

## 5. Environmental Analysis

### 5.5 CULTURAL RESOURCES

Cultural resources include places, objects, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. This section of the draft environmental impact report (DEIR) evaluates the potential for implementation of the Rancho San Gorgonio Specific Plan to impact cultural resources in the City of Banning and its Sphere of Influence (SOI). The analysis in this section is based, in part, upon the following information:

- *Cultural Resources Assessment Rancho San Gorgonio Planned Community Project, City of Banning, Riverside County, California*, BCR Consulting, June 13, 2015.

A complete copy of this study is included in the Technical Appendices of this Draft EIR (Volume II, Appendix F)

Two individuals had verbal comments during the scoping meeting addressing cultural resources. One commenter stated that Morongo Band of Mission Indians should be notified of the proposed project because the tribe owns land east and southeast of the project site. Native American consultation was conducted per Senate Bill 18 and the project applicant consulted with the Morongo Band of Mission Indians. Additional details regarding the consultation are provided below in Section 5.5.1.3 under 'Native American Consultation.'

Another commenter stated that there are historic cattle watering holes onsite. A field survey and records search was conducted as part of the cultural resource assessment. Historic resources found or known to be located onsite are detailed under 'Field Survey' and 'Records Search' under Section 5.5.1.3.

#### 5.5.1 Environmental Setting

##### 5.5.1.1 REGULATORY BACKGROUND

###### Federal

###### *National Historic Preservation Act*

The National Historic Preservation Act (NHPA) of 1966 is the primary federal law governing the preservation of cultural and historic resources in the United States. The law establishes a national preservation program and a system of procedural protections that encourage the identification and protection of cultural and historic resources of national, state, tribal, and local significance. Primary components of the NHPA include:

- Articulation of a national policy governing the protection of historic and cultural resources.
- Establishment of a comprehensive program for identifying historic and cultural resources for listing in the National Register of Historic Places.

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- Creation of a federal-state/tribal-local partnership for implementing programs established by the act.
- Requirement that under Section 106 (Protection of Historic Properties) of the NHPA, federal agencies take into consideration actions that could adversely affect historic properties listed or eligible for listing on the National Register of Historic Places, known as the Section 106 Review Process.<sup>1</sup>
- Establishment of the Advisory Council on Historic Preservation, which oversees federal agency responsibilities governing the Section 106 Review Process.
- Placement of specific stewardship responsibilities on federal agencies for historic properties owned or within their control (Section 110 of the NHPA).

#### *National Register of Historic Places*

The National Register of Historic Places (National Register) is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture. The National Register recognizes resources of local, state, and national significance that have been documented and evaluated according to uniform standards and criteria. Authorized under the NHPA, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. The National Register is administered by the National Park Service, which is part of the US Department of the Interior.

To be eligible for listing in the National Register, a resource must meet at least one of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of our history.
- Is associated with the lives of persons significant in our past.
- Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- Has yielded, or may be likely to yield, information important in history or prehistory.

#### *Archaeological Resources Protection Act*

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites that are on federal and Indian lands.

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<sup>1</sup> Section 106 Review is designed to ensure that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process with assistance from state historic preservation offices.

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### *Native American Graves Protection and Repatriation Act*

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

### **State**

#### *California Public Resources Code*

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code. In addition, cultural and paleontological resources are recognized as nonrenewable resources and therefore receive protection under the California Public Resources Code and CEQA.

- **California Public Resources Code 5020–5029.5** continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.
- **California Public Resources Code 5079–5079.65** defines the functions and duties of the Office of Historic Preservation (OHP). The OHP is responsible for the administration of federal- and state-mandated historic preservation programs in California and the California Heritage Fund.
- **California Public Resources Code 5097.9–5097.991** provides protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the Native American Heritage Commission (NAHC). It also requires notification of discoveries of Native American human remains to descendants and provides for treatment and disposition of human remains and associated grave goods.

#### *California Register of Historic Resources*

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register of Historic Resources (California Register) is the authoritative guide to the state's significant historical and archeological resources. It encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

To be eligible for listing in the California Register, a resource must meet at least one of the following criteria:

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- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- Associated with the lives of persons important to local, California, or national history.
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.
- 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 having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired or significant individuals made important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. Simply, resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if, under the fourth criterion, it maintains the potential to yield significant scientific or historical information or specific data.

#### *California Senate Bill 18 and Assembly Bill 52*

Existing law provides limited protection for Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places. These places may include sanctified cemeteries, religious or ceremonial sites, shrines, burial grounds, prehistoric ruins, archaeological or historic sites, Native American rock art inscriptions, or features of Native American historic, cultural, and sacred sites.

**Senate Bill 18:** This bill on Traditional Tribal Cultural Places (TTCP) was signed into law in September 2004 and went into effect on March 1, 2005. It placed new requirements upon local governments for developments within or near TTCP. SB 18 requires local jurisdictions to provide opportunities for involvement of California Native Americans tribes in the land planning process for the purpose of preserving TTCP. The Final Tribal Guidelines recommends that the NAHC provide written information as soon as possible, but no later than 30 days after the lead agency submits a request, to inform the lead agency if the proposed project is determined to be in proximity to a TTCP, and another 90 days for tribes to respond to a local government if they want to consult with the local government to determine whether the project would have an adverse impact on the TTCP. There is no statutory limit on the consultation duration. Forty-five days before the action is publicly considered by the local government council, the local government refers action to agencies, following the CEQA public review time frame. The CEQA public distribution list may include tribes listed by the NAHC who have requested consultation or it may not. If the NAHC, the tribe, and interested parties agree upon the mitigation measures necessary for the proposed project, they would be included in the project's EIR. If the

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local agency and the tribe disagree on adequate mitigation or preservation, neither party is obligated to take action.

