

4.4 CULTURAL RESOURCES

4.4.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to cultural resources, identify potential impacts that could result from Beaumont Summit Station Specific Plan Project (Project) implementation, and as necessary, recommend mitigation to avoid or reduce the significance of impacts.

Information in this section is based primarily on the following sources that are contained in **Appendix D, Cultural Resources Assessment**:

- PaleoWest. August 2021. *Cultural Resources Assessment for the Beaumont Summit Station Project, Riverside County, California.*

Additional resource information was obtained from available public resources, including among others, the City of Beaumont General Plan (GP). Additionally, the Native American Heritage Commission (NAHC) letter in response to the Project's Notice of Preparation is provided in **Appendix K** and provides guidance on Assembly Bill (AB) 52 and Senate Bill (SB) 18 compliance.

Cultural Resources Terminology and Concepts

Key terms and concepts used in this section to describe and assess the potential cultural resource impacts are defined below:

Archeological Site. A site is defined by the National Register of Historic Places (NRHP) as the place or places where the remnants of a past culture survive in a physical context that allows for the interpretation of these remains. Archeological remains usually take the form of artifacts (e.g., fragments of tools, vestiges of utilitarian or non-utilitarian objects), features (e.g., remnants of walls, cooking hearths, or midden deposits), and ecological evidence (e.g., pollen remaining from plants that were in the area when the activates occurred). Prehistoric archaeological sites generally represent the material remains of Native American groups and their activities dating to the period before European contact. In some cases, prehistoric sites may contain evidence of trade contact with Europeans. Ethnohistoric archaeological sites are defined as Native American settlements occupied after the arrival of European settlers in California. Historic archaeological sites reflect the activities of non-native populations during the Historic period.

Artifact. An object that has been made, modified, or used by a human being.

Cultural Resource. A cultural resource is a location of human activity, occupation, or use identifiable through field inventory, historical documentation, or oral evidence. Cultural resources include archaeological resources and built environment resources (sometimes known as historic architectural resources), and may include sites, structures, buildings, objects, artifacts, works of art, architecture, and natural features that were important in past human events. They may consist of physical remains or areas where significant human events occurred, even though evidence of the events no longer remains. Cultural resources also include places that are of traditional, cultural, or religious importance to social or cultural groups.

Cultural Resources Study Area (or study area). All areas of potential permanent and temporary impacts for a reasonable worst-case development within a project site and off-site impact areas.

Ecofact. An object found at an archaeological site that has an archaeological significance but has not been technologically altered, such as seeds, pollens, or shells.

Ethnographic. Relating to the study of human cultures. “Ethnographic resources” represent the heritage resource of an ethnic or cultural group, such as Native Americans or African, European, Latino, or Asian immigrants. They include traditional resource-collecting areas, ceremonial sites, value-imbued landscape features, cemeteries, shrines, or ethnic neighborhoods.

Historic Period. The period that begins with the arrival of the first non-native population and thus varies by area.

Historical Resource. This term is used for the purposes of California Environmental Quality Act (CEQA) and is defined in the *State CEQA Guidelines* (14 California Code of Regulations [CCR] §15064.5) as: (1) a resource listed in, or determined to be eligible for listing in the California Register of Historical Resources (CRHR); (2) a resource included in a local register of historical resources, as defined in Public Resources Code (PRC) § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Historical resources may also include tribal cultural resources including sites, features, places, cultural landscapes, sacred places, objects, and/or archeological resources with value to a California Native American Tribe per PRC §21074.

Isolate. An isolated artifact or small group of artifacts that appear to reflect a single event, loci, or activity. Isolates typically lack identifiable context and thus have little interpretative or research value. Isolates are not considered to be significant under CEQA and do not require avoidance mitigation (PRC § 21083.2 and *State CEQA Guidelines* §15064.5). All isolates located during the field effort, however, are recorded and the data are transmitted to the appropriate California Historical Resources Information System (CHRIS) Information Center.

Lithic. Of or pertaining to stone. Specifically, in archaeology, lithic artifacts are chipped or flaked stone tools, and the stone debris resulting from their manufacture.

Native American Sacred Site. An area that has been, or continues to be, of religious significance to Native American peoples, such as an area where religious ceremonies are practiced or an area that is central to their origins as a people.

Prehistoric Period. The era prior to 1772. The later part of the prehistoric period (post-1542) is also referring to as the protohistoric period in some areas, which marks a transitional period during which native populations began to be influenced by European presence resulting in gradual changes to their lifeways.

Stratigraphy. The natural and cultural layers of soil that make up an archaeological deposit, and the order in which they were deposited relative to other layers.

Tribal Cultural Resource. This term refers to a site, feature, place, cultural landscape, sacred place, object, or archaeological resource with cultural value to a California Native American tribe that is listed or eligible for listing in national, California, or local registers. A lead agency also has the discretion to determine that a resource is a tribal cultural resource if the determination is supported by substantial evidence. Tribal cultural resources are addressed in **Section 4.16, Tribal Cultural Resources.**

Unique Archeological Resource. This term is used for the purposes of CEQA and is defined in PRC § 21083.2(g) 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 either contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information; has a special and particular quality such as being the oldest of its type or the best available examples of its type; or, is directly associated with a scientifically recognized important prehistoric or historic event or person.

