959) and was demolished between 1980 and 1994 (United States Department of Agriculture 1980, 1994). Research did not reveal names of any builders or residents, until 1975 when Lloyd P. Remy, of Los Angeles owned the property (see <https://www.sbcounty.gov/assessor/pims>).

Field Survey

During the field survey, BCR Consulting staff carefully inspected the project site, and identified one historic-period site within its boundaries. Surface visibility was approximately 50 percent within the project site. Ground disturbances were severe and resulted from a variety of natural and artificial factors, including surface erosion and excavation related to adjacent roads, weed abatement, and building construction. Sediments included silty sand with a high concentration of granitic cobbles that covered the project site.

KIM1908-H-1. This site consists of the remnants of a residential complex built between 1942 and 1959 (US Army Corps of Engineers 1942; United States Department of Agriculture 1959). One concrete building foundation, two concrete structure footings, and the foundation of a pumphouse were identified within the site boundaries. No diagnostic artifacts were identified on the surface and a lack of soil accumulation indicates negligible potential for significant buried resources.

SIGNIFICANCE EVALUATION

During the field survey, one historic-period resource was identified. CEQA (PRC Chapter 2.6, Section 21083.2 and CCR Title 145, Chapter 3, Article 5, Section 15064.5) calls for the evaluation and recordation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on Section 15064.5 of the *CEQA Guidelines* and Guidelines for the Nomination of Properties to the California Register. Properties eligible for listing in the California Register and subject to review under CEQA are those meeting the criteria for listing in the California Register, National Register, or designation under a local ordinance.

Significance Criteria

California Register of Historical Resources. The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the U.S.;
2. It is associated with the lives of persons important to local, California, or U.S. history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

California Register Evaluation

The project site occupies a portion of the Grapeland Irrigation District. However, the features recorded post-date that resource considerably and could not be associated with the district or indeed with any specific regional historic context or important events. It is therefore not eligible for the California Register under Criterion 1. Criterion 2: Extensive research has failed to connect the project site with the lives of persons important to local, California, or U.S. history. Criterion 3: The project site and its constituent historic-period features do not represent the work of an important creative individual or possess high artistic values. Criterion 4: The features identified have not and are not likely to yield information important in prehistory or history and are therefore not eligible for listing under Criterion 4. The subject property and its historic-age features are therefore recommended not eligible under any of the four criteria for listing in the California Register, and as such are not recommended historical resources under CEQA.

City Designation Evaluation

Research has not indicated that any of these resources have been previously designated as, or meet criteria for, City Historical Designation (City of Fontana 2018).

RECOMMENDATIONS

BCR Consulting conducted a Cultural Resources Assessment of the proposed project, pursuant to CEQA. BCR Consulting archaeologists identified the remnants of a post-World War II residential complex, consisting of several concrete foundations and footings. It is temporarily designated KIM1908-H-1 and has been documented on Department of Park and Recreation (DPR) 523 forms. It is not recommended eligible for listing in the California Register of Historical Resources, and as such is not recommended a "historical resource" under CEQA. Therefore, no significant impacts related to archaeological or historical resources is anticipated and no further investigations or monitoring are recommended for the proposed project unless:

- the proposed project is changed to include areas not subject to this study;

- the proposed project is changed to include the construction of additional facilities;
- cultural materials are encountered during project activities.

Although the current study has not indicated sensitivity for cultural resources within the project boundaries, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology (qualified archaeologist) should be retained to assess the significance of the find. The qualified archaeologist would have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing in the California Register of Historical Resources or the National Register of Historic Places, plans for the treatment, evaluation, and mitigation of impacts to the find would be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;
- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks.

If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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APPENDIX A
PROJECT PHOTOGRAPHS



Photo 1: Project Site Overview (View Northeast)



Photo 2: Project Site Overview (View South)

APPENDIX B

DEPARTMENT OF PARK AND RECREATION 523 FORMS

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 2

*Resource Name or #: KIM1908-H-1

*P2. Location: Not for Publication Unrestricted

*a. County: San Bernardino

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Devore

Date: 1988

T 1N; R 5W; SW ¼ of NW ¼ of Sec 20; SB B.M.

c. Address: N/A

City: Fontana

Zip: 92335

d. UTM: Zone: 11; 459894 mE/ 3779828 mN (SW Corner of Feature 1); (G.P.S.; NAD83)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation: 1750 AMSL.