SB 18 instituted a process that requires a city or county to consult with the NAHC and any appropriate Native American tribe for the purpose of preserving relevant TTCP prior to the adoption, revision, amendment, or update of a city's or county's general plan. SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans; however, the Final Tribal Guidelines advise that SB 18 requirements extend to specific plans as well, because state planning law requires local governments to use the same process for amendment or adoption of specific plans as general plans (defined in Government Code § 65453). In addition, SB 18 provides a new definition of TTCP requiring a traditional association of the site with Native American traditional beliefs, cultural practices, or ceremonies, or the site must be shown to actually have been used for activities related to traditional beliefs, cultural practices, or ceremonies. Previously, the site was defined to require only an association with traditional beliefs, practices, lifeways, and ceremonial activities. In addition, SB 18 also amended Civil Code Section 815.3 and adds California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

**Assembly Bill 52:** Assembly Bill 52 (AB 52) took effect July 1, 2015, and requires inclusion of a new section in CEQA documents titled Tribal Cultural Resources (TCR), which include heritage sites, for projects where the Notice of Preparation or notice of intent to adopt a Negative Declaration or Mitigated Negative Declaration is filed on or after this date. Similar to SB 18, AB 52 requires consultation with tribes at an early stage to determine whether the project would have an adverse impact on the TCR and mitigation to protect them. Because the Notice of Preparation for the Rancho San Gorgonio Specific Plan was released on April 20, 2015, AB 52 does not apply to this project.

### Local

#### *City of Banning Municipal Code*

The City of Banning Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's general plan and proposed development projects. The following provision addresses cultural resources:

- **Section 17.24.070 (Environmental resources/constraints).** Requires all development proposals to be reviewed for compliance with the California Environmental Quality Act (CEQA). The project proponent may be required to submit specialized studies, including biological resources, cultural resources, geotechnical hazards, hydrology, noise, and traffic, to determine the project's environmental effects.

### 5.5.1.2 STUDY METHODOLOGY

The cultural resources assessment was completed pursuant to CEQA and CCR Title 14, Chapter 3, Article 5, Section 15064.5. The study was intended to determine whether cultural resources are located within the project site, whether any cultural resources are significant pursuant to the above-referenced regulations and

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standards, and to develop specific mitigation measures that would address potential impacts to existing or potential resources. Tasks pursued to achieve that end include:

- Sacred Lands File Search through the Native American Heritage Commission (NAHC) and sending consultation letters to recommended tribes and individuals.
- Vertebrate paleontology resources report through Dr. Samuel McLeod of the Natural History Museum of Los Angeles County.
- Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one-mile radius of the project site.
- Additional research through various local and regional resources.
- Systematic pedestrian survey of the entire project site.
- National Register and California Register eligibility recommendations for any cultural resources discovered.
- Development of recommendations and mitigation measures for any cultural resources documented within the project site.
- Completion of Department of Park and Recreation (DPR) 523 forms for any discovered cultural resources.

### Research

Prior to fieldwork, BCR Consulting conducted a cultural resources records search at the Eastern Information Center. This research included a review of all prerecorded historic and prehistoric cultural resources and review of known cultural resources surveys and excavation reports for projects within one mile of the project site. In addition, the National Register, the California Register, and documents and inventories from the OHP were reviewed, including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Additional sources consulted were the University of California, Riverside, Science Library's map collection, records of the Bureau of Land Management, and Riverside County internet resources.

### Native American Consultation

BCR Consulting initiated a Sacred Lands File Search with the NAHC followed by communications with recommended tribes and individuals. The Sacred Lands File Search revealed no Native American cultural resources within one-half mile of the project site. The NAHC provided a list of potentially concerned tribes and individuals to be contacted regarding the current project. BCR Consulting sent letters and emails to those groups and individuals to document any concerns.

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### Field Survey

An intensive cultural resources field survey of the project site was conducted between March 18 and April 8, 2013. The survey was conducted by walking parallel transects (15 meters apart) across the entire project site, where accessible. This survey was intended to locate and document previously recorded or new cultural resources, including archaeological sites, features, isolates, and historic buildings, that exceed 45 years in age. Cultural resources were recorded per the California OHP Instructions for Recording Historical Resources in the field using detailed note taking for entry on DPR Forms. Sites were plotted using hand-held Garmin Global Positioning System devices. Digital photographs were also taken at various points on the project site.

#### 5.5.1.3 EXISTING CONDITIONS

##### Natural Setting

The elevation of the project site ranges from approximately 2,215 to 2,402 feet above mean sea level. The property was historically and is currently used for ranching and has been subject to excavations and disturbances related to water diversion and retention, highway construction, livestock trampling, and adjacent residential developments. Local rainfall ranges from 5 to 15 inches annually, including occasional snowfall during the winter. The project site exhibits gentle slopes upwards to the west that generally convey runoff in a southeasterly direction via sheet wash, various small drainages, and three intermittent drainages: Pershing Creek, Montgomery Creek, and Smith Creek. These drainages eventually join the San Gorgonio River on its southeasterly path to the Colorado Desert.

