5.5 Cultural Resources

Based on Appendix G of the *State CEQA Guidelines* and comments received during the Notice of Preparation (NOP) public comment period, this section evaluates the Project's potential impacts to historical resources, unique archaeological resources, tribal cultural resources, unique paleontological resources or unique geologic features, and disturbing human remains. No written comments regarding cultural resources were received in response to the NOP. One oral comment was received regarding cultural resources during the August 26, 2015 Scoping Meeting.

The following discussion is based on the *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California* (AE(a)), prepared by Applied Earthworks in August 2015 and updated in July 2016; and the *Paleontological Resource Assessment for the Sycamore Canyon Business Park Buildings 1 & 2, City of Riverside, Riverside County, California* (AE(b)), prepared by Applied Earthworks in August 2015. These reports are included as Appendices D.1 and D.2 of this DEIR; portions of the report are confidential by law and have been omitted from these Appendices.

5.5.1 Setting

Because the nature and distribution of human activities in the region have been affected by such factors as topography and the availability of water and biological resources (AE(a), p. 12), a brief summary of the physical setting of the overall Project area is included below.

The Project area sits at the base of a series of low-lying hills, south of the Box Spring Mountains, which separate the San Jacinto and Santa Ana watersheds. The Project area is underlain by the Val Verde Pluton, locally composed of tonalite bedrock and part of the Southern California Batholith. An area of Cretaceous undifferentiated granodiorite has been mapped to the south of the Project area. (AE(a), p. 12)

Climate dictates the character of the ecologic environment used by native populations. The climate of the Project area is characterized as Mediterranean, with hot, dry summers and cool, moist winters. It has a semi-arid precipitation regime; significant changes in temperature and moisture occurs based on elevation and exposure, particularly in the nearby mountains. Average rainfall ranges from 9 to 16 inches per year (22.8 to 40.6 centimeters per year). The average annual temperature varies from 59 to 65 degrees Fahrenheit. (AE(a), p. 12)

Paleontological Setting

Paleontology is the study of the developing history of life on Earth, of ancient plants and animals based on the fossil record (evidence of their existence preserved in rocks). This field includes the study of body fossils, tracks, burrows, cast-off parts, fossilized feces, and chemical residues. Modern paleontology sets ancient life in its context, by studying how long-term physical changes of global geography and climate have affected the evolution of life and how ecosystems have responded to these changes and have changed the planetary

environment in turn, and how these mutual responses have affected today's patterns of biodiversity. (GP 2025 FPEIR, p. 5.5-3)

The Project site is located in an area that is part of the geologically complex Peninsular Ranges geomorphic province.[1] The Peninsular Ranges are a northwest-southeast oriented complex of blocks that extend 125 miles from the Transverse Ranges and Los Angeles Basin to the tip of Baja California. The Peninsular Ranges are bounded to the east by the Colorado Desert and range in width from 30 to 100 miles. The proposed Project area is situated within the Perris Block, a relatively stable rectangular structural unit positioned between the Santa Ana Mountains of the Peninsular Ranges and San Jacinto Fault Zone. The proposed Project area is approximately 5 miles south of the northwest-trending strike-slip San Jacinto Fault Zone, which extends from the San Andreas Fault Zone in the north to the Imperial Valley in the south. The geology in the vicinity of the proposed Project area is dominated by Cretaceous plutonic rocks of the Peninsular Ranges Batholith, local Mesozoic metasedimentary rocks, and widespread Pleistocene age alluvial fan and valley deposits. (AE(b), p. 3)

The proposed Project site is directly underlain by Cretaceous granitic rock of the Val Verde Pluton. Although the Project site is entirely underlain by intrusive igneous rock, Pleistocene-age alluvial sediments (mapped as Quaternary Very Old Alluvium) are exposed less than 250 feet southeast of the Project site. The Pleistocene-age alluvial unit is composed of moderately- to well-consolidated, well-dissected, tan-to-orange or reddish-brown sand and silt with subordinate cobbles and pebbles and well-developed soil. In general, the alluvial deposits were derived from erosion in the San Gabriel-San Bernardino Mountains and subsequently disposed along the south-facing slopes and nearby washes and streams, including the Santa Ana River. (AE(b), p. 3)

Due to the high heat of formation deep below the surface of the earth, plutonic igneous rocks do not contain fossils. The nearby Pleistocene age alluvial deposits have proven to yield scientifically significant paleontological resources throughout Southern California from the coastal areas to the inland valleys; however, these deposits are located outside of the proposed Project area. (AE(b), p. 3)

Prehistoric Setting

The prehistoric cultural setting of the overall Project area provides a context for understanding the types, nature, and significance of the prehistoric cultural resources identified within the general Project area. Native American occupation of the inland valleys of Southern California can be divided into seven cultural periods (AE(a), p. 12):

- Paleoindian (ca. 12000–9500 Before Present (BP));[2]
- Early Archaic (ca. 9500–7000 BP);

[1] A geomorphic province is a region of unique topography and geology that is distinguished from other regions based on its landforms and geotectonic history.

[2] "Before Present" is a time scale to specify events in the past and uses the year AD 1950 as its commencement. For example, an event that occurred in 500 BP is the equivalent to AD 1450.

- Middle Archaic (ca. 7000–4000 BP);
- Late Archaic (ca. 4000–1500 BP);
- Saratoga Springs (ca. 1500–750 BP);
- Late Prehistoric (ca. 750–410 BP); and
- Protohistoric (ca. 410–180 BP), which ended in the ethnographic period.

Approximately 108 of the 123 (or 88%) resources previously documented within a 1-mile radius of the Project site were prehistoric bedrock milling features with no associated artifacts. Other documented prehistoric resources include a small rock-shelter site, a trail with an associated artifact scatter, and two isolated lithic artifacts (AE(a), p. 34). Due to the nature of these prehistoric archaeological sites identified within a 1-mile radius of the Project site, the prehistoric cultural setting discussed below begins at the Middle Archaic period (AE(a), p. 12).

Middle Archaic Period (ca. 7000–4000 BP)
The Middle Archaic Period saw a reversal of the weather patterns, which had prevailed throughout much of Southern California for several millennia. By about 6000 BP, local environmental conditions improved, and the inland areas may have seen increased effective moisture, while the interior deserts, no longer receiving moist monsoonal flow and now in the rainshadow of the Transverse and Peninsular Ranges, became quite arid. An increase in prehistoric use and occupation of the inland areas of Southern California occurred after about 6000 BP, in comparison to earlier periods. (AE(a), p. 13)

This period has been described as the "Milling Stone Horizon" because of the dominance of milling tools in the archaeological assemblages of sites dated to this era. In the coastal and inland regions of Southern California, this period of cultural development is marked by the technological advancements of seed grinding for flour and possibly the first use of marine resources, such as shellfish and marine mammals. The artifact inventory of this period includes crude hammerstones, scraper planes, choppers, large drills, crescents, and large flake tools. This assemblage also includes large leaf-shaped projectile points and knives; manos and milling stones used for hard-seed grinding; and likely other artifacts such as beads, pendants, charm-stones, game-stones, spherical stones, and cogged stones. (AE(a), p. 13)

Late Archaic Period (ca 4000–1500 BP)
The Late Archaic Period was a time of cultural intensification in Southern California. The beginning of this period coincides with a period of increased moisture in the region. This improved climate allowed for more extensive occupation of the region. By approximately 2100 BP, however, drying and warming increased, which had an effect on expanding populations and influenced changes in resource procurement strategies that promoted economic diversification and resource intensification. (AE(a), pp. 13-14)

The artifact assemblage of this period was similar to that of the preceding Middle Archaic; new tools were added either as innovations or as "borrowed" cultural items. Diagnostic projectile points of this period are still fairly large (dart point size), but also include more refined notched,

concave base, and small stemmed forms. As a result, hunted resources likely become more prevalent in the diet of these groups. (AE(a), p. 14)

Saratoga Springs Period (ca 1500–750 BP)
Because paleoenvironmental conditions were little changed from the preceding period, cultural trends in the early portion of the Saratoga Springs Period were, in large part, a continuation of the developments begun during the end of the Late Archaic Period. However, the Medieval Warm, a period of even more persistent drought, began by 1060 BP. Significantly warmer and drier conditions ensued. Land use and procurement strategies experienced profound changes during this time, and the resource intensification that began in the Late Archaic Period was further refined and intensified during the Medieval Warm. (AE(a), pp. 14-15)

During the Medieval Warm, archaeological assemblages demonstrate the importance of plant foods as a primary food source than in any other prehistoric period; plant processing intensified and acorns apparently became an important staple. Moreover, the diet was further expanded to include medium-sized animals that were rarely consumed during other periods of prehistory. The most abundant evidence of trade also occurs during the Medieval Warm, suggesting that exchange was another way for dealing with scarcity in food supply caused by the weather. (AE(a), p. 15)

Late Prehistoric Period (ca 750–410 BP)
The Medieval Warm extended into the Late Prehistoric Period, ending about 550 BP. At the end of the Medieval Warm, and lasting throughout the following Protohistoric period, a period of cooler temperatures and greater precipitation ushered in the Little Ice Age, during which time ecosystem productivity greatly increased along with the availability and predictability of water resources. The change in weather also improved the availability of food supply, and in turn, people returned to a less intensive, semi-sedentary land use lifestyle similar to that during the Late Archaic Period. Rock art also first appeared during this period following the end of the Medieval Warm. The decrease in the number of artifacts and toolstone supplies and the first appearance of rock art during this time suggest that residential sites were occupied on a year-round basis. (AE(a), pp. 15-16)