From the intersection of Casa Grande Dr and Sierra Ave the northwestmost foundation is approximately 420 feet northeast.

*P3a. **Description:** (Describe resource and major elements: design, materials, condition, alterations, size, setting, and boundaries) This site consists of the remnants of a residential complex built between 1942 and 1959 (US Army Corps of Engineers 1942; United States Department of Agriculture 1959). There is one concrete building foundation (Feature 1), two structure footings (Features 2 and 3), and the foundation of a pumphouse (Feature 4) within the site boundaries. Feature 1 measures approximately 46 feet (east to west) by 70 feet (north to south). Feature 2, about 140 feet southwest of Feature 1, is a rectangular concrete footing measuring approximately 50 feet (east to west) by 15 feet (north to south). Feature 3, about 100 feet southeast of Feature 1, is a structure footing that measures 50 feet (east to west) by 12 feet (north to south). Feature 4 is a well-pump foundation measuring eight by eight feet. No diagnostic artifacts were identified on the surface and a lack of soil accumulation indicates negligible potential for significant buried resources. The site was first privately owned by Albert G Pier as part of a land patent that encompassed the northwest quarter of section 20, Township 1 North, Range 5 West (General Land Office 1892). There is no evidence that Mr. Pier ever improved the property. One residential building was constructed on the site between 1942 and 1959 (U.S. Army Corps of Engineers 1942; United States Department of Agriculture 1959) and was demolished between 1980 and 1994 (United States Department of Agriculture 1980, 1994). County Records did not reveal names of any builders or residents, until 1975 when Lloyd P. Remy owned the property (see <https://www.sbcounty.gov/assessor/pims>).

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*P3b. **Resource Attributes:** (List attributes and codes) HP2. Single family property HP4. AH2. Foundations / structure pads

*P4. **Resources Present:** Building Structure Object Site District Element of District Other

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo:
(View, date, accession #)
Photo 1: Site Overview (View East)

*P6. **Date Constructed/Age:**
 Historic Prehistoric Both

*P7. **Owner and Address:**
Kimley-Horn
3880 Lemon Street, #420
Riverside, California 92501

*P8. **Recorded by:**
N. Shepetuk
BCR Consulting LLC
505 W. 8th Street
Claremont, CA 91711