The project site is in landslide deposits of the San Gorgonio Pass, which were locally formed along the Central and Banning Barrier Faults. The San Bernardino Mountains of the Transverse Range geologic province to the north and the San Jacinto Mountains of the Peninsular Range geologic province to the south straddle the pass and are visible from the project site. Each of the adjacent mountain ranges are over 11,000 feet above mean sea level and are composed of Jurassic and Cretaceous granitic rocks, which have intruded and metamorphosed older rocks. Finer local sediments range in age from late Miocene, Pliocene, Pleistocene, and Holocene. Landslide deposits of the Peninsular Range dominate sediments in the project site. Less common in the project site are undisturbed Peninsular Range sediments, although prehistoric groups have used granitic boulder outcrops contained in a small concentration of these sediments in the southeastern portion of the project site for vegetal processing.

##### Cultural Setting

###### *Prehistory*

**Paleoindian (12,000 to 10,000 BP [before present]) and Lake Mojave (10,000 to 7,000 BP) Periods.** Climatic warming characterizes the transition from the Paleoindian Period to the Lake Mojave Period. This transition also marks the end of Pleistocene Epoch and ushers in the Holocene Epoch. The Paleoindian Period has been loosely defined by isolated fluted projectile points, dated by their association with similar artifacts discovered in the Great Plains. The Lake Mojave Period has been associated with cultural adaptations to moist conditions including lakes. Artifacts characterizing this period include stemmed points, flake and

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core scrapers, choppers, and hammer stones. Lake Mojave sites commonly occur on shorelines of Pleistocene-EPOCH lakes and streams.

**Pinto Period (7,000 to 4,000 BP).** Southern California became considerably drier during the Pinto Period. As formerly rich lake environments began to disappear, the artifact record reveals increased occupation of drier and cooler regions. Pinto Period sites are rare and usually lack significant *in situ* surface remains. Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex. Milling stones have also occasionally been associated with sites of this period.

**Gypsum Period. (4,000 to 1,500 BP).** A temporary return to moister conditions during the Gypsum Period is thought to have encouraged technological diversification afforded by relatively abundant resources. Lakes reappear and begin to be exploited. Concurrently, a more diverse artifact assemblage—including milling stones, mortars, pestles—reflects greater use of plant resources. Other artifacts include leaf-shaped projectile points, rectangular-base knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes. The bow and arrow appears around 2,000 BP.

**Saratoga Springs Period (1,500 to 800 BP).** During the Saratoga Springs Period regional cultural diversifications of Gypsum Period developments are evident. Obsidian becomes more commonly used throughout southern California, and characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. Large villages show more structured settlement patterns, and three types of identifiable archaeological sites emerge (major habitation, temporary camps, and processing stations). Diversity of resource exploitation continues, indicating a much more generalized, somewhat less mobile subsistence strategy.

**Shoshonean Period (800 BP to Contact).** The Shoshonean period is the first to benefit from contact-era ethnography and is subject to its inherent biases. Interviews of living informants allowed anthropologists to match artifact assemblages and particular traditions with linguistic groups and plot them geographically. During the Shoshonean Period, continued diversification of site assemblages and reduced Anasazi and Yuman influence coincide with the expansion of Numic speakers (Uto-Aztecan language family) across the Great Basin, Takic speakers (also Uto-Aztecan) into southern California, and the Hopi across the Southwest. Hunting and gathering continued to diversify. Ceramics continue to proliferate, though they are more common in the desert during this period. Trade routes had become well established between coastal and inland groups during this period.

#### *Ethnography*

The project site is in an area formerly occupied by the Cahuilla, seminomadic hunter-gatherers who spoke a Takic language. Spanish missionaries first encountered the Cahuilla in the late 18th century. Early written accounts of the Cahuilla are attributed to mission fathers. The territory of the Cahuilla ranges from near the Salton Sea into the San Bernardino Mountains and San Gorgonio Pass. The Cahuilla are generally divided into three groups: Desert Cahuilla, Mountain Cahuilla, and Western Cahuilla. Cahuilla territory lies within the geographic center of Southern California, and the Cocopa-Maricopa Trail, a major prehistoric trade route, ran through it. The Cahuilla share a common tradition with Gabrielino, Serrano, and Luiseno, with whom they shared tribal boundaries to the west, north, and southwest, respectively. The Cahuilla placed their villages next



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to reliable water sources. Subsistence was based on a combination of hunting, gathering, and a sort of proto-agriculture that produced corn, beans, squash, and melons. The diverse habitat of the Cahuilla allowed significant yields of their most important staples, which included acorns from six varieties of oak, piñon nuts, screw bean mesquite, and various cacti.

### *History*

In southern California, the historic era 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). These periods are each represented in the history of the San Gorgonio Pass, summarized below.

### *San Gorgonio Pass*

The San Gorgonio Pass has always been a vital connection between southern California's desert and the less arid interior and coast. Originally a Native American trade route, the pass was eventually occupied by Spanish ranchers living on the western frontier of lands administered by Mission San Gabriel. The region also served as a base from which Native Americans and Spaniards annually traveled from the mission to the Salton Sea flat to gather salt. During the Mexican Period, Rancho San Jacinto y San Gorgonio dominated the local economy.