A reduction in emphasis on plant foods is also visible in the archaeological record. Specifically the reduction in mortars, pestles, and other grinding tools after the Medieval Warm suggests that intensive procurement and processing of plant foods was no longer as critical as in the past. Percentages of projectile points also increased after the Medieval Warm, and Cottonwood Triangular points began to appear in inland assemblages at this time, which indicate an increased focus on hunting large mammals. Further, the percentage of non-utilitarian artifacts decline considerably, suggesting that trade was no longer critical for assuring food supplies. (AE(a), p. 16)

Protohistoric Period (ca 410–180 BP)
The improved, productive weather conditions of the Little Ice Age continued throughout the Protohistoric Period. Generally speaking, sedentary lifestyles increased during the Protohistoric

Period, with small, but apparently fully sedentary villages forming. Increased hunting efficiency (through use of the bow and arrow) and widespread exploitation of acorns and other hard nuts and berries (indicated by the renewed abundance of mortars and pestles) provided reliable and storable food resources. Related to this increase in resource utilization and sedentary lifestyles are sites with deeper middens, suggesting central-based wandering or permanent habitation. These would have been the villages, or rancherias, noted by the early non-native explorers. (AE(a), pp. 16-17) Further, Lake Cahuilla in the Coachella Valley, which began to recede in the Late Prehistoric Period, finally desiccated by approximately 370 BP, resulting in a population shift away from the lakebed into the Peninsular Ranges and inland valleys to the west, such as the Project area (AE(a), p. 15).

The most striking change in material culture during this time is the local manufacture of ceramic vessels and ceramic smoking pipes. Although pottery was known in the Colorado Desert as long ago as 800 BP, ceramic technology in the Project region appears to date to approximately 350 BP. Abundant amounts of Obsidian Butte were also imported into the region. Cottonwood Triangular points were supplemented by Desert Side-notched points. Late in this period, some European trade goods (i.e., glass trade beads) were added to the previous cultural assemblages. (AE(a), pp. 16-17)

Ethnographic Setting

The Project area is situated where the traditional use territories of the Serrano, Cahuilla, and Gabrielino overlap. All of these cultural groups belonged to cultural nationalities speaking languages belonging to the Takic branch of the Shoshonean family, a part of the larger Uto-Aztecan language stock. (AE(a), p. 17) Specific aspects of Serrano, Cahuilla, and Gabrielino ethnography and ethnohistory are discussed in the following paragraphs.

Social Structure

Prior to the Mission period (i.e., prior to 1769), the Cahuilla and Serrano had non-political, non-territorial societies, and these cultural groups consisted of clans. Clans owned a large territory in which each lineage of the clan owned a village site and specific resource areas. Clan lineages cooperated in large communal subsistence activities (e.g., animal drives and hunts, controlled burning) and in performing rituals. Founding lineages often consisted of the ceremonial leader, the ceremonial house, and a ceremonial bundle of sacred items used for ceremonies and rituals. Moreover, the Gabrielino had a more sophisticated political social structure, which, unlike their Cahuilla and Serrano neighbors, consisted of a hierarchically-ordered social class of elite, middle class, and commoners. Class membership played a major role in determining individual lifestyles, as it depended upon both ancestry and wealth. (AE(a), p. 17)

Subsistence and Domestic Resources

The Serrano, Cahuilla, and Gabrielino were, for the most part, hunting, collecting, and harvesting peoples. For the Serrano and Cahuilla, clans were apt to own land in valley, foothill, and mountain areas, providing them with the resources of many different ecological niches. Individual lineages or families owned specific resource areas within the clan territory. As in

most of California, acorns were a major staple, but the roots, leaves, seeds, and fruit of many other plants were also used. Fish, birds, insects, and large and small mammals were available. Mountain sheep, deer, and antelope were some of the large mammals hunted. Now extinct in this part of California, antelope were once numerous in the area. As well, mountain lion, black bear, grizzly bear, deer, and wild boar were hunted. Similarly, the Gabrielino lineage ownership of land in valley, foothill, mountain, coastal, and estuary areas also offered a diverse array of food and other natural resources. (AE(a), p. 17)

In addition to gathering and hunting, the mainland Gabrielino were involved in an extensive trade network that extended as far east as the Colorado River and as far west as San Nicolas Island. With the Serrano, the Gabrielino traded shell beads, fish, sea otter skins, and soapstone vessels for deerskin and seeds; the Cahuilla received beads, soapstone, and asphaltum from the Gabrielino in exchange for food, furs, hides, obsidian, and salt. In addition to forging alliances with neighboring groups, trade and exchange was also a means of offsetting food shortages during winter months and in times of food supply scarcity (e.g., drought). (AE(a), p. 18)

Shelter and Community Structures

In prehistoric times, Serrano, Cahuilla, and Gabrielino shelters are believed to have been dome-shaped; during post-contact times they tended to be rectangular. Serrano and Cahuilla shelters were made of brush, although some were wattled and plastered with adobe mud; Gabrielino shelters were made of reed. Most of the Serrano and Cahuilla domestic activities were performed outside the shelters. Within Serrano and Cahuilla villages, the chief's house was the largest and was usually next to the ceremonial house. Each village also had a men's sweat house and several granaries. At a typical Gabrielino settlement, an unroofed religious structure was built in the center and surrounded first by the houses of the chief and elite members of society and then by the smaller houses of other community members; poor members occupied simple lean-to style structures along the outskirts of the settlement. Sweat houses and granaries were also present in Gabrielino settlements. (AE(a), p. 18)

Religion, World View, and the Sacred

The Serrano, Cahuilla, and Gabrielino, like other California Native Americans, understand the universe in terms of power, and power, believed to be sentient and to have a will, was assumed to be the principal cause for all phenomena. Unusual natural phenomena are viewed as especially sacred. Mountain tops are held sacred, as are unusual rock formations, springs, and streams. Rock art sites are sacred, having been the sites of ceremonies. Burial and cremation sites are also sacred. In addition, various birds are revered as sacred beings of great power and were sometimes ritually killed and mourned in mortuary ceremonies. For this reason, bird cremation sites are sacred. Additionally, because of these strong beliefs, rituals were a constant factor in the life of every Native American individual. (AE(a), p. 19)

Historical Setting

The history of the Project area provides a context for understanding local settlement from mission lands to the development of the modern urban landscape. It is the basis for the

identification of the historic property types constructed during this settlement, and the evaluation of their significance as historical resources.

California History

Exploration of the California coast in the 16th and 17th centuries was the basis for the Spanish claim to the region. In the 18th century, Spain recognized that to strengthen its claim, it would have to settle Alta California before it could be settled by the Russians and British. As a result, in the latter half of the 18th century Spain and the Franciscan Order founded a series of presidios, or military camps, and missions along the California coast, beginning at San Diego in 1769. (AE(a), p. 19)

In 1821, after Mexico won its independence from Spain, Mexico opened the ports of San Diego and Monterey to foreign trade. American ships docked at California ports to purchase tallow and hides, which were known as California banknotes. Americans also settled in California, some of them becoming citizens and owners of large ranchos. Conflicts between the Californios and the central government in Mexico City led to a series of uprisings culminating in the Bear Flag Revolt of June 1846. However, Mexican control of California had effectively ended the year before when the Californios expelled Manuel Micheltorena, the last Mexican governor. (AE(a), p. 19)

With the signing of the Treaty of Guadalupe-Hidalgo on February 2, 1848, California formally became an American territory, and two years later, on September 9, 1850, California became the 31st state in the Union. Between those two years came a large influx of Americans seeking their fortunes. The catalyst for this influx was James Marshall's 1848 discovery of gold at Sutter's Mill. The population and wealth in the early statehood years were concentrated in the northern part of the state. Ranching was the main occupation in the southern counties; the flood and drought of the 1860s brought that era to a close, and the completion of the transcontinental railroad in 1869 opened California to agricultural settlement. (AE(a), pp. 19-20)

Southern California was promoted as an ideal agricultural area, with fertile soil and a mild climate. Books on California painted beautiful pictures that appealed to both Americans and Europeans. There were three land booms tied to railroad construction: (1) after the transcontinental railroad was completed, enabling easy travel to California; (2) late 1870s after the Southern Pacific was completed; and (3) 1886–1888, when the Santa Fe transcontinental line was completed. Competition between the lines incited a rate war, and both tourists and potential settlers took advantage of the low fares to come to California. (AE(a), p. 20)

History of the City

Before 1870, what is now the City had long been inhabited by Native Americans. Europeans settled and established missions early in the 1770s; upon secularization in 1834, large land grants were ultimately divided and re-divided among the earliest European and American settlers. Although only scant evidence exists of the early European settlement, the land patterns of subsequent development most certainly were influenced by them. (GP 2025 FPEIR, p. 5.5-7)

The Riverside Colony was founded in 1870 as a cooperative joint-stock agriculture venture by an abolitionist judge, John W. North, and a group of reform-minded colleagues. This is the first period in which the area became known as "Riverside." A quasi-public water company was established soon after the City's incorporation, and bonds were floated to improve the canal system. Funded by the profitable citrus industry, by 1895, the town was a wealthy, gilded age version of North's irrigated cooperative. Artifacts of this period are street patterns, the earliest water distribution systems and land use patterns for the original town of Riverside, cultural landscapes (street medians with plantings, agricultural patterns), Evergreen Cemetery and the Parent Navel Orange Tree. (GP 2025 FPEIR, p. 5.5-9)