*P9. **Date Recorded:** 06/24/19

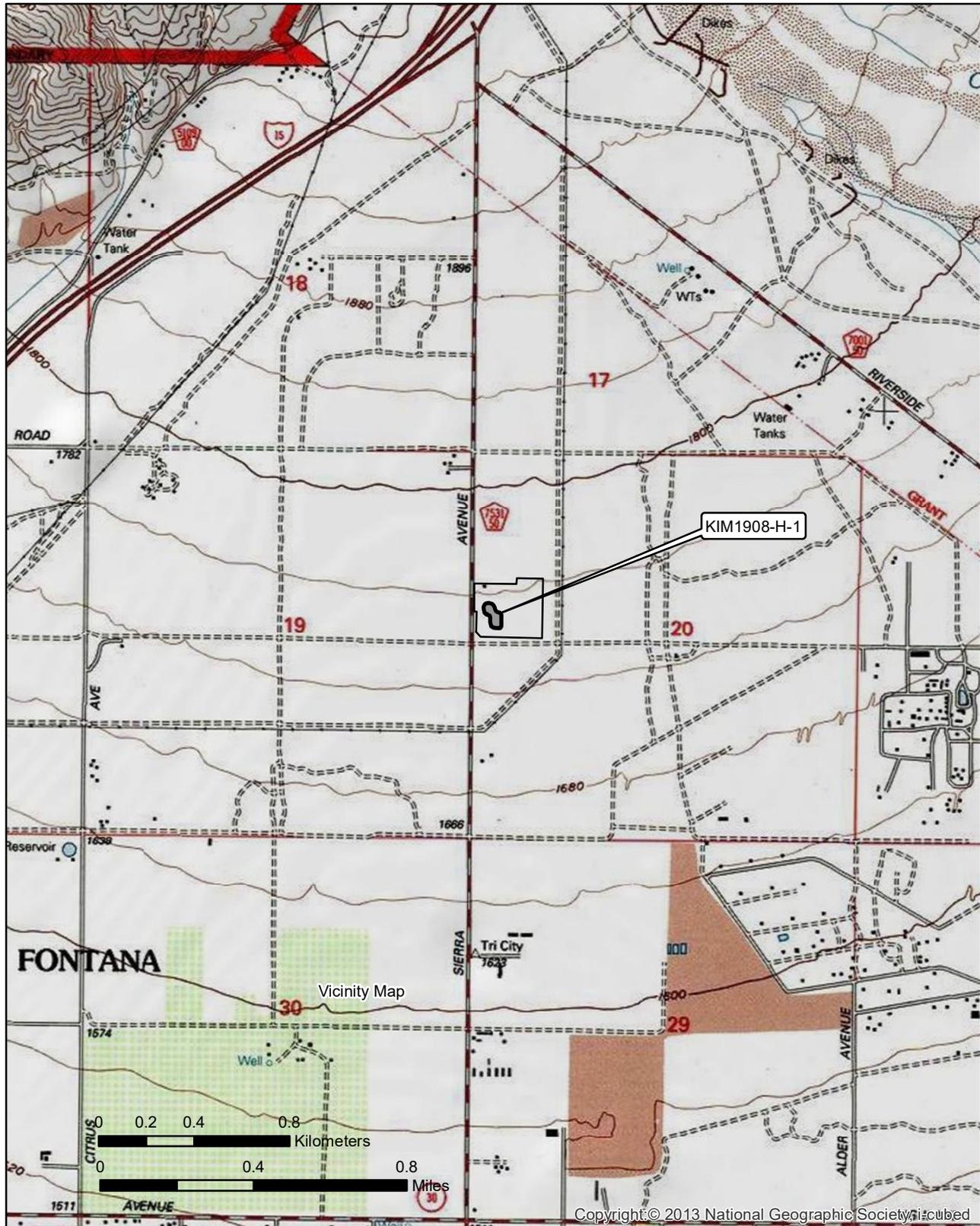
*P10. **Survey Type:** Intensive

*P11. **Report Citation:** (Cite survey report and other sources, or enter "none.") *Cultural Resources Assessment Sierra and Casa Grande General Plan and Zone Change Project, Fontana, San Bernardino County, California.* BCR Consulting.

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

*Map Name: Devore, California

*Scale:1:24,000 *Date of Map:1988



APPENDIX C

NATIVE AMERICAN HERITAGE COMMISSION COMMUNICATIONS

**Native American Heritage Commission
Native American Contact List
San Bernardino County
7/15/2019**

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

Gabrieleno

**Morongo Band of Mission
Indians**

Robert Martin, Chairperson
12700 Pumarra Rroad
Banning, CA, 92220
Phone: (951) 849 - 8807
Fax: (951) 922-8146
dtorres@morongo-nsn.gov

Cahuilla
Serrano

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTRibalcouncil@aol.com

Gabrieleno

**San Fernando Band of Mission
Indians**

Donna Yocum, Chairperson
P.O. Box 221838
Newhall, CA, 91322
Phone: (503) 539 - 0933
Fax: (503) 574-3308
ddyocum@comcast.net

Kitanemuk
Vanyume
Tataviam

Gabrielino /Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

Gabrielino

**San Manuel Band of Mission
Indians**

Lee Clauss, Director of Cultural
Resources
26569 Community Center Drive
Highland, CA, 92346
Phone: (909) 864 - 8933
Fax: (909) 864-3370
lclauss@sanmanuel-nsn.gov

Serrano

**Gabrielino Tongva Indians of
California Tribal Council**

Robert Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino

**Serrano Nation of Mission
Indians**

Wayne Walker, Co-Chairperson
P. O. Box 343
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Phone: (253) 370 - 0167
serranonation1@gmail.com

Serrano

Gabrielino-Tongva Tribe

Charles Alvarez,
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roadkingcharles@aol.com

Gabrielino

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Serrano

**Morongo Band of Mission
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Denisa Torres, Cultural Resources
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Banning, CA, 92220
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dtorres@morongo-nsn.gov

Cahuilla
Serrano

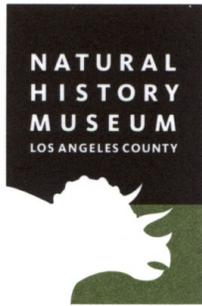
This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Sierra and Casa Grande General Plan and Zone Change Project, San Bernardino County.