The American Period saw the breakup of most of the huge Mexican-era ranchos, including San Jacinto y San Gorgonio. In 1854, Jose Pope acquired a portion of the rancho and built an adobe home in present-day Banning. James Gilman eventually purchased this property and established Gilman Ranch. Gilman constructed a new home in 1868 and began to use the old Pope Adobe as a stage station. The San Gorgonio Pass remained an important travel corridor during the early American Period. Freight wagons and the Pony Express regularly crossed the pass before Wells Fargo surveyed and constructed an official stage line in 1862. The arrival of the Southern Pacific Railroad in 1877 signaled the end of the stagecoach era.

Although most of the large Mexican ranchos were gone by the mid to late 19th century, the ranching tradition of the San Gorgonio Pass persisted, and to some extent remains locally viable. The project site remains in use as pasture for cattle and occupies a portion of the historic-period Barker Ranch, which was developed by Charles Barker during the late 1800s. In addition to ranching, Barker formed the Banning Land and Water Company (1884) and established the region's most successful fruit and almond orchards.

During this era, platted towns and municipal services began to take shape to complement the existing ranching and agricultural uses. Moore City was the first named American town site in the San Gorgonio Pass; however, it was never officially recorded or built. In 1877 or 1878, a new town was formed on the site intended for Moore City. It was named Banning in honor of General Phineas Banning, who tended sheep locally and regularly hauled freight through the pass to Arizona before the railroad was built. By 1878, a post office and railroad station had been established, and in spite of economic failures (including a large and unsuccessful attempt at a timber harvesting and flume-transport venture), settlers began developing plots.

Eventually fruit cultivation was undertaken; along with ranching, it represented the most lasting and economically successful of the early American enterprises.

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Development rarely occurs without land dispute, and the San Gorgonio Pass was no exception. The most notable groups to challenge one another's holdings included the Morongo Indians and the Southern Pacific Railroad. Initially, the railroad locally received odd-numbered sections of land as a subsidy; Presidents Hayes and Garfield ordered a number of sections in Banning withdrawn from sale and settlement and set aside as an Indian reservation. The railroad challenged this strategy, but a 1908 land patent consolidated Indian Lands from the railroad's odd-numbered sections. The railroad was compensated with grants of other parcels, and these consolidations paved the way for Banning's incorporation in 1913. In spite of the purported consolidation of Indian lands, the Morongo reservation remains split over several sections.

#### *City of Banning*

The town of Banning was formed in the late 19th century and began to take shape as an economic and residential center for the San Gorgonio Pass. By 1890 the town had a school, church, hotel, two grocery stores, a meat market, stables, a blacksmith, and the above-mentioned post office and train depot. In 1890, a private telegraph service was in use by a few select businesses and individuals, and in 1905 the Southwestern Telephone Company of Redlands expanded its service to Banning, effectively connecting it to the outside world. A natural gas plant was installed in 1909, and electricity came to Banning via the Southern Sierras Power Company in 1914. The land patents that consolidated Indian lands resulted in compensation to the railroads in the form of other parcel grants, paving the way for Banning's incorporation in 1913. After incorporation, Banning's economy remained rural for some time, with ranching and orchards its focal points. World War II marked elevated local activity related to Desert Training Center maneuvers, resulting in expanded local businesses and the construction of the Banning General Hospital in 1943. The hospital was established as a military facility and was used by the US Army until 1944, when it was transferred to the US Navy and renamed the Naval Convalescent Hospital, Banning. Although it was dismantled in 1948, the discharged service personnel settling in the area left an imprint on the local population and the landscape. Like much of southern California, Banning's postwar population growth led to the development of new residential neighborhoods. This growth gradually transformed Banning from a primarily rural settlement into a burgeoning bedroom community. Banning's most significant growth and development took place between 1990 and 2004, when the population grew 32.2 percent, from 20,572 to 27,192.

#### Records Search

The records search at the Eastern Information Center revealed that 33 cultural resources studies have taken place in the project area and have resulted in the recording of 24 cultural resources within one mile of the project site. Of those 33 previous studies, 6 assessed portions of the project site and recorded 6 cultural resources in the project site (2 prehistoric, 3 historic, and 1 with prehistoric and historic components).

Additional map research showed three Indian trails crossing Sections 16 and 17 in 1880, and revealed the presence of a cabin and grain field along the central portion of the boundary between Sections 16 and 17 in 1886. Although the historical maps clearly show that these features were once present within the project site, they were not found during the field survey. More recent maps confirmed the presence of a pre-1942 structure on the northern portion of the project site where site CA-RIV-7816 is located. The research has shown almost no evidence of historic-period cultivation on the project site, which is consistent with the numerous historic period ranching features recorded during the field survey.

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Research performed through the Banning Library has indicated that the project site lies within a portion of the historic Barker Ranch. The Barker Ranch headquarters was previously immediately northwest of the project site at 3144 Westward Avenue and occupied by the Barker Ranch foreman, Albert Clevis Durham, and his wife until 1964 when the Dysart family bought the ranch. The Barker ranch headquarters was at the current location of the Mt. San Jacinto Community College, San Gorgonio Pass Campus.

In addition to ranching activities, evidence of historical quarrying was noted in the southwestern portion of the project site during the records search and field survey tasks, within the boundaries of site CA-RIV- 9190. Circumstantial evidence points to the old Riverside County Road Camp, approximately one-half mile southeast of the observed quarrying activities. The county formed several such camps during the 1920s while using prison labor to build and repair local roads. These notably included the old Banning to Idyllwild Road (adjacent to the south of the quarried materials).