The introduction of the railroad further expanded Riverside's growth and the citrus market potential, which were so tightly linked. The combination of water, boosterism, consensus building, navel oranges, the railroad, and cooperative marketing unleashed Southern California's commercial potential. Moreover, Riverside residents created efficient citrus packing concepts and machinery, refrigerated rail shipments of citrus fruits, scientific growing methods, mechanized packing, and pest management techniques, leading to the most successful agricultural cooperative in the world with the establishment of the California Fruit Growers Exchange, known by its trademark, Sunkist. Lured by the City's navel orange industry, a succession of diverse cultural groups came to the region from China, Japan, Italy, Mexico, and later the "Dust Bowl" of America. As a result, a rich ethnic-socioeconomic mix, the hallmark of contemporary California, had already developed in the City by World War II. (GP 2025 FPEIR, pp. 5.5-9 – 5.5-10)

Frank A. Miller emerged soon after the turn of the century as a preeminent community builder and promoter. Understanding that a great City needs myths and symbols as well as wealth to establish its identity, Miller strove for the first 30 years of the 20th century to create symbols and themes for Riverside including the creation of the Mission Inn. Combined with the affluence and aesthetic lure of the citrus landscape, the Mission Inn made the City a desired residential, cultural and recreational destination of the wealthy railroad set of the early 20th century. The Mission Inn also made the City a center for the emerging Mission Revival architectural style in Southern California. (GP 2025 FPEIR, p. 5.5-11)

Like many Southern California communities, Riverside experienced a population boom following World War I. Previously undeveloped areas were subdivided and residential tracts were planned and developed. In the downtown area, large properties were subdivided and modest-scale houses were built alongside the earlier grove houses. (GP 2025 FPEIR, p. 5.5-11)

Similarly, Riverside's second major boom in residential development occurred in the post-World War II period. Affordable suburban housing tracts were developed with nearby commercial centers to serve the needs of new residents. Commercial centers built during this period include the Brockton Arcade and the first "mall" in the City, the Riverside Plaza. Additionally, during this period, the automobile became dominant throughout Southern California. (GP 2025 FPEIR, pp. 5.5-12 – 5.5-13)

Two major annexations by the City, one in 1969 and the other in 1984, make up the Sycamore Canyon/Canyon Springs neighborhood wherein the Project site is located. This area was largely undeveloped until recent decades. This entire region is situated upon the rolling hill terrain that characterizes the eastern edge of the City. (AHIR)

Cultural Resources Investigation and Known Historical Resources

The objectives of the cultural resource investigations for the proposed Project were to: complete a cultural resource inventory of the approximately 76 gross (71 net) acre Project site to identify and document all cultural resources that may be impacted or adversely affected by the proposed Project, and evaluate the significance of the identified cultural resources on the Project site to determine if any identified resources are eligible for listing on the California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP). Accordingly, Applied Earthworks conducted an archaeological literature and records search at the Eastern Information Center at the University of California, Riverside, for recorded cultural resources within a one-mile radius of the Project site; requested a Sacred Lands Files search from the Native American Heritage Commission (NAHC); and undertook an intensive cultural resources pedestrian survey of the Project site. (AE(a), p. 25)

Records indicate 31 previous cultural resource investigations were conducted within a one-mile radius of the Project site. Three of these previous investigations involved various portions of the Project site. The previous cultural resource investigations identified 123 previously recorded cultural resources within one-mile of the Project site. The majority of these resources (108 of the 123 resources, or 88 percent) are prehistoric bedrock milling features with no associated artifacts. Other documented prehistoric resources include a small rock-shelter site, a trail with an associated artifact scatter, and two isolated artifacts. Archaeological resources dating to the historic period include the remnants of an adobe structure and several railroad-related sites. Built-environment resources identified within the record search area include three standing buildings, which are located along Sycamore Canyon Boulevard and Box Springs Road to the east of the Project site. (AE(a), p. 34)

Of the 123 previously identified cultural resources, three archaeological sites were documented within the proposed Project site and recorded in 2007. All three resources represent prehistoric bedrock milling features (AE(a), pp. 34-35) as indicated in **Table 5.5-A – Cultural Resources Occurring on the Project Site**.

Additional sources consulted during the archaeological records search include the NRHP, the Office of Historic Preservation Archaeological Determinations of Eligibility (ADOE), the Office of Historic Preservation Historic Property Directory (HPD), and the CRHR. No historic properties or landmarks have been recorded or listed within, or immediately adjacent to, the Project site (AE(a), p. 34).

Table 5.5-A – Cultural Resources Occurring on the Project Site

Primary No.	Trinomial	Report #	Year	Authors	Description
33-016713	CA-RIV-8750	RI-07552	2007	Tang, Bai "Tom"; Michael Hogan	Prehistoric bedrock milling site with 4 milling slicks on 2 boulders
33-016714	CA-RIV-8751	RI-07552	2007	Tang, Bai "Tom"; Michael Hogan	Prehistoric bedrock milling site with 2 milling slicks on one boulder
33-016715	CA-RIV-8752	RI-07552	2007	Tang, Bai "Tom"; Michael Hogan	Prehistoric bedrock milling site with 1 milling slick

Source: Applied Earthworks, *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California*, July 2016, adapted from Table 5-2, p. 42.

The following paragraphs provide a general description of the above resources.

CA-RIV-8750 (P-33-016713)
CA-RIV-8750 is a prehistoric bedrock milling site containing two granitic outcrops (Features 1 and 2) with grinding slicks. Feature 1 contains two shallow slicks located approximately a foot apart from one another. Feature 2 contains two shallow slicks located roughly three feet from one another. A relatively low degree of polish was observed on each of the four slicks. The terrain surrounding this site is relatively level with the ground surface characterized by decomposed granitic soil. No surface artifacts associated with the grinding features were identified by the archaeologists during the site inspection. The ground surface of the area surrounding the boulders has been disturbed by previous grubbing activities. This site also appears to have experienced extensive off-road vehicular use with tire marks and informal two-track trails located throughout the area. (AE(a), pp. 34-35)

CA-RIV-8751 (P-33-016714)
CA-RIV-8751 is a prehistoric bedrock milling consisting of a single granitic boulder that contains two grinding slicks. The grinding slicks are located approximately a foot from one another and both slicks are shallow in depth with polish only on their high points; the slicks show some degree of weathering. No artifacts associated with the grinding features were identified by the archaeologists during the site inspection. This site is located immediately adjacent to a highly disturbed area that has been previously graded and leveled by mechanical equipment, which resulted in the removal of native sediments in the areas south of the boulder outcrop. Grubbing activities have disturbed the ground surface in the northern portion of this resource site. (AE(a), p. 35)

CA-RIV-8752 (P-33-016715)
CA-RIV-8752 is a prehistoric bedrock milling site consisting of a single granitic boulder that contains one grinding slick. The grinding slick is highly polished and shows evidence of light weathering. No artifacts that may be associated with the milling feature were identified by the archaeologists during the site inspection. The ground in the area surrounding the boulder has been disturbed by previous vegetation removal activities. (AE(a), pp. 35, 42)

As part of the 2007 report noted in **Table 5.5-A**, shovel test pits were excavated at sites CA-RIV-8750, CA-RIV-8751, and CA-RIV-8752 to determine if subsurface deposits were present in the areas surrounding the bedrock milling features. The findings of this work indicate that none of the resources contained substantial subsurface cultural deposits. Based on these findings, the 2007 report concluded that CA-RIV-8750, CA-RIV-8751, and CA-RIV-8752 were not eligible for listing on the NRHP or the CRHR due to their lack of archaeological data potential. (AE(a), pp. 34-35)

As part of the intensive cultural resources pedestrian survey of the Project site conducted by Applied Earthworks in May 2015, survey personnel attempted to re-identify any cultural resources recorded previously within the Project's Area of Potential Effect (APE), which included the entire approximately 76 acres of land constituting the Project site. All areas likely to contain or exhibit archaeologically or historically sensitive cultural resources were inspected carefully to ensure that visible, potentially significant cultural resources were discovered and documented (AE(a), p. 26). During the revisit, the surface manifestation and condition was assessed for each cultural resource. Digital site overview photographs were taken of each activity locus, cultural feature, and temporally or functionally diagnostic artifacts. An updated site record was completed if the current site record was deemed inadequate or incorrect. Applied Earthworks evaluated each identified archaeological resource with the Project site for significance and eligibility for listing in the NRHP and/or CRHR. No artifacts were discovered during the survey. (AE(a), p. 26)

Various degrees of ground disturbance were observed within the Project site during the 2015 Phase I survey. The southeastern portion of the Project site has been extensively disturbed by grading activities that have resulted in the exposure of the underlying bedrock and the creation of several large spoils piles. This disturbed area largely lacked any vegetation or ground cover. The remaining portions of the Project site exhibit linear furrows that suggest prior grubbing or vegetation removal activities. Much of this area is characterized by small scrubs and grasses, with drainage areas containing riparian flora that included cottonwood, salt cedar, and willow. Ground visibility throughout the survey area was good to excellent. (AE(a), p. 48)