APPENDIX D
PALEONTOLOGICAL OVERVIEW

Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org



Vertebrate Paleontology Section
Telephone: (213) 763-3325

e-mail: smcleod@nhm.org

8 July 2019

BCR Consulting
505 West 8th Street
Claremont, CA 91711

Attn: Nicholas Shepetuk, Staff Archaeologist

re: Paleontological resources for the Vertebrate Paleontology Records Search for the proposed Sierra and Casa Grande General Plan and Zone Change Project, in the City of Fontana, San Bernardino County, project area

Dear Nicholas:

I have conducted a thorough check of our paleontology collection records for the locality and specimen data for the proposed Sierra and Casa Grande General Plan and Zone Change Project, in the City of Fontana, San Bernardino County, project area as outlined on the portion of the Devore USGS topographic quadrangle map that you sent to me via e-mail on 24 June 2019. We do not have any vertebrate fossil localities that lie directly within the proposed project area boundaries, but we do have localities farther afield that occur in sedimentary deposits similar to those that may occur at depth in the proposed project area.

In the entire proposed project area the surficial sediments are composed of younger Quaternary Alluvium, derived broadly as alluvial fan deposits from the San Gabriel Mountains to the north via Lytle Creek that currently flows to the north and east. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, but they may contain pockets of finer-grained sediments, particularly at depth, that may well contain significant vertebrate fossil remains. Our closest vertebrate fossil locality from somewhat similar basin deposits is LACM 7811, quite to the south-southwest of the proposed project area in the Jurupa Valley north of Norco, that produced a fossil specimen of whipsnake, *Masticophis*, at a depth of 9 to 11 feet below the surface. Our next closest fossil vertebrate locality from somewhat similar

Quaternary deposits is LACM 1207, south-southwest of the proposed project area between Corona and Norco, that produced a fossil specimen of deer, *Odocoileus*.

Shallow excavations in the younger Quaternary alluvial fan deposits exposed throughout the proposed project area are unlikely to encounter significant vertebrate fossils. Deeper excavations in the proposed project area that extend down into older finer-grained Quaternary deposits, however, may well encounter significant remains of fossil vertebrates. Any substantial excavations in the proposed project area, therefore, should be monitored closely to quickly and professionally recover any fossil remains while not impeding development. Sediment samples should also be collected from the finer-grained deposits in the proposed project area and processed to determine their small fossil potential. Any fossils collected should be placed in an accredited scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,

A handwritten signature in cursive script that reads "Samuel A. McLeod".

Samuel A. McLeod, Ph.D.
Vertebrate Paleontology

enclosure: invoice



April 15, 2020

Kari Cano
Kimley-Horn
3880 Lemon Street, Suite 420
Riverside, California 92501

Subject: Cultural Resources Investigation of the Sierra/Casa Grande Project, Fontana, San Bernardino County, California (BCR Consulting Project KIM2001)

Dear Kari:

BCR Consulting LLC (BCR Consulting) was retained by Kimley-Horn to complete a cultural resources investigation of the Sierra-Casa Grande Project (project) located in the City of Fontana, San Bernardino County, California. The project consists of two properties located in Sections 5 and 8 of Township 1 South, Range 5 West, San Bernardino Baseline and Meridian, in the City of Fontana. They are depicted on the Sierra/Casa Grande Exhibit 1: Replacement Sites (Attachment B). The purpose of this study is to illustrate potential for development constraints associated with the presence of and/or potential for cultural resources within the project boundaries. It is not intended to provide regulatory compliance.

Cultural Resources Records Search

BCR Consulting Archaeological Crew Chief Joseph Orozco, M.A., RPA conducted the cultural resources records search at the South-Central Coastal Information Center (SCCIC) at California State University, Fullerton. The records search included a review of all recorded historic and prehistoric archaeological sites, as well as built environment resources within one mile of the project sites. The research also reviewed known cultural resource reports completed in the vicinity. The research revealed that 17 cultural resource studies have taken place resulting in 17 cultural resources recorded within one mile of the project sites. The project sites have not been subject to previous cultural resource assessments. The records search results are summarized in Table A.