### Field Survey

During the field survey, archaeologists updated the records for the six previously recorded resources within the project site on DPR 523 forms. These include a site containing historic-period water diversion features associated with the Barker Ranch (CA-RIV-7815), a historic refuse scatter (CA-RIV-7816), remnants of a historic house and associated features (CA-RIV-7817), two prehistoric milling slick sites (CA-RIV- 8990 and 8991), and a prehistoric milling slick site that was also used as a historic-period granite quarry (CA-RIV-9190).

Additionally, 12 previously unrecorded resources were found and recorded on the project site; 11 are historic and likely related to ranching. They have been designated with the following temporary site numbers: PIT1301-H-1, H-2, H-3, I-1, I-3, I-4, I-5, I-6, I-7, I-8, and I-9. The remaining previously unrecorded resource (I-2) was a prehistoric metate fragment.

All 18 previously recorded and unrecorded resources found onsite are described below:

- **CA-RIV-7815 (Water diversion system).** This site is a water diversion system within a tributary of Smith Creek. Although the resource is in the historic-period Barker Ranch, its features lack integrity. The site is in poor condition and has been altered by vegetation growth, trampling by cattle, and erosion.
- **CA-RIV-7816 (Home foundation and ranching site).** This site is a historic home foundation and ranching site. One of five previously recorded features of the site was not relocated—described as a small octagonal concrete pad accompanied by two smaller concrete footings. Although the resource is in the historic-period Barker Ranch, its features lack integrity. Therefore, the site is in poor condition and has been altered by vegetation growth, trampling by cattle, and erosion.
- **CA-RIV-7817 (Historic-period refuse scatter).** This resource is a historic-period refuse scatter. The site condition is considered fair. Disturbances include erosion and trampling by cattle.
- **CA-RIV-8990 (Prehistoric milling slick).** Britt Wilson recorded this resource in 2008 as a single milling slick on a granite boulder. BCR Consulting personnel revisited the resource and found it exactly as recorded. One quartzite core reduction flake was also noted approximately 40 meters to the north of the

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milling slick. The site condition is considered fair. Disturbances include erosive damage and trampling by cattle.

- **CA-RIV-8991 (Prehistoric milling slick).** Britt Wilson recorded this resource in 2008 as three milling slicks and one possible milling slick on three boulder outcrops. BCR Consulting personnel revisited the resource and found it exactly as recorded. The site condition is considered fair. Disturbances include erosive damage and trampling by cattle.
- **CA-RIV-9190 (Prehistoric milling slick, historic quarry, and historic refuse scatter).** This resource consists of 15 prehistoric milling slick elements and 8 historic quarry features—in which boulders were drilled in intervals along a linear plane and split into smaller blocks—accompanied by a historic refuse scatter. The date range for the historic activities is estimated as 1880 to 1945, based on the historic refuse. A cottonwood triangular projectile point recorded in 2006 was not relocated. Previous studies offer little historical interpretation for the granite quarrying, although the historic Riverside County Road Camp (approximately 0.5 mile to the northeast) is a likely source. The county formed several such camps during the 1920s, using prison labor to build and repair local roads. This notably included the old Banning to Idyllwild Road adjacent to the south of the quarried materials, which the City of Banning and Riverside County officials ordered straightened in 1935. While the quarrying could have taken place during earlier or more numerous episodes than the cited 1935 project, it is reasonable to narrow the historic date range of quarrying activities to the era in which prison labor was commonly used for local road building, approximately 1920 to 1940. The site condition is considered good, and it retains a measure of integrity.
- **PIT1301-H-1 (Water diversion).** This resource consists of four features: two poured concrete-block retainers, one masonry wall, and a welded steel pipe, all associated with water conveyance and retention for livestock. Welded steel pipe locally began to replace riveted pipe in 1915 and became common during the 1930s, which indicates that the resource probably does not predate this period. Although the resource is encompassed by the historic-period Barker Ranch, its features are not highly diagnostic and lack integrity. The site condition is considered poor, and alterations from vegetation growth and erosion are apparent.
- **PIT1301-H-2 (Historic refuse scatter).** This resource consists of a historic-period refuse scatter containing a mass of baling wire, two rusted and crushed steel buckets, three early 20th-century soldered-seam condensed/evaporated milk cans, and one early 1920s hobble-skirt-shaped clear glass bottle embossed “Bludvine.” It is within the boundaries of the historic-period Barker Ranch, and its contents indicate early 20th century domestic and ranch-related activities. The scatter appears to be the result of a single dumping episode. The site condition is considered fair, and alterations include impacts from cattle, vegetation growth, and erosion.
- **PIT1301-H-3 (Water diversion).** This resource consists of a concentration of structural concrete and masonry rubble containing rebar. Although it is within the historic-period Barker Ranch, it is not highly diagnostic and lacks integrity. The site condition is considered poor, and alterations from collapse or

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demolition of the original structure are apparent in addition to vegetation growth, impacts from cattle, and erosion.