NAHC Sacred Lands File Search and Native American Coordination Efforts

The NAHC Sacred Lands File search failed to indicate the presence of Native American cultural resources within the immediate Project area. The NAHC cautioned that the absence of specific site information does not indicate the absence of such resources, and recommended that other sources of cultural resources be contacted for information on Native American cultural resources. The NAHC provided a list of regional Native American tribal representatives who may have knowledge of cultural resources within the Project area. Tribal communities listed on the NAHC list included the Pala Band of Mission Indians, Pauma & Yuima Reservation, Pechanga Band of Mission Indians, Rincon Band of Mission Indians, Soboba Band of Mission Indians, Pauma Valley Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and La Jolla Band of Mission Indians. All of these tribes were contacted by Applied Earthworks in June 2015. (AE(a), p. 42)

Responses were received from Rincon Band of Mission Indians, Soboba Band of Mission Indians, and Pauma Band of Luiseño Indians. The Rincon Band of Mission Indians stated the Project is not located within the historic boundaries of their tribe and deferred to the Pechanga Band of Luiseño Indians or Soboba Band of Mission Indians. The Soboba Band of Mission Indians (Soboba) stated the Project site is within its Tribal Traditional Use Area (TUA) and is in proximity to known village sites and a shared use area that was used for ongoing trade between the Luiseño and Cahuilla tribes. Soboba requested consultation between the Project proponent and lead agency, copies of archaeological resource documentation, information regarding Project progress, Native American monitoring during ground-disturbing activities, surveys, and archaeological testing. The Pauma Band of Luiseño Indians (Pauma) stated their concern regarding the three archaeological resources on site, and indicated while these resources may be ineligible for NRHP listing, they represent evidence of ancestral occupation and their protection and preservation is important to the tribe. Pauma further requested that the ground disturbance activity be monitored by an archaeologist and Native American monitor, and indicated they would appreciate if the Project proponent could protect the archaeological resource areas. (AE(a), p. 43)

Applied Earthworks conducted follow-up telephone calls with the remaining Native American groups and individuals in July 2015. The San Luis Rey Band of Mission Indians and Pala Band of Mission Indians both deferred to local tribal groups in Riverside County. The Pala Band of Mission Indians stated that there were more than 50 cultural sites located within a one-mile radius of the site with some significance including burial sites, cupule boulders, and a large number of grinding slicks, and that the sites should be preserved. The Pechanga Band of Luiseño Indians stated that the area was culturally sensitive and requested the following: notification once the Project begins the entitlement process, if it has not already; copies of all applicable archaeological reports, site records, proposed grading plans, and environmental documents; government-to-government consultation with the lead agency; and monitoring during earthmoving activities by a Riverside County qualified archaeologist and a professional Pechanga Tribe monitor. As of May 10, 2016, no other responses have been received by Applied Earthworks from Native American groups. (AE(a), p. 43) See below for additional consultation information under SB 18 and AB 52 with City staff.

Paleontological Resource Assessment

In order to assess whether a particular project area has the potential to contain significant fossil resources at the subsurface, published geologic mapping was reviewed to determine the geology and stratigraphy of the area. Geologic units are considered to be “sensitive” for paleontological resources if they are known to contain significant fossils anywhere in their extent. Thus, a search of pertinent local and regional museum repositories for paleontological localities within and nearby the Project site was conducted to determine whether fossil localities have been previously discovered within a particular rock unit. A museum records search was conducted at the San Bernardino County Museum (SBCM) on August 25, 2015. This search was supplemented by review of the University of California Museum of

Paleontology's (UCMP) online database, which contains paleontological records for Riverside County. (AE(b), pp. 2-3)

The SBCM reports that there are no previously recorded vertebrate fossil localities in the Project site area or nearby. A review of online museum collections records maintained by UCMP returned no previously recorded fossil localities in the vicinity of the Project site area. However, the UCMP database maintains records for at least five vertebrate locality records identified within unnamed Pleistocene deposits in Riverside County, similar to the Quaternary Very Old Alluvium exposed just south of the proposed Project site. Recovered specimens include mammoth, rodent, and reptile. (AE(b), p. 4)

During a field reconnaissance survey conducted on May 19 and 20, 2015, Applied Earthworks documented the topography and exposed geology in the proposed Project area. One notable feature was an active ephemeral drainage that bisects the proposed Project site. The drainage runs roughly north-to-south through a gully that drains from the residential development north of the proposed Project site. Recent sedimentation and erosion cycles have occurred within the drainage feature, with the maximum depth of sedimentation at approximately 5 feet. The sedimentary material within the drainage feature was derived from the surrounding granitic bedrock, which is exposed at the surface in the proposed Project site and at a very shallow depth below poorly developed soil. Based on field observations, the coarse sand and pebble sediments within the drainage feature are likely of Holocene age and are likely too young to contain fossilized material. (AE(b), p. 3)

5.5.2 Related Regulations

Federal Regulations

National Historic Preservation Act

Federally issued permits may require a project to be considered an "undertaking" per 36 CFR Section 800.16(y), subject to compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The NHPA established a national policy for historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the federal, state, and local levels. The NHPA authorized the expansion and maintenance of the NRHP, established the position of State Historic Preservation Officer, provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes in preserving their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

The NHPA established the NRHP as "an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (36 CFR Section 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. If a cultural resource is determined to be an eligible historic property under 36 CFR Section 60.4, then Section 106 requires that the effects of the

proposed undertaking be assessed and considered in planning the undertaking. Ordinarily, cemeteries, birthplaces, or graves of historic figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; and properties that are primarily commemorative in nature are not considered eligible for the NRHP, unless they satisfy certain conditions.

NRHP Criteria

Determination of NRHP eligibility for cultural resources prior to making a finding of effect is made according to the following criteria of evaluation (36 CFR 60.4):

> The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:
>
> A. that are associated with events that have made a significant contribution to the broad patterns of our history;
>
> B. that are associated with the lives of persons significant in our past;
>
> C. that embody the distinctive characteristics of a type, period, method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack distinction; or
>
> D. that has yielded, or is likely to yield, information important to prehistory or history.

A property must meet one or more of these specific criteria to qualify as a good representative of a significant historical theme or pattern. It must be associated with important historical events or persons (Criteria A and B); convey important technical, aesthetic, or environmental values (Criterion C); or have potential to provide important scientific or scholarly information (Criterion D). Unless a site is of exceptional importance, it is not eligible for listing in the NRHP until it is 50 years of age. (AE(a), pp. 27-28)

Associative values are identified within the context of local, regional, and national history. Historical research is required to evaluate significant historical associations under Criteria A, B, and C. Criterion D, which is most often applied to archaeological sites, requires specification in terms of an archaeological context and research design. In addition to archaeological research potentials, sites may possess public and ethnic values which should be considered when evaluating significance. Moreover, archaeological sites may have broader public significance insofar as they can serve to educate the public about important aspects of national, state, and local history. These criteria, by which the NRHP eligibility of a resource is judged, are essential because they “indicate what properties should be considered for protection from destruction or impairment” (36 CFR 60.2). Any action, as part of an undertaking, which could affect a

significant cultural resource is subject to review and comment under Section 106 of the NHPA. (AE(a), p. 28)

State Regulations

California Register of Historical Resources (Public Resource Code Section 5024.10 *et seq.*)

State law protects cultural resources by requiring evaluations of the significance of historical resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in Section 15064.5(a) of the State *CEQA Guidelines*. These criteria are similar to those used in federal law. The CRHR is maintained by the state Office of Historic Preservation. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are state historical landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

CRHR Criteria

For purposes of CEQA, a historical resource is any object, building, structure, site, area, place, record, or manuscript listed in or eligible for listing in the CRHR (California Public Resources Code [PRC] Section 21084.1). A resource is eligible for listing in the CRHR if it meets any of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

2. Is associated with the lives of persons important in our past.

3. 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.

4. Has yielded, or may be likely to yield, information important in prehistory or history.

The California Code of Regulations (CCR) further provides that cultural resources of local significance are CRHR-eligible (Title 14 CCR, Section 4852).

California Environmental Quality Act

CEQA requires the lead agency to determine whether the proposed development project will have a significant effect on the environment. According to State *CEQA Guidelines* Section 15064.5(b), only those resources determined to be "historical resources," that is, listed or eligible for listing in the CRHR or determined a historical resource by the lead agency, are considered subject to potential significant adverse impacts. CEQA recognizes that historical resources are part of the environment, and that a project "that may cause a substantial adverse change in the significance of a historical resource is a project that may have a

significant effect on the environment" (PRC Section 21084.1). The State *CEQA Guidelines* state, "A project with an effect that may cause a substantial adverse change in significance of an historical resource is a project that may have a significant effect on the environment" (State *CEQA Guidelines* Section 15064.5(b)). A "substantial adverse change" is defined as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (State *CEQA Guidelines* Section 15064.5(b)(1)). The significance of a historical resource is materially impaired when a project affects "those physical characteristics of an historical resource that convey its historical significance" (State *CEQA Guidelines* Section 15064.5(b)(2)(a)).

Sections 21083.2 and 21084.1 of the State *CEQA Statute* deal with the definitions of unique and non-unique archaeological resources and historical resources respectively. Section 21083.2 directs the lead agency to determine whether the project may have a significant effect on unique archaeological resources. If the lead agency determines that the project may have a significant effect on unique archaeological resources, the environmental impact report shall address the issue of those resources. Section 21084.1 directs the lead agency to determine whether the project may have a significant effect on historical resources, irrespective of the fact that these historical resources may not be listed or determined to be eligible for listing in the CRHR, a local register of historical resources, or they are not deemed significant pursuant to criteria set forth in PRC Section 5024.1(g).