Table A. Records Search Results (One-Mile Radius)

USGS Quad	Cultural Resources	Cultural Resource Reports
<i>Fontana,, Calif. (1980)</i>	P-36-002910: National Old Trails Highway P-36-010658: Historic-Period Foundation P-36-010660: Hist.-Period Foundation/Refuse P-36-010909: Hist.-Period Foundation/Refuse P-36-015287: A.B. Miller Community Park P-36-015309: Boyle House P-36-015312: McGregor House P-36-015375: Fontana Women’s Club House P-36-015377: Fontana Community Church P-36-015399: Fontana Company Tract Office	SB-00060, 02621, 03177, 04250, 04253, 04256, 04536, 05640, 05642, 06535, 06787, 06914, 07086, 07202, 07867, 08103, 08235

USGS Quad	Cultural Resources	Cultural Resource Reports
	P-36-015497: Base Line Road P-36-020337: Fontana Senior High School P-36-020649: Historic-Period Residence P-36-026708: Historic-Period Residence P-36-029863: Historic-Period Refuse P-36-029864: Historic-Period Foundation P-36-029865: Historic-Period Refuse	

BCR Consulting Staff Historian Dylan Williams reviewed San Bernardino County assessor records and aerial photos (www.historicaerials.com) to identify any historic-period (i.e. over 45 years old) buildings located the project sites. A total of 21 parcels contain buildings. Fifteen (15) historic-period residences were identified within 14 of the parcels, and the remaining seven parcels contain buildings that are not historic-period. The results of this review are summarized in Table B.

Table B. Buildings within Project Site

Assessor Parcel Number and Address	Status of Building(s) and Construction Date
APN: 019018109 – 16974 Malaga St	1 SFR, possibly 1 ancillary structure (shed) near north end of property; SB County build date: 1943
APN: 019018110 – 16982 Malaga St	1 SFR, 1 ancillary structure (not a garage) north of the SFR; SB County build date: 1927
APN: 019018111 – 16994 Malaga St	1 SFR, 1 detached garage structure; SB County build date: 1946
APN: 019018112 – 17002 Malaga St	1 SFR, 1 detached garage structure, possibly 1 additional ancillary structure immediately north of the garage; SB County build date: 1945
APN: 019018113 – 17012 Malaga St	1 SFR with attached (single) garage; SB County build date: 1925 (Effective year: 1946)
APN: 019018114 – 17022 Malaga St	1 SFR, 1 detached garage structure; SB County build date: 1989
APN: 019018126 – 17032 Malaga St	1 SFR; SB County build date: 1946 (Effective year: 1988)
APN: 019018125 – 17042 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1980)
APN: 019018124 – 17052 Malaga St	1 SFR, 1 ancillary structure behind the SFR; SB County build date: 1988
APN: 019018123 – 17062 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1980)
APN: 019018127 – 17070 Malaga St	1 SFR, possibly 1 ancillary structure (shed) north of the SFR; SB County build date: 1978
APN: 019018129 – 17080 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1982*)
APN: 019018128 – 7830 Mango Ave	1 SFR; SB County build date: 1979

Assessor Parcel Number and Address	Status of Building(s) and Construction Date
APN: 019018116 – 7808 Mango Ave	2 SFRs (SFR 1 and SFR 2), possibly 1 ancillary structure located immediately east of SFR 1; SB County build date for SFR 1: 1930; SB County build date for SFR 2: 1927
APN: 019222107 – 8527 Palmetto Ave	1 SFR; SB County build date: 1936
APN: 019222106 – 8552 Palmetto Ave	1 SFR; SB County build date: 1923
APN: 019222106 – 8553 Palmetto Ave	1 SFR; SB County build date: 1946
APN: 019222144 – 8565 & 8567 Palmetto Ave	1 MFR; SB County build date not specified; historic aerial photographs indicate pre-1966 build date
APN: 019222144 – 8571 Palmetto Ave	1 SFR; SB County build date not specified; historic aerial photographs indicate pre-1953 build date
APN: 019222144 – 8573 Palmetto Ave	1 SFR; SB County build date not specified; historic aerial photographs indicate pre-1953 build date
APN: 019222132 – 8587 Palmetto Ave	1 Church building; SB County build date: 1958