- **PIT1301-I-1 (Water diversion).** This resource consists of one isolated concrete chute, probably associated with water conveyance and retention for livestock. Although the resource is within the historic-period Barker Ranch, it is not highly diagnostic and lacks integrity. Its condition is considered fair, but it is cracked, and alterations from vegetation growth and erosion are apparent.
- **PIT1301-I-2 (Isolated prehistoric mano).** This resource consists of an isolated prehistoric granitic metate fragment. It is in poor condition.
- **PIT1301-I-3 (Stone chute).** This resource consists of one masonry and poured-concrete chute on a raised berm. Although the resource is within the historic-period Barker Ranch, it is not temporally diagnostic. Its condition is considered good; alterations include silt filling and vegetation growth. It appears to provide access for cattle to an unnamed intermittent drainage below the resource.
- **PIT1301-I-4 (Water diversion).** This resource consists of a poured-concrete water-distribution box, which was likely used for water conveyance and storage for livestock. Although the resource is within the historic-period Barker Ranch, it is not highly diagnostic and lacks integrity. It may have been a component of a nearby former canal, but this was not apparent in the field. The well box is not functioning, and alterations include erosion and removal of original piping. These factors have compromised the box's integrity, although it is in fair condition.
  - **PIT1301-I-5 (Historic concrete footing).** This resource consists of a poured-concrete footing oriented north-south. It is embedded with small, rusted, vertical steel bars and forms an axis for one western and one eastern transect of the footing. Five fence posts and some low fence wire were also noted in the vicinity, but it is impossible to tell whether they are related. These items are likely associated with livestock kept at the historic-period Barker Ranch. None of the items are particularly diagnostic, their condition is poor, and they lack integrity.
- **PIT1301-I-6 (Historic concrete rubble).** This resource consists of a large pile of concrete rubble containing round and square rebar, predating 1949. Four piles of rocks were noted to the west. The materials appear to be the remains of a collapsed structural feature of a former canal that crossed Montgomery Creek in this spot. It is likely associated with water conveyance and retention for livestock. Although the resource is encompassed within the historic-period Barker Ranch, it is not highly diagnostic and lacks integrity. The condition is considered poor.
- **PIT1301-I-7 (Water diversion).** This resource consists of a poured-concrete water-distribution box, which was likely associated with water conveyance and retention for livestock. Although the resource is encompassed by the historic-period Barker Ranch, it is not highly diagnostic and lacks integrity. The well box is not functioning, and alterations include erosion and an added or repaired concrete pipe in the southwest wall. These factors have compromised the box's integrity, although it is in fair condition. The top of the east wall has "A 16 1910" scratched into the surface, which could be a date.

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- **PIT1301-I-8 (Reservoir).** This resource is a reservoir formed by berm-aided natural contours on three sides and enclosed by an arc-shaped, poured-concrete and rock wall on the southeastern (downhill) side. The wall contains an opening near its northeastern terminus. A former canal plotted to the north may have fed the reservoir, but no longer functions. The reservoir is associated with historic water conveyance and retention for livestock. It is encompassed within the historic-period Barker Ranch (later held by the Dysart family), but it is not temporally diagnostic and lacks integrity. Alterations include removal of piping and any former door feature covering the opening in the wall. In spite of alterations that contribute to a lack of integrity, it is easily recognizable and is generally in good condition.
- **PIT1301-I-9 (Historic glass bottle).** This resource consists of a single isolated glass bottle, embossed on shoulder “FEDERAL LAW FORBIDS SALE OR REUSE OF THIS BOTTLE” (common from 1932 to 1964) and “ONE PINT” on base. It has a metal screw cap, and the maker mark in the base indicates manufacture by Owens Bottling Company, Illinois. The base is also embossed with “D1” and “60-45”. The number on the right (45 in this case) usually refers to the date the bottle was manufactured (i.e., 1945), which fits in the date range indicated by the shoulder embossing. Although this bottle is within the historic-period Barker Ranch, it lacks any demonstrable association. It is in good condition.

#### *California Register Eligibility*

Only 3 of the 18 resources found onsite were evaluated as potentially eligible for listing on the California Register. Two consisted of prehistoric milling slicks and the third consisted of a prehistoric milling slick, a historic quarry, and a historic refuse scatter. The resources are described below:

- **Milling slick (CA-RIV-8990):** The site is not associated with events that have made a significant contribution to the broad patterns of American or California history and cultural heritage (California Register Criterion 1). The resource was not found to be associated with the lives of persons important to our past, and it was not found that persons of significant regional or national stature can be linked to the resource (California Register Criterion 2). Prehistoric bedrock milling slicks are common throughout the vicinity, and there is nothing to suggest that it embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual or possesses high artistic values (California Register Criterion 3). However, this resource did exhibit surface soils that indicate a possibility for buried archaeological deposits. These buried deposits may contain new and important data related to important questions about the prehistory of the area. Due to the potential to yield important information regarding site interaction, subsistence strategies, and residence patterns, and the potential to find buried archaeological deposits at this resource, it is considered potentially eligible for the National Register under Criterion D and for the California Register under Criterion 4.
- **Milling slick (CA-RIV-8991):** As with Resource CA-RIV-8990, this resource showed surface soils that indicate a possibility for buried archaeological deposits, and was thus determined to be eligible for listing on the California Register under Criterion 4.
- **Prehistoric milling slick and historic quarry (CA-RIV-9190):** This resource showed surface soils that indicate a possibility for buried archaeological deposits. These buried deposits may contain new and

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important data pertaining to important questions about the prehistory of the area. Furthermore, the research already conducted has shown a likely connection between the historic-period quarry recorded at the site and pre-World War II road building by prisoners. However, this connection is based on secondary and, to some extent, circumstantial evidence and should be augmented with more primary and specific information from additional research. As a result, due to its potential to generate important information regarding historic-period use of the site for road building; its potential to yield additional data related to prehistoric site interaction, subsistence strategies, and residence patterns; and the potential to find buried archaeological deposits at this resource, it is considered potentially eligible for the California Register under Criterion 4.