Unique Archaeological Resources Criteria

CEQA requires the lead agency to consider whether a project will have a significant effect on unique archaeological resources and to avoid unique archaeological resources when feasible or mitigate any effects to less-than-significant levels per PRC Section 21083.2. The State *CEQA Statutes* (PRC Section 21083.2(g)) define a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Paleontological Resources

Paleontological resources cannot be replaced once they are destroyed. Therefore, paleontological resources are considered nonrenewable scientific resources and are protected under CEQA. According to Appendix G of the State *CEQA Guidelines*, a project could have a significant effect if it would directly or indirectly destroy a unique paleontological resource or

site or unique geologic feature. In order to determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged). Therefore, mitigation of adverse impacts to paleontological resources is mandated by CEQA.

Human Remains

According to Section 15064.5 of the State *CEQA Guidelines*, all human remains are a significant resource. This section also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are discussed within PRC Section 5097.

California Public Resources Code 5097.98

California Senate Bill 297 (1982) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the State *CEQA Guidelines*.

California Health and Safety Code Section 7052 and 7050.5

Section 7052 of the California Health and Safety Code states that disturbance of Native American cemeteries is a felony. Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are found to be Native American, the coroner must contact NAHC.

Senate Bill 18, California Tribal Consultation Guidelines

The State of California Governor's Office of Planning and Research developed these guidelines in order to provide guidance to cities and counties on the process for consulting with Native American tribes during the adoption or amendment of local general plans or specific plans (defined in Government Code Section 65450 *et seq.*), which are components of this Project as both an amendment to the GP 2025 and Sycamore Canyon Business Park Specific Plan are proposed. Senate Bill (SB) 18 requires local agencies to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process, thereby providing tribes an opportunity to participate in local land use decisions at an early planning stage.

In accordance with SB 18, the City initiated consultation with 24 Native American tribes and interested parties from the list provided by NAHC on June 23, 2015. Of the 24 tribes notified, seven tribes responded as summarized in **Table 5.5-B – SB 18/AB 52 Response Log**, listed on the following page.

Assembly Bill 52, Impacts to Tribal Cultural Resources

AB 52, which became effective on July 1, 2015, adds a new requirement to CEQA regarding tribal cultural resources. PRC Section 21084.2 now establishes that a project with an effect

that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment. To help determine whether a project may have such an effect, PRC Section 21080.3.1 requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. As a result of AB 52, the following must take place: 1) prescribed notification and response timelines; 2) consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and 3) documentation of all consultation efforts to support CEQA findings.

Under AB 52, if a lead agency determines that a project may cause a substantial adverse change to a TCR, the lead agency must consider measures to mitigate that impact. PRC Section 21074 provides a definition of "tribal cultural resources." In brief, in order to be considered a tribal cultural resource, or TCR, a resource must be either 1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or 2) a resource that the lead agency chooses, in its discretion supported by substantial evidence, to treat as a TCR. In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources or City Designated Cultural Resource. In applying those criteria, a lead agency shall consider the value of the resource to the tribe.

Assembly Bill 52 and Senate Bill 18 Consultation Process

Pursuant to AB 52 and SB 18 consultation, requests began (via e-mail and letters) back in August of 2015 and were concluded July 15, 2016 (see AB 52/SB 18 Log in Appendix D.3). Only three Tribes requested actual consultation: the Morongo Band of Mission Indians, the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. Through on-site field visits and review of the Cultural Study, with the Confidential Information included, a set of Mitigation Measures were designed to preserve and relocate the known tribal cultural resources, and if other resources are found, to review any new impacts and/or potential avoidance/preservation techniques that can be employed for these resources. As noted on the Log other tribes did request tribal monitors on-site during ground disturbance.

Table 5.5-B – SB 18/AB 52 Response Log

Native American Group (Individual Responding)	Comment
Gabrieleno Band of Mission Indians – Kizh Nation (Honorable Chairman Andrew Salas)	• In the letter dated August 14, 2015, this tribe noted the Project site was outside their territory and declined further review.
San Manuel Band of Mission Indians (Mr. Daniel McCarthy MS, RPA)	• In the letter dated August 13, 2015, this tribe requested copy of the Cultural study. • The study was e-mailed on December 11, 2015.

Native American Group (Individual Responding)	Comment
	• On December 16, 2015, received e-mail with items of concern about the study and this information was passed on to Applied Earthworks for correction in the study as appropriate.
Cabazon Band of Mission Indians (Honorable Chairman Doug Welmas)	• In the letter dated December 17, 2015, this tribe requested an archaeologist to be present during ground disturbing activities. • This tribe did not request consultation and as a result their response letter concludes their consultation efforts.
Pauma & Yuima Reservation (Honorable Chairperson Randall Majel)	• This tribe requested a copy of the Project's cultural resources report on January 19, 2016, which was sent to the Tribe. • On February 16, 2016, the tribe requested an additional copy of the Cultural Report and indicated that they had no other issues with the Project. This response concludes their consultation efforts.
Pala Band of Mission Indians (Honorable Chairperson Robert H. Smith & Ms. Shasta Gaughen)	• In the letter dated January 8, 2016, the Tribe stated that they do not want to engage in consultation. The Tribe's response letter concludes their consultation efforts.
Agua Caliente Band of Cahuilla Indians (Ms. Patricia Garcia)	• In a letter dated January 15, 2016, the Tribe requested a copy of the Cultural Report, which was sent to the Tribe. • In a letter dated February 4, 2016, the Tribe requested a Native American Monitor to be present, but deferred to Soboba Band of Mission Indians regarding consultation. • The Tribe's response letter concludes their consultation efforts.
Rincon Band of Luiseño Indians (Mr. Jim McPherson)	• In a letter dated December 14, 2015, the Tribe stated that they do not request consultation and/or any mitigation measures. • The Tribe deferred the City to Soboba Band of Mission Indians and Pechanga Band of Luiseño Indians. • The Tribe's response letter concludes their consultation efforts.
Morongo Band of Mission Indians (Mr. Raymond Huate)	• In the letter dated October 8, 2015, the Tribe provided conditions and mitigation measures in addition to requesting a copy of the Cultural Study and consultation. • In an email dated December 11, 2015, the Tribe requested consultation which was held on January 14, 2016. • On March 2, 2016 the Tribe visited the Project site.

Native American Group (Individual Responding)	Comment
	• The Tribe was provided FINAL mitigation measures for their review on 7-15-2016 and no comments were received, concluding consultation efforts.
Pechanga Band of Luiseño Indians (Ms. Anna Hoover)	• In the letters dated August 13, 2015 and September 18, 2015, the tribe requested consultation. • Consultation was held on January 12, 2016. From this consultation the Tribe determined that the Project site was a Tribal Cultural Resource and a Cultural Landscape; therefore, requested further analysis within the Cultural Resources Report. • As a result of the above request, the Tribe along with the representatives of Applied Earthworks, the City, and the Project Applicant, visited the Project site. • A third consultation meeting was held on March 15, 2016. • On April 4, 2016, the Tribe requested copies of documents associated with the 404 Permit that were sent to Army Corps of Engineers. • On April 25, 2016, the Tribe provided the City with proposed mitigation measures. • The City provided revised mitigation measures to the Tribe for their consideration on June 8, 2016. • The Tribe was provided FINAL mitigation measures for their review on 7-15-2016 and an additional change was made per one of their comments, concluding consultation efforts.
Soboba Band of Luiseño Indians (Mr. Joseph Ontiveros)	• In the letter dated February 23, 2016, this tribe requested consultation. • Consultation began on July 7, 2016 and draft mitigation measures were sent to the tribe on July 14, 2016. • A consultation call was held with the tribe on July 15, 2016 to review the revised mitigation measures. • The Tribe was provided final mitigation measures for their review on July 15, 2016 and no comments were received concluding consultation efforts.

Source: City of Riverside, *AB52/SB 18 Log,* May 2016, Appendix D.3.

Local Regulations

Riverside General Plan 2025

The GP 2025 contains objectives and policies to protect cultural resources in the City in the Historic Preservation Element. Appendix M of this DEIR summarizes the Project's consistency with the applicable GP 2025 policies.

Riverside Municipal Code

Title 20 of the Riverside Municipal Code is the primary body of local historic preservation laws. The purpose of Title 20 is to promote the public health, safety, and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features, and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic, or artistic value in the City. Title 20 of the Riverside Municipal Code established procedures for preserving, protecting, and designating significant cultural resources should the resource be considered a historic/cultural resource. (RMC)

Chapter 20.50 defines eligible cultural resources as:

> *A cultural resource or historic district which has been determined by the Historic Preservation Officer or Qualified Designee, Board, or City Council to meet the City's designation criteria pursuant to a survey prepared by a professional meeting the Secretary of the Interior's standards which either documents the resource, records the resource on the State Department of Parks and Recreation survey forms, or has been so designated by the California State Historic Preservation Officer.*

Applications for eligible cultural resources are reviewed by the City's Cultural Heritage Board and ultimately approved by City Council. Further, in accordance with Title 20, a Certificate of Appropriateness is required to alter, demolish or relocate properties that are designated or determined eligible for designation as a City Cultural Resource. A Certificate of Appropriateness is also required for new construction within historic districts and neighborhood conservation areas. The Project does not meet these criteria, and as such, a Certificate of Appropriateness is not required for this Project.