SFR=Single Family Residence
MFR=Multiple Family Residence
SB=San Bernardino

Pedestrian Field Survey

BCR Consulting Staff Historian Dylan Williams conducted a reconnaissance mixed windshield and pedestrian inventory of the project sites on April 8, 2020. The windshield survey involved inspection of developed and landscaped portions of the project sites by vehicle. Where exposed soils were visible and access was permissible, the project site was inspected on foot at fifteen-meter transect intervals. All exposed soils were carefully inspected for cultural remains. 16982 Malaga Street, 17022 Malaga Street, 7808 Mango Avenue, and 8571 Palmetto Avenue were inaccessible and therefore not subject to pedestrian inventory. The remaining properties containing buildings were photographed (see Attachment B). The project site is highly disturbed by modern residential developments and landscaping.

Summary and Recommendations

As noted above, the project sites have not been subject to previous cultural resources assessment/inventory, and 15 historic-period architectural resources have been identified. Based on these results, for any proposed project that requires compliance with the California Environmental Quality Act (CEQA), BCR Consulting recommends a full cultural resource assessment, including a summary of the current records search, additional archival research, a cultural resources pedestrian inventory, Native American Consultation (as required by the lead agency), and completion of a cultural resources technical report. The assessment should be performed under the supervision of a cultural resource professional that meets the Secretary of the Interior’s Professional Qualification Standards for Archaeology and for Architectural History. Historic-period buildings would require eligibility evaluations for listing in the California Register of Historical Resources (i.e. significance under CEQA). The following elements are required in historical evaluations:

- Site visit with photography of all exterior elevations and setting

- Location map (unless the property is on a small parcel easily located by address)
- Detailed property description including architectural description of building/s
- Land-use history of property (to uncover potential associations with historic events or persons)
- Local historic context (to provide a framework for evaluation)
- Evaluation of the property under California Register Significance criteria
- Integrity assessment

The Department of Park and Recreation (DPR) 523 form is the basic tool for CEQA evaluation as established by the California Office of Historic Preservation (OHP) March 1995 "Instructions for Recording Historical Resources." The minimum level of documentation for inclusion in the OHP archive is the Primary Record (first page of the DPR 523 form) and a location map. The Primary Record merely provides recordation without evaluation; a resource evaluation requires the Primary Record; Building, Structure, and Object Record; and Continuation Sheets.

If human remains are encountered during activities associated with the proposed project, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