The remaining 15 resources onsite, described above, were evaluated for eligibility for listing on the California Register and found to be ineligible for listing. Table 5.5-1 lists all 18 cultural resources found onsite and their National Register and California Register eligibility.

**Table 5.5-1 National Register and California Register Eligibility of Cultural Resources Found Onsite**

Resource	Description
<b>Potentially Eligible for Listing</b>	
CA-RIV-8990	Prehistoric milling slick
CA-RIV-8991	Prehistoric milling slicks
CA-RIV-9190	Prehistoric milling slick and historic quarry
<b>Not Eligible</b>	
CA-RIV-7815	Water diversion associated with historic ranching
CA-RIV-7816	Remnants of historic house and associated features
CA-RIV-7817	Historic refuse scatter
PIT1301-H-1	Water diversion associated with historic ranching
PIT1301-H-2	Historic refuse scatter
PIT1301-H-3	Water diversion associated with historic ranching
PIT-1301-I-1	Water diversion associated with historic ranching
PIT-1301-I-2	Isolated prehistoric mano
PIT-1301-I-3	Stone chute
PIT-1301-I-4	Water diversion associated with historic ranching
PIT-1301-I-5	Historic concrete footing
PIT-1301-I-6	Historic concrete rubble
PIT-1301-I-7	Water diversion associated with historic ranching
PIT-1301-I-8	Reservoir associated with historic ranching
PIT-1301-I-9	Isolated historic glass bottle
Source: BCR Consulting 2013.	

As stated by the individual commenter at the scoping meeting, the project site has several water diversions, or watering holes, associated with historic ranching. However, they do not meet the National Register and California Register eligibility requirements to be considered historic resources.

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#### Native American Consultation

An individual commenter at the scoping meeting suggested consultation and noticing of the proposed project to the Morongo Band of Mission Indians. The City contacted the NAHC to obtain a list of tribes that should be contacted per SB 18 requirements. From the letters sent to the NAHC tribal contacts, one response was received from the Morongo Band of Mission Indians (Morongo), in which Morongo stated their goal to protect and preserve all cultural materials, artifacts, sites, and places. To that end, they requested meaningful consultation with the City of Banning and would like to be involved in all archaeological work.

The City met with Morongo on April 2, 2015. Based on the meeting, Morongo would like to monitor the construction and grading phase of the proposed project through a joint monitoring and mitigation plan with BCR Consulting and Morongo, thus ensuring proper disposition of potential artifacts and human remains are delineated.

#### Paleontological Resources

In the elevated terrain of the southeastern portion of the site, the project abuts and crosses exposures of plutonic igneous and metamorphic rocks that do not contain recognizable fossils. However, surface deposits in all of the project area consist of younger Quaternary Alluvium, predominantly derived as alluvial fan deposits from the San Gorgonio Mountains and as fluvial deposits from Smith Creek and Montgomery Creek that flow through the project site. These latter deposits usually do not contain significant fossil vertebrates, at least in the uppermost layers.

The nearest vertebrate fossil locality to the project site in the records of the Los Angeles County Natural History Museum is a fossil horse, *Equus* (LACM 4540), just south of due west of the project site along Jackrabbit Trail on the east side of the San Jacinto Valley.

#### 5.5.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- C-1 Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5.
- C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- C-3 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- C-4 Disturb any human remains, including those interred outside of formal cemeteries.

The Initial Study, included as Appendix A, substantiates that impacts associated with Threshold C-4 would be less than significant. This impact will not be addressed in the following analysis.



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### 5.5.3 Environmental Impacts

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

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**Impact 5.5-1: Development of the project could impact identified historic and archaeological resources, including milling slicks, a historic quarry, and a historic refuse scatter. [Threshold C-1 and C-2]**

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**Impact Analysis:** Based on the cultural resources assessment, 18 cultural resources were found on the project site (see Table 5.5-1). Of these, 3 were identified as potentially eligible for the California Register: CA-RIV-8990, -8991, and -9190. CA-RIV-8990 and -8991 consist of prehistoric milling slicks, and CA-RIV-9190 consists of prehistoric milling slicks, a historic quarry, and historic refuse scatter. The remaining 15 resources are not eligible for the California Register listing and impacts to these resources would not be significant. Nevertheless, numerous cultural resources were identified in the area during the records search, indicating cultural resources sensitivity within the project site boundaries.

If grading and construction activities associated with the proposed project could avoid the three potentially eligible resources identified above (CA-RIV-8990, CA-RIV-8991, and CA-RIV-9190), impacts would be less than significant. However, if avoidance is not feasible, California Register eligibility evaluation would be required. Mitigation measures are provided to ensure impacts to these resources are reduced to the maximum extent possible.