Chapter 20.50 defines a landmark as:

> *Any Improvement or Natural Feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity, and meets one or more of the following criteria:*
>
> 1. *Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;*
>
> 2. *Is identified with persons or events significant in local, state or national history;*

3. *Embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;*

4. *Represents the work of a notable builder, designer, or architect, or important creative individual;*

5. *Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;*

6. *Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape;*

7. *Is one of the last remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or*

8. *Has yielded or may be likely to yield, information important in history or prehistory.*

An Improvement or Natural Feature meeting one or more of the above criteria, yet not having the high degree of integrity to qualify as a Landmark, may qualify as a Structure or Resource of Merit (see subsection EE, below)

An Improvement or Natural Feature meeting one or more of the above criteria, yet not formally designated as a Landmark by the City Council, may be an eligible Landmark.

Chapter 20.50 defines a Structure or Resource of Merit as:

Any Improvement or Natural Feature which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City, retains sufficient integrity, and:

1. *Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood community or of the City*

2. *Is an example of a type of building which was once common but is now rare in its neighborhood, community or area;*

3. *Is connected with a business or use which was once common but is now rare;*

4. *A Cultural Resource that could be eligible under Landmark Criteria no longer exhibiting a high level of integrity, however, retaining sufficient integrity to convey significance under one or more of the Landmark Criteria;*

5. *Has yielded or may be likely to yield, information important in history or prehistory; or*

6. *An improvement or resource that no longer exhibits the high degree of integrity sufficient for Landmark designation, yet still retains sufficient integrity under one or more of the Landmark criteria to convey cultural resource significance as a Structure or Resource of Merit. (Ord. 7248 §5, 2014; Ord. 7206 §24, 2013; Ord. 7108 §1, 2010)*

Sycamore Canyon Business Park Specific Plan

The Project site is located within the northwestern extent of the *Sycamore Canyon Business Park Specific Plan* (SCBPSP) area. Originally adopted in 1984, the SCBPSP stipulates the development of a planned industrial park consisting of approximately 920 acres of industrial and commercial uses within a 1,400-acre Specific Plan area. The SCBPSP calls for a multipurpose use of the area that includes industrial, industrial support, retail business and offices, and open space. Since its approval, the Specific Plan has been subject to a number of amendments.

5.5.3 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the State *CEQA Guidelines*. Therefore, significance determinations utilized in this section are from Appendix G of the State *CEQA Guidelines*. A significant impact will occur if implementation of the proposed Project will:

- (Threshold A) cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- (Threshold B) cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- (Threshold C) directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- (Threshold D) disturb any human remains, including those interred outside of formal cemeteries.
- (Threshold E) cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074.

5.5.4 Project Design Features

Project design features refer to ways in which a project will reduce or avoid potential impacts through the design. The proposed Project does not include any design features with regard to cultural resources.

5.5.5 Environmental Impacts before Mitigation

Threshold A: *Would the Project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

Five archaeological resources date to the historic period and include the remnants of a railroad siding and refuse scatters. Two multicomponent archaeological sites, each consisting of prehistoric bedrock milling features with associated historic period remains, have also been identified within the record search area. Furthermore, a review of the NRHP, Archaeological Determination of Eligibility (ADOE), Historic Property Data File (HPD), and databases of the California Historic Landmarks and California Points of Historical Interest indicates no historic properties or landmarks have been recorded or listed within, or immediately adjacent to, the Project area (AE(a), p. 34). Therefore, because there are no significant historical resources at the Project site, implementation of the proposed Project will not result in a substantial adverse change in the significance of a historical resource and **no impact** will occur.

Threshold B: *Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

As discussed in Section 5.5.1, the intensive pedestrian survey conducted in May 2015 resulted in the re-identification of the three archaeological resources that had been previously documented within the Project site in 2007: CA-RIV-8750, CA-RIV-8751, and CA-RIV-8752. No new cultural resources were identified or recorded during the 2015 Phase I survey for the proposed Project. Updated DPR Form 523s were prepared by Applied Earthworks for CA-RIV 8750, CA-RIV-8751, and CA-RIV-8752 (AE(a), p. 48). As discussed below, all three of these resources are within the Project footprint and have the potential to be impacted by the proposed Project; however, mitigation measures have been identified through the tribal consultation process to relocate and reduce impacts to these resources if feasible.

The 2007 report that initially evaluated CA-RIV 8750, CA-RIV-8751, and CA-RIV-8752 found that none of these resources appeared to meet eligibility requirements for listing on the CRHR or NRHP. However, the passage of time, changing perceptions of significance, or incomplete prior evaluations, may require the reevaluation of previously evaluated resources.[3] As part of the 2015 Phase I study, each resource's research potential and criteria for recommended inclusion on the CRHR, NRHP, or as a City of Riverside Designated Cultural Resource were reevaluated. (AE(a), pp. 51-53) The evaluation process essentially weighs the relative importance of events, people, and places against the larger backdrop of prehistory and history; the contexts provide the comparative standards and/or examples as well as the theme(s) necessary for this assessment.[4] Significance is based on how well the subject resource represents one or more of these themes, provides important scientific information about the theme, or helps to understand the important events or people associated with the resource and its inherent qualities. A resource must demonstrate more than just association with a

[3] As stipulated in 36 CFR 800.4(c)(1).
[4] A theme is a pattern or trend that has influenced the history of an area for a certain period, and is typically couched in geographic (i.e., local, state, or national) and temporal terms to focus and facilitate the evaluation process (AE(a), pp. 26-27).

theme; it must be a good representative of the theme, capable of illustrating or explaining the various thematic elements of a particular time and place in history. (AE(a), p. 28) Results of the 2015 evaluation confirm earlier findings and suggest that none of the prehistoric bedrock milling sites are eligible for listing on the CRHR or NRHP (AE(a), pp. 47-48) as discussed in the following paragraphs.

CA-RIV-8750 (P-33-016713)

CA-RIV-8750 represents a prehistoric special-use area related to subsistence-based processing activities, most likely the processing of native seeds, plant fibers, and small mammals. The flat surfaces of the grinding slicks would have been most conducive to seed grinding rather than acorn processing, for which mortar cups are often utilized. The shallowness and low degree of polish associated with the two grinding slicks indicate that the features result from a small number of short-term processing episodes. No artifacts were found in association with the milling features during the 2015 revisit, which is consistent with the earlier findings in the 2007 report. Furthermore, the negative findings of the two shovel test pits excavated at CA-RIV-8750 in 2007 indicate that the site lacks substantial buried cultural deposits. (AE(a), p. 51)

Data from the earlier work at CA-RIV-8750, along with information obtained during the recent cultural resource survey, indicate that the site does not meet any of the four criteria for listing on the NRHP or the CRHR, as discussed below. The absence of surface artifacts and subsurface cultural remains indicates that the site is not likely to yield any additional information that can address research issues related to chronology, technology, settlement organization and land use, and subsistence behavior. As such, CA-RIV-8750 cannot be considered eligible for listing under NRHP Criterion D or CRHR Criterion 4. (AE(a), p. 51)

Although the site retains integrity of location, the integrity of setting, feeling, and association has been impaired by the development of the nearby Sycamore Canyon Business Park to the east and the Sycamore Highlands residential development immediately to the north. Moreover, weed abatement activities in the area surrounding the bedrock milling outcrops have removed the native plant communities that would have been found prehistorically. Finally, the site's integrity has been further impaired by off-road vehicular use which has disturbed the native sediments in the immediate area surrounding the bedrock milling features. (AE(a), p. 51)

CA-RIV-8751 (P-33-016714)

CA-RIV-8751 represents a prehistoric special-use area related to subsistence-based processing activities, most likely the processing of native seeds, plant fibers, and small mammals. The flat surfaces of the two grinding slicks suggest use as a seed processing locale. The shallowness and low degree of polish associated with the grinding slicks indicate that the features result from a small number of short-term processing episodes. No artifacts were found in association with the milling features during the 2015 revisit, which is consistent with the earlier findings in the 2007 report. Furthermore, the negative findings of the two shovel test pits excavated at CA-RIV-8751 in 2007 indicate that the site lacks substantial buried cultural deposits. (AE(a), pp. 51-52)

The site does not meet any of the four criteria for listing on the NRHP or the CRHR, as discussed below. The absence of surface artifacts and subsurface cultural remains indicate that the site is not likely to yield any additional information that can address research issues related to chronology, technology, settlement organization and land use, and subsistence behavior. As such, CA-RIV-8751 is not eligible for listing under NRHP Criterion D or CRHR Criterion 4. (AE(a), p. 52)

The site retains integrity of location; however the integrity of setting, feeling, and association have been significantly impaired by the development of the nearby Sycamore Canyon Business Park. The site is located immediately adjacent to a highly disturbed area that has been graded and leveled by mechanical equipment. These activities have resulted in the removal of native sediments in the areas south of the bedrock milling feature outcrop. Grubbing activities have also disturbed the ground surface in the northern portion of the resource site. (AE(a), p. 52)

CA-RIV-8752 (P-33-016715)

CA-RIV-8752 is a prehistoric special-use area related to subsistence-based processing activities, most likely the processing of native seeds, plant fibers, and small mammals. The shallowness of the two identified grinding slicks suggests that the site is associated with seed processing. The polished surface of one of the slicks suggests relatively intensive use of this feature. No surface artifacts were identified at the site during the revisit, which is consistent with the earlier findings in the 2007 report. Furthermore, the negative findings of the shovel test pit excavated at CA-RIV-8752 in 2007 indicate that the site lacks substantial buried cultural deposits. (AE(a), pp. 52-53)

Data from the earlier work at CA-RIV-8752, along with information obtained during the recent cultural resource survey, indicate that the site does not meet any of the four criteria for listing on the NRHP or the CRHR, as discussed below. The absence of surface artifacts and subsurface cultural remains indicate that the site is not likely to yield any additional information that can address research issues related to chronology, technology, settlement organization and land use, and subsistence behavior. As such, CA-RIV-8752 is not recommended as eligible for listing under Criterion D/4. (AE(a), p. 52)

Although the site retains integrity of location, the integrity of setting, feeling, and association has been impaired by the development of the nearby Sycamore Canyon Business Park. Furthermore, weed abatement activities have removed the native plant communities and disturbed the ground surface of the area surrounding the bedrock milling feature. (AE(a), p. 53)

Historic Resource Eligibility

Federal and State Regulations

As discussed in Section 5.5.2, there are four criteria that a resource must meet to be eligible for listing on the NRHP and the CRHR.