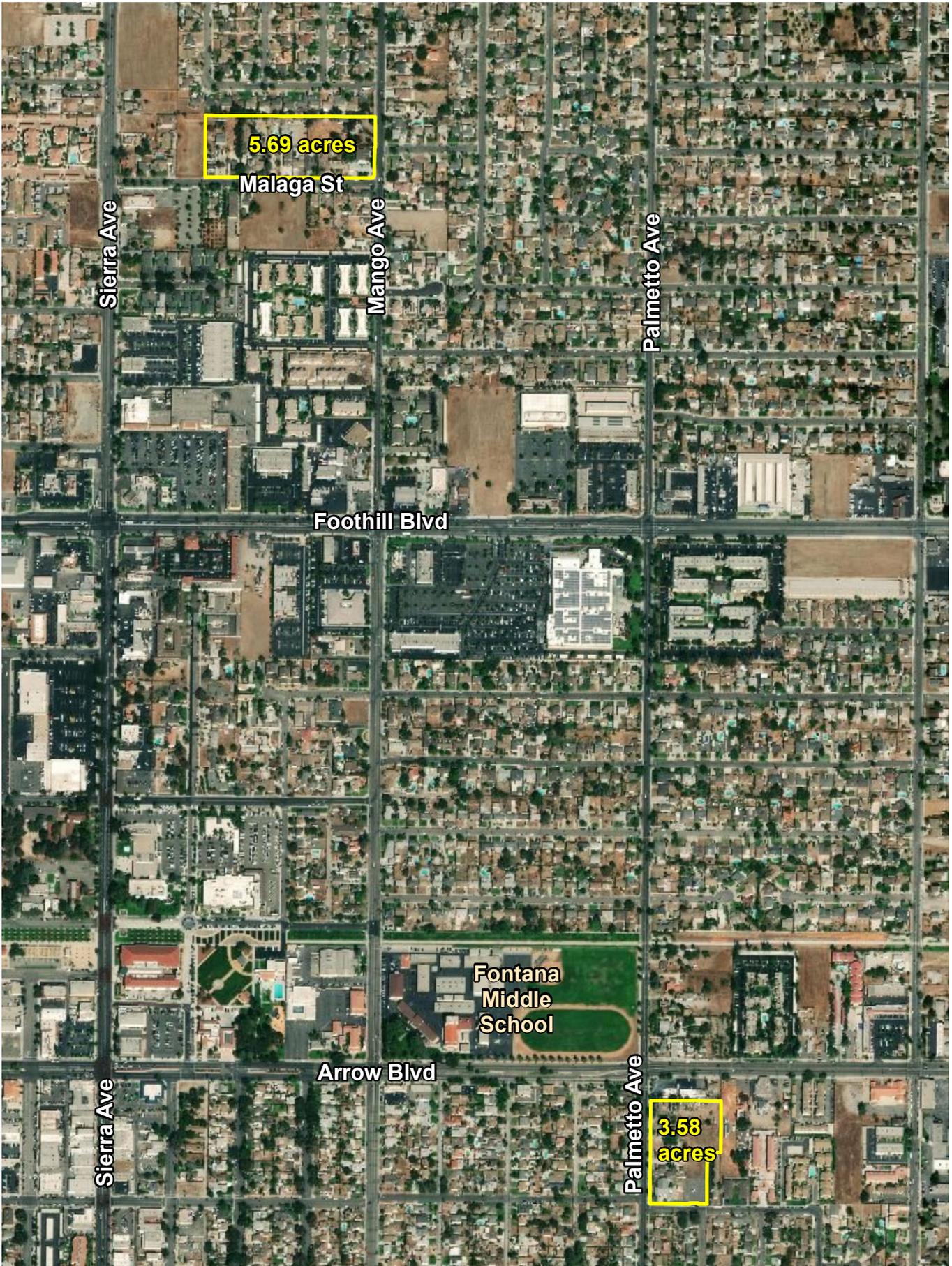
Please contact me by phone at 909/525-7078 or e-mail at david.brunzell@yahoo.com with any questions or comments.

Sincerely,



David Brunzell, M.A./RPA
Principal Investigator/Archaeologist

Attachments: Project Exhibit, Photographic Documentation



Source:

K:\RIV_PLAN\094940115 - Fontana Sierra and Casa Grande EIR\Technical Studies\GIS\mxd\Replacement Sites.mxd

EXHIBIT 1: Replacement Sites
Sierra/Casa Grande



Kimley»Horn



Photo 1: First residence at 7808 Mango Avenue (built 1930); View – West



Photo 2: First residence at 7808 Mango Avenue (built 1930) with obscured view of the second residence on the property in the distance (built 1927); View – West



Photo 3: Residence at 7830 Mango Avenue (built 1979); View – Southwest



Photo 4: Residence at 17080 Malaga Street (built 1979); View – Northeast



Photo 5: Residence at 17070 Malaga Street (built 1978); View – Northeast.



Photo 6: Residence at 17062 Malaga Street (built 1980); View – North.



Photo 7: Residence at 17052 Malaga Street (built 1988); View – Northwest.



Photo 8: Residence at 17042 Malaga Street (built 1979); View – North.



Photo 9: Residence at 17032 Malaga Street (built 1946); View – Northwest.



Photo 10: Residence at 17022 Malaga Street (built 1989), not permitted to access for view of the residence; View – Northwest.



Photo 11: Residence at 17012 Malaga Street (built 1925); View – Northwest.



Photo 11: Residence at 17002 Malaga Street (built 1945); View – Northwest.



Photo 13: Residence at 16994 Malaga Street (built 1946); View – Northeast.



Photo 14: Residence at 16982 Malaga Street (built 1927), inaccessible; View – North.



Photo 15: Residence at 16974 Malaga Street (built 1943); View – Northwest.



Photo 16: Church building at 8587 Palmetto Avenue (built 1958); View – Northeast.