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**Impact 5.5-2: The proposed project could adversely impact undiscovered paleontological resources. [Threshold C-3]**

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**Impact Analysis:** Any excavations in the igneous and metamorphic rocks exposed in the very southeastern portion of the proposed project area would not uncover any recognizable vertebrate fossils. Shallow excavations in the younger Quaternary Alluvium exposed in almost all of the proposed project area are also unlikely to uncover significant fossil vertebrate remains, at least in the uppermost layers. However, though the paleontological resources assessment did not reveal vertebrate fossil localities in the project site, older Quaternary deposits to the west of the site have yielded a fossil horse. Therefore, deeper excavation in Quaternary deposits on the project site may encounter significant vertebrate fossils.

Any substantial excavations in the sedimentary deposits in the proposed project area should be monitored closely to detect and professionally collect any fossils uncovered without impeding development. Thus, mitigation is provided to ensure paleontological monitoring is provided and impacts to undiscovered paleontological resources are mitigated to less than significant.

### 5.5.4 Cumulative Impacts

Implementation of the proposed project in conjunction with other planned projects in the City could result in cumulative impacts to cultural resources. However, other development projects would be required to undergo discretionary review and be subject to the same resource protection requirements and CEQA review

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as the proposed project. For example, other development projects may require some degree of ground-disturbing monitoring, which would minimize the potential to disturb significant cultural resources. If cultural resources were found, they would be addressed through the necessary testing, archiving, and recovery prior to development of the site. Neither the proposed project nor related projects (listed in Table 4-2) is expected to result in significant impacts to cultural resources, including tribal resources, provided that site-specific surveys and test and evaluation excavations are conducted, as necessary, to determine whether the resources are unique cultural resources, and appropriate mitigation is implemented, including, but not limited to, compliance with existing requirements. Additionally, the proposed project has incorporated mitigation that would reduce the potential for the project to contribute to cumulative impacts to cultural resources.

In consideration of the preceding factors, the project's contribution to cumulative cultural resource impacts would be rendered less than significant; therefore, project impacts would not be cumulatively considerable.

#### 5.5.5 Existing Regulations

- California Public Resources Code 5020–5029.5, 5079–5079.65, and 5097.9–5097.991
- Senate Bill 18
- City of Banning Municipal Code Section 17.24.070

#### 5.5.6 Level of Significance Before Mitigation

Without mitigation, the following impacts would be **potentially significant**:

- Impact 5.5-1 Implementation of the proposed project could impact historic and archaeological resources recorded onsite.
- Impact 5.5-2 Undiscovered paleontological resources may be uncovered during excavation activities in accordance with the proposed project.

#### 5.5.7 Mitigation Measures

##### Impact 5.5-1

5-1 If avoidance is not feasible, prior to grading activities, a certified archaeologist shall conduct an archaeological test excavation at the three potentially eligible sites (CA-RIV-8990, CA-RIV-8991, and CA-RIV-9190) to determine whether the sites are considered “historical resources” under CEQA. The excavation shall be conducted through controlled hand-excavations and collection and analysis of artifacts. Archaeological mechanical trenching shall be conducted as part of the archaeological test excavations to test for deeply buried cultural deposits that are not accessible during hand excavations. A trenching program is not necessary if hand excavations reveal that site soils do not exceed 40 centimeters in depth.

Research shall be conducted regarding CA-RIV-9190 to apprehend primary references and specific information regarding the historic quarrying activities that took place on that site,

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and to exhaust the data potential of the site's historic component. If the prescribed archaeological test excavation and additional research indicate California Register eligibility for any of the potentially eligible resources subject to project impacts, the eligible resources would be considered "historical resources" under CEQA and shall be preserved in place.

If preservation in place is not feasible for the potentially eligible sites (CA-RIV-8990, CA-RIV-8991, and CA-RIV-9190), a Phase III data recovery plan, which provides for adequately recovering scientifically consequential information from and about the historical resource(s), shall be prepared and adopted prior to any undertaking/project-related excavation.

- 5-2 A qualified archaeological monitor shall be present during all ground-disturbing activities related to the Rancho San Gorgonio Specific Plan project. The monitor shall work under the direct supervision of a cultural resource professional who meets the Secretary of the Interior's Professional Qualification Standards for archaeology. The monitor shall be empowered to temporarily halt or redirect construction work in the vicinity of any find until the project archaeologist can evaluate it. In the event of a new find, salvage excavation and reporting shall be required.

### Impact 5.5-2

- 5-3 During grading activities, excavation of areas identified as likely to contain paleontological resources (e.g., any undisturbed subsurface Pleistocene sediments), shall be monitored by a qualified paleontological monitor. If paleontological resources are discovered during project grading, work shall be halted in that area until a qualified paleontologist can assess the significance of the find. The project paleontologist shall monitor remaining earth-moving activities at the project site and shall be equipped to record and salvage fossil resources that may be unearthed during grading activities. The paleontologist shall be empowered to temporarily halt or divert grading equipment to allow recording and removal of the unearthed resources.

Any fossils found shall be evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City of Banning. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, should be prepared upon completion of the steps outlined above. The report and inventory, when submitted to the appropriate lead agency, would signify completion of the program to mitigate impacts on paleontological resources. This measure shall be implemented to the satisfaction of the City of Banning Planning Department.

### 5.5.8 Level of Significance After Mitigation

The mitigation measures identified above would reduce potential impacts associated with cultural resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

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#### 5.5.9 References

BCR Consulting LLC. 2015, June 13. Cultural Resources Assessment Rancho San Gorgonio Planned Community Project, City of Banning, Riverside County, California.