To be considered for listing on the NRHP under Criterion A the property must be associated with one or more events important in the defined historic context, have an important association with the event or historic trends, and retain its historic integrity (NRHP, p. 12). Likewise, in order to be designated as a historic resource under Criterion 1 of the CRHR, a site must be 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 (OHP). None of the archaeological resources within the Project site meet the requirements for listing under the NRHP or CRHR because various disturbances, as described above, have caused these three sites to lose their integrity of setting, feeling, and association. Therefore, because these sites have not retained their historic integrity, they are not eligible for listing under NRHP Criterion A or CRHR Criterion 1.

Criterion B for listing on the NRHP applies to properties associated with individuals whose specific contributions to history can be identified and documented and is generally restricted to properties that illustrate a person's important achievements (NRHP, p. 14). With relation to Native American sites, the individual associated with the property must have made some specific contribution to the history (NPS, p. 16). Eligibility under Criterion 2 of the CRHR extends this designation to sites associated with the lives of persons important to local, California, or national history (OHP). Although the specific individuals who visited these sites are unknown, these milling features were likely used for food processing activities, as described above. Food processing activities are associated with daily life, and would not represent a person's important achievement. Therefore, these sites are not eligible under Criterion B of the NRHP or CRHR Criterion 2.

Criterion C of the NRHP applies to properties significant for their physical design or construction, including such elements as architecture, engineering, and artwork (NPS, p. 17). Similarly, Criterion 3 of the CRHR requires a site to embody the distinctive characteristics of a type, period, region, or method of construction or to represent the work of a master or to possess a high artistic value to be eligible for listing (OHP). These Criteria are not applicable to the archaeological sites identified at the Project site because they consist of stone milling features, and do not exhibit any specific architectural, engineering, or artistic characteristics. Therefore, these sites are also ineligible Criterion C.

Criterion D of the NRHP encompasses properties that have the potential to answer, in whole in part, research questions that can only be answered through study of actual, physical materials of cultural resources. To be eligible, a property must have been used as a source of data, and contains more, or has the potential to contain more, data (NPS, p. 21). To be eligible for listing under Criterion 4 of the CRHR, a site must have yielded, or have potential to yield, information important to the prehistory or history of the local area, California, or the nation (OHP). No surface artifacts were discovered at the three archaeological sites during the revisit, which is consistent with the earlier findings by Tang and others. Likewise, negative findings of soil test pits excavated at these sites indicate that there is a low potential for buried cultural deposits. (AE(a), pp. 48-50). Therefore, these sites are not eligible under Criterion D for listing because they have a low likelihood to yield information for future study.

Therefore, these sites are not eligible for listing on the NRHP or the CRHR and do not constitute a significant historic resource.

Local Regulations

Additionally, the resources located at the Project site do not constitute eligible cultural resources as outlined in Title 20 of the City's Municipal Code. They cannot be considered a Cultural Heritage Landmark as they are not an "exceptional example" of an archaeological resource. Furthermore, the sites also lack the data potential to contribute important information to the "broader understanding" of the archaeological heritage of the City of Riverside. (AE(a), pp. 51-53)

Further, the findings of the Project's cultural resources assessment indicate that the sites are not likely to be considered contributing elements to a subsistence-based procurement and processing taskscape that may have been present prehistorically within the Sycamore Canyon area for two primary reasons. First, the locations of the three sites along a secondary drainage suggest that the processing activities that occurred at these loci were not an integral part of the larger regime that was centered on Sycamore Canyon. Second, residential and commercial development of the area surrounding the sites has impacted the integrity of setting, feeling, and association of the three resources. Thus, the sites are not key contributors to the cultural landscape and do not retain a sufficient degree of integrity to enable them to convey their significance as it relates to subsidence-based procurement and processing activities. As no historic properties or historical resources will be affected or impacted by the proposed Project, no further treatment or management of these resources is recommended at this time. (AE(a), p. 53) Therefore, they do not constitute an eligible cultural resource as defined in Title 20 of Riverside's Municipal Code.

For the reasons discussed above, these features also do not meet the requirements to be considered a "Structure or Resource of Merit" as defined in Title 20 of the Riverside Municipal Code. For a cultural resource to be eligible under Title 20, it must retain a high level of integrity or be able to yield important information related to history or prehistory. As discussed above, these cultural resources have been periodically disturbed and do not maintain a high degree of integrity. Additionally, no surface artifacts have been identified at these sites and all soil pits returned negative results, which mean that these sites have a low potential to yield important information related to history or prehistory.

Therefore, these archaeological sites cannot be classified as eligible cultural resources, landmarks, or structures or resources of merit under Title 20 of the Riverside Municipal Code.

Conclusion

The cultural resources assessment of the Project site area identified three prehistoric bedrock milling sites (CA-RIV-8750, -8751, and -8752) that will be impacted by the implementation of the proposed Project because they are located within the proposed Project footprint. As discussed above, these archaeological sites were previously determined ineligible for listing on

the NRHP, CRHR, or City of Riverside Designated Cultural Resource in the 2007 report. A reevaluation of the significance of the resources by Applied Earthworks in 2015, and the discussion above, confirms earlier recommendations and suggests that none of the sites are historic properties as defined by the NHPA and/or historical resources under CEQA.

As part of the Native American coordination efforts undertaken by Applied Earthworks and the SB18/AB 52 consultation process, the Soboba Band of Mission Indians, the Pechanga Band of Luiseño Indians, and the Morongo Band of Mission Indians requested monitoring of Project-related ground-disturbing activities. Archaeological monitoring of ground-disturbing activities is required by mitigation measure **MM CR 2**, which also requires the Project Archaeologist, in consultation with interested tribes, the Project Developer, and the City to develop an Archaeological Monitoring Plan. Among the details to be included in this plan are determinations of which tribes will have Native American monitors present, and the responsibilities and participation of these monitors. The Archaeological Monitoring Plan shall also include information on controlled grading within 50 feet of the boundaries of the three resources onsite as well as determination as to which features of the archaeological sites may be successfully relocated onsite within the landscape setback areas. After completion of grading, excavation, and ground disturbing activities, a Phase IV Monitoring Report shall be submitted to the City to document monitoring activities by the Project Archaeologist and Native Tribal Monitor pursuant to **MM CR 2.**

In the event the Project's site plan changes prior to grading permit issuance, mitigation measure **MM CR 1**, requires the Project Applicant and City contact interested tribes, provide an electronic copy of the revised plans for their review, and provide an opportunity for additional consultation. The additional consultation shall occur between the City and interested tribes to allow for discussion of the proposed changes and to ensure that any discovered cultural resources are handled in accordance with the Archaeological Monitoring Plan described in mitigation measure **MM CR 2.**

Implementation of mitigation measures **MM CR 1** and **MM CR 2** ensure communication between the tribes and the City in relation to impacts on the archaeological resources identified onsite as well as relocation of these resources, when feasible. Therefore, impacts to archaeological resources will be **less than significant with mitigation**.

Threshold C: *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Absent specific agency guidelines, most paleontologists in California adhere to guidelines set forth by the *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* published by the Society of Vertebrate Paleontology [SVP] in 2010 to determine the course of paleontological mitigation for a given project. These guidelines establish protocols for the assessment of the paleontological resource potential of underlying geologic units and outline measures to mitigate adverse impacts that could result from project development. Using baseline information gathered during a paleontological resource

assessment, the paleontological resource potential of the geologic unit(s) (or members thereof) underlying a project area can be assigned to one of four categories defined by SVP. These categories include high, undetermined, low, and no paleontological resource potential. (AE(b), p. 2) The following summarizes each of these categories:

- **No Potential:** Geologic units assigned to this category include rock units that are formed under or exposed to immense heat and pressure, such as high-grade metamorphic rocks and plutonic igneous rocks. Per the SVP, no mitigation is required for this category.
- **Low Potential:** Geologic units assigned to this category include rock units that have yielded few fossils in the past, based upon review of available literature and museum collections records. Geologic units of low potential also include those that yield fossils only on rare occasion and under unusual circumstances. Per the SVP, mitigation is not typically required for this category.
- **Undetermined Potential:** In some cases, available literature on a particular geologic unit will be scarce and a determination of whether or not it is fossiliferous or potentially fossiliferous will be difficult to make. Under these circumstances, per the SVP, further study is needed to determine the unit's paleontological resource potential (i.e., field survey).
- **High Potential:** Geologic units with high potential for paleontological resources are those that have proven to yield vertebrate or significant invertebrate, plant or trace fossils in the past or are likely to contain new vertebrate materials, traces, or trackways. Rock units with high potential also may include those that contain datable organic remains older than late Holocene (e.g., animal nests or middens). Per the SVP, typically a field survey as well as on-site construction monitoring is required; any significant specimens discovered are to be prepared, identified, and curated into a museum, and a final report documenting the significance of the finds is required.