Photo 17: Residence at 8573 Palmetto Avenue (built pre-1953); View – Southeast.



Photo 17: Residences at 8565 and 8567 Palmetto Avenue (built pre-1966); View – Southeast.



Photo 18: Residence at 8553 Palmetto Avenue (built 1946); View – East.



Photo 19: Residence at 8552 Palmetto Avenue (built 1923); View – Southeast.



Photo 20: Residence at 8527 Palmetto Avenue (built 1936); View – Southeast.



Gabrieleno Band of Mission Indians – Kizh Nation

Protection of Tribal Cultural Resources (TCRs)

Most Important Things for Agencies to Know About AB52:

- An EIR, MND, or ND can not be certified until AB-52 tribal consultation has concluded.
- Agreed mitigation measures with the tribe, **MUST** be recommended for inclusion in the environmental document.
- Signature confirming acceptance of these mitigation measures recommended by our Tribal Government is required within 14 days of receipt to conclude AB52 consultation.

Tribal Cultural Resources Mitigation Measures within Kizh Nation Tribal Territory:

Note: To avoid compliance issues with the following laws, all Native American Monitoring shall be conducted by a documented lineal descendant from the ancestral Tribe of the project area (NAGPRA Law 10.14)

- The Native American Graves Protection and Repatriation Act (NAGPRA), Public Law-101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048.
- CEQA Guidelines Section 15064.5, PRC 5097.98 (d)(1).
- The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

If you are receiving these measures, The Gabrieleno Band of Mission Indians Kizh -Nation are the direct lineal descendants of your project area. The Kizh Nation ONLY responds and consults on projects within their ANCESTRAL tribal territory. Therefore, to remain in compliance with above referenced laws and to enable our Tribe with the ability to protect and preserve our last remaining and irreplaceable Tribal Cultural Resources, it is recommended that the project applicant retain a qualified professional tribal monitor/consultant from the Gabrieleno Band of Mission Indians Kizh -Nation. The Kizh Nation possesses Tribal archives including documented historical information as well as multiple members who possess unique knowledge derived from oral tradition passed down through generations of the Tribe in order to provide the expertise needed to identify whether a project is located within a culturally sensitive area given its proximity to village areas, commerce areas, recreation areas, ceremonial areas, and burial locations.

Native American Heritage Commission (NAHC) Guidelines for Native American Monitors/Consultants

(approved 9/13/05): By acting as a liaison between Native American, archaeologist, developers, contactors and public agency, a Native American monitor/consultant can ensure that cultural features are treated appropriately from the Native American point of view. This can help others involved in a project to coordinate mitigation measures. These guidelines are intended to provide prospective monitors/consultants, and people who hire monitors/consultants, with an understanding of the scope and extent of knowledge that should be expected.

Mitigation Guidelines for Tribal Cultural Resources (TCRs): CEQA now defines TCRs as an independent element separate from archaeological resources. Environmental documents shall address a separate Tribal Cultural Resources section that includes a thorough analysis of the impacts to only TCRs and includes separate and independent mitigation measures created with tribal input under AB-52 consultations. Therefore, all agreements, mitigation, and conditions of approval regarding TCRs shall be handled solely with the Tribal Government and conversely all agreements, mitigation, and conditions of approval regarding Archaeological Resources shall be handled by an Archaeological resource company.



MITIGATION MEASURES

Retain a Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and

Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

Unanticipated Discovery of Human Remains and Associated Funerary Objects:

Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.



Resource Assessment & Continuation of Work Protocol:

Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

Kizh-Gabrieleno Procedures for burials and funerary remains:

If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

Treatment Measures:

Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.



Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

Acceptance of Tribal Government Recommended Mitigation Measures:

By _____
Lead Agency Representative Signature

Date: _____

Revised: August 2018



Attachment A

Kizh Nation Ancestral Tribal Territory extended along the coast from Malibu Creek in Los Angeles County down to Aliso Creek in Orange County and encompassed the Channel Islands of Catalina (Pimugna), San Nicolas (Haraasnga), and San Clemente (Kiinkenga). Our inland border was the San Gabriel Mountains (Hidakupa) and eastwardly our territory extended to parts of San Bernardino (Waatsngna), Orange, and Riverside counties.