Based on the literature review and museum records search results, the paleontological sensitivity of the proposed Project site was determined in accordance with the SVP's sensitivity scale. In addition, Applied Earthworks reviewed Riverside County's paleontological sensitivity map, which indicates the proposed Project site has a low paleontological sensitivity. As a result, the tonalite of the Val Verde Pluton is determined to have no paleontological resource potential because plutonic igneous rocks do not contain fossils due to the high heat of formation. (AE(b), p. 4) Accordingly, further paleontological resource management is not recommended because the proposed Project development will not extend off site into the sensitive Pleistocene-age alluvial deposits approximately 250 feet southeast of the Project site. For these reasons, impacts will be **less than significant**.

Threshold D: *Would the Project disturb any human remains, including those interred outside of formal cemeteries?*

Surveys, investigations, and studies conducted on the Project site and within the Project area have not identified prehistoric (or historic) human remains. Additionally, the NAHC's Sacred Land Files search results and resultant Native American tribal coordination efforts failed to identify any sacred or religious Native American resources within the Project area (AE(a), p. 55). Further, the Project site is not located on a known formal or informal cemetery.

In the event of discovery of human remains, the Project shall comply with the standard condition that reads as follows:

Discovery of Human Remains: In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Riverside Community and Economic Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

With compliance with the above standard condition of approval, potential impacts with respect to disturbing human remains will be **less than significant**.

Threshold E: *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?*

As stated above in Section 5.5.2, a TCR is defined as a resource that must be either 1) listed, or determined to be eligible for listing, on the national, state, or local register of historic

resources, or 2) a resource that the lead agency chooses, in its discretion supported by substantial evidence, to treat as a tribal cultural resource. In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. As discussed in Threshold B, above, the archaeological resources identified onsite do not meet the requirements to be listed under the NRHP, CRHR, or local policies. Therefore, there are no officially designated TCRs at the Project site.

As part of the SB 18/AB 52 consultation process, representatives of the Pechanga Band of Luiseño Indians met with City staff and consultants on three occasions: January 12, 2016 (at City Hall), February 1, 2016 (at the Project site with the Project Applicants), and March 15, 2016 (at City Hall). The tribe was also very open to phone calls, of which a number were held. However, one of the final consultation calls with consultants, tribal members and City staff was held on July 7, 2016. During consultations, the Tribal representatives have stated that the Project site is located within the traditional territory of the Pechanga Band of Luiseño Indians. Specifically, the Tribe identified the Project site as being within a Traditional Cultural Landscape (TCL), a highly sensitive region for the Luiseño and contains TCRs. According to the Tribal representatives, the TCL is located within a traditional Payomkawichum Cultural Landscape. The Tribal representatives indicated that more than 50 cultural sites were located within a one-mile radius of the blue-line stream flowing through the Project area. They suggested that water resources in the Sycamore Canyon area supported a dense habitation for hundreds of years if not longer. Lastly, the Tribe indicated that the features present on the Project site were associated with the Sycamore Canyon village complex which extends within at least a four-mile radius of the Project. However, substantial evidence has not been provided to the lead agency to indicate the significance of these resources or to make an official determination that these resources constitute TCRs as defined for CEQA purposes.

Through the SB 18/AB 52 consultation process, the Tribe is requesting full avoidance of all three archaeological sites (CA-RIV-8750, CA-RIV-8751, and CA-RIV-8752) but acknowledges that the current design of the proposed Project will entail removal of all the known archaeological resources at the Project site. In order to reduce impacts to the known archaeological resources at the Project site to less than significant, the Project will implement mitigation measures **MM CR 1**, **MM CR 2**, and **MM CR 3,** as requested by the Tribes.

As part of the SB18/AB 52 consultation process the City and its consultant team met with a representative from the Morongo Band of Mission Indians twice on January 28, 2016 (at City Hall) and March 2, 2016 (at the Project site). During consultation, the Morongo representative expressed concerns regarding a Cottonwood tree that would be removed by the Project and requested the tree. As a result of this request, the disposition and timing of the removal of this tree will be included in the Archaeological Monitoring Plan required by mitigation measure **MM CR 2**.

Similarly to the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians finds the Project site to be both a within village site area as well as being within a Traditional Cultural

Landscape (TCL), a highly sensitive region for their Luiseño Band and containing TCRs. As noted above, in order to reduce impacts to the known archaeological resources at the Project site to less than significant, the Project will implement mitigation measures **MM CR 1** through **MM CR 4,** as requested by the Tribes.

Full avoidance of these resources is not possible given the location of the three resources within the development footprint of the Project. As discussed in Section 8 – Alternatives of this DEIR, there are no acceptable alternatives that would allow for avoidance of these resources. Evidence has not been provided by the tribes to show that these archaeological resources constitute TCRs as defined for CEQA purposes. However, with implementation of mitigation measures **MM CR 1** through **MM CR 4** and the condition of approval discussed under Threshold D, impacts with regard to these resources are considered to be **less than significant with mitigation**.

5.5.6 Proposed Mitigation Measures

An EIR is required to describe feasible mitigation measures which could minimize significant adverse impacts (State CEQA Guidelines, Section 15126.4). The following mitigation measures are the result of the AB 52 consultation process.

MM CR 1: Prior to grading permit issuance: If there are any changes to project site design and/or proposed grades, the Applicant shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.

MM CR 2: Archaeological Monitoring: At least 30-days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

1. The Project Archaeologist, in consultation with interested tribes, the Developer and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:
    a. Project grading and development scheduling;

b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;

c. Plan for the controlled grading within 50 feet of the boundaries of CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752. Grading within 50-feet of these sites shall be conducted using controlled grading techniques. Large indiscriminate grading equipment shall not be used, and the controlled grading technique shall be reviewed by the Project Archaeologist, in consultation with interested tribes, the Developer and the City. The archaeologist and Native Tribal Monitors shall ensure that the grading efforts in these areas are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measure CR 3;

d. The determination by the project archaeologist, Developer, City and Native Tribal Monitors as to which features of sites CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752 can be successfully relocated to locations onsite that will be mutually agreed upon. The relocated features will be placed in an area that will be preserved in perpetuity, so that no future disturbances will occur;

e. The protocols and stipulations that the Developer, City, Tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;

f. The 3D modeling on all the sites located within the Project site, specifically in Areas 1 (CA-RIV-8750), 2 (CA-RIV-8751), and 3 (CA-RIV-8752), as delineated on the Site Plan attached to the Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts;

g. The location of the Cottonwood Tree requested by the Morongo Band of Mission Indians for their tribal requirements shall be noted on the Archaeological Monitoring Plan. The Monitoring Plan shall address the timing of the removal of the tree by the Morongo Band of Mission Indians and transfer of the tree to them; and

h. The scheduling and timing of the Cultural Sensitivity Training noted in Mitigation Measure CR 4.

MM CR 3: Treatment and Disposition of Cultural Resources: In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversite of the process; and

2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:

    a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;

    b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;

    c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and.

    d. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center and interested tribes:

        i. Information on the location of, up to, 13 protein residue tests on the site and one or more control sites, will be provided in the final report.

MM CR 4: Cultural Sensitivity Training: The County certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report

Mitigation measures **MM CR 1** through **MM CR 4** will minimize potentially significant impacts to previously unknown archaeological resources as well as known and unknown TCRs that may be inadvertently discovered during the Project's ground-disturbing construction activities by requiring such activity to be monitored by a qualified archaeologist and a Native American monitor, as well as requiring the appropriate steps be taken if an inadvertent discovery is made. With the above mitigation measures implemented, impacts to unknown potentially significant archaeological resources and known and unknown TCRs will be reduced to a **less than significant** level.

5.5.7 References

In addition to other documents, the following references were used in the preparation of this section of the DEIR:

AHIR — City of Riverside, At Home in Riverside, Sycamore Canyon Springs. (Available at http://www.riversideca.gov/athomeinriverside/neighborhoods-sycamorecanyonsprings.asp, accessed June 18, 2015.)

AE(a) — Applied Earthworks, *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California*, July 2016. (Appendix D.1.)

AE(b) — Applied Earthworks, *Paleontological Resources Assessment for the Sycamore Canyon Business Park Buildings 1 & 2, City of Riverside, Riverside County, California*, August 2015 (Appendix D.2.)

GP 2025 FPEIR — City of Riverside, *General Plan 2025 Program Environmental Impact Report* (SCH# 2004021108), certified November 2007. (Available at http://www.riversideca.gov/planning/gp2025program/, accessed June 18, 2015.)

NPS — National Park Service, *National Register Bulletin How to Apply the National Register Criteria for Evaluation*, revised 1997. (Available at https://www.nps.gov/nr/publications/bulletins/pdfs/nrb15.pdf, accessed July 15, 2016.)

OHP — California State Parks Office of Historic Preservation, *California Register*, 2016. (Available at http://ohp.parks.ca.gov/?page_id=21238, accessed July 15, 2016.)

RMC City of Riverside, *Municipal Code*, Title 20. (Available at https://www.riversideca.gov/municode/title20.asp, accessed July 15, 2016.)

SCBP City of Riverside, *Sycamore Canyon Business Park Specific Plan*, adopted April 10, 1984, as amended through Amendment No. 14, January 23, 2007. (Available at http://www.riversideca.gov/planning/cityplans-csp-sycanbp.asp, accessed June 18, 2015).