4.4.2 Environmental Setting

As discussed in the Cultural Resource Assessment, the City of Beaumont (City) is within the San Gorgonio Pass region of southern California, south of the San Bernardino Mountains, within the San Jacinto Mountains of the Peninsular Ranges geomorphic province of California. The region surrounding the City is a geologically complex area, in part due to movement along the San Andreas fault, Banning fault, San Gorgonio fault, and others. Annual precipitation in the area ranges from 18 to 20 inches. The City encompasses a portion of the South Coast Bioregion that is sparsely vegetated with scrub brush and grasses and populated by a variety of reptiles, small mammals, birds, and insects.

The Peninsular Ranges extend approximately 125 miles from the Los Angeles Basin to the tip of Baja California and are bounded by the Elsinore fault zone and the Colorado Desert in the east and the Pacific Coast on the west. The geology in the northern reaches of the range, including the San Jacinto Mountains, consists of Paleozoic gneiss, schist, and other older metamorphic rocks; Mesozoic granitic rocks of the southern California batholith; and Cenozoic marine and terrestrial deposits. The highest point in the range is San Jacinto Peak at 10,805 feet above mean sea level.¹

See **Section 4.16, Tribal Cultural Resources** for the Ethnographic Setting.

Prehistoric Setting

Native American occupation of the Colorado Desert is typically divided into four cultural periods: San Dieguito (circa 12,000–7,000 years B.P.); Pinto (circa 7,000–4,000 B.P.); Amargosa (circa 4,000–1,200 B.P.); and the Late Prehistoric Period (circa 1,200–200 B.P.). These cultural periods exclude the controversial “Early Man” pre-projectile point materials from Calico. The prehistoric cultural setting

¹ PaleoWest. July 2021. Cultural Resources Assessment for the Beaumont Summit Station Project, Riverside County, California.

discussed below begins at the Late Prehistoric Period based on information on known cultural resources located within the Project vicinity.

Late Prehistoric Period

The Late Prehistoric Period in the Colorado Desert is marked by the introduction of new artifact types and technological innovations of the previous Amargosa Period of the Late Archaic and defined as the Patayan Pattern. This period is characterized by the introduction of ceramics, including Tizon Brown Ware from the Peninsular Ranges, Colorado Buff Wares from the Colorado River region, and the Salton Buff Ware from the Lake Cahuilla shoreline. New projectile point types, including Desert Side-notched and Cottonwood Triangular points, signify the introduction of the bow and arrow hunting technology, marking a pre-ceramic phase of the expansion of the earlier Amargosa assemblages perhaps as early as 1,500 B.P. Techniques of floodplain horticulture were also introduced to the inhabitants along the Colorado River at the same time as ceramics. Additionally, burial practices changed from extended inhumations to cremated remains, sometimes buried in ceramic vessels. Typical of the Hohokam culture from southern Arizona, these traits were introduced to the Colorado River inhabitants and gradually spread west to the Peninsular Ranges and Coastal Plains of southern California.

The Patayan Pattern is typified by several differing settlement and subsistence systems. Dispersed seasonal settlements, known as rancherias, were found along the Colorado River. These settlements were composed of jacal (i.e., adobe-style) structures, semi-subterranean pit houses, ramadas, or brush huts, depending on the season and types of settlement. Larger rancherias would disperse to upper terraces of the Colorado River and to special collection areas during the summer months, coinciding with the flood phase of the river, returning to the lower terraces for plant harvesting. At the eastern base of the Peninsular Ranges, the settlement pattern was typified by dispersed rancherias or villages situated at the mouths of canyons supporting perennial streams, at the base of alluvial fans near springs, or down on the valley floor where a shallow water table allowed wells to be dug (e.g., at Indian Wells). In addition to these sites, specialized sites were located in all of the microenvironmental zones that were exploited seasonally. Archaeologically, these specialized sites can range in characteristics from bedrock milling features and pot-drops along trails; to chipping stations and quarries; to temporary camps containing bone, shell, ceramics, flaked and ground stone tools; and ornamental items such as beads and pendants, as well as other occupational debris.²

Historical Setting

City of Beaumont

The Project is within an area that was historically sparsely populated into the late nineteenth century. An 1890 General Land Office (GLO) land patent indicates the Project area was part of 160 acres in the southeast quarter of Section 30 in Township 2 South, Range 1 West granted to Josiah McCoy; however, the 1901 U.S. Geological Survey (USGS) map does not indicate the property had been developed. By the early twentieth century, rural residential properties with scattered orchards were being developed in the region; however, the Project area, which has a creek, remained undeveloped in the late 1930s.

² Ibid.

The Project area, which lies northwest of the townsite of Beaumont and west of the community of Cherry Valley, was advertised in the mid-1880s by the Cherry Valley Land and Water Company for sale for agriculture. An experimental agricultural station was established in Beaumont in 1909 to grow a variety of apples, and 120 acres north of the Beaumont townsite was cleared to sell for eucalyptus and grape cultivation, and for the development of poultry ranches. At the time, the demand for acreage to establish poultry ranches far exceeded what was available.

Some of the earliest poultry ranches in the vicinity were established around 1909. L. R. Walton, president of the Poultry Breeders' Association of Southern California, purchased 14 acres in Beaumont near the intersection of Cherry Valley Boulevard and Beaumont Avenue, east of the Project area. Walton was credited to have the "finest poultry ranches...in the state," and he and his wife "as poultry experts proclaim this is the best poultry raising country they have found in the state."

During the 1930s and early 1940s, fruit orchards were the predominant crops in the area; however, droughts were a major stressor on the local economy. In 1934, federal aid was sought for the Cherry Valley region during a drought period when only 15 to 20 percent of normal rain fell, resulting in the region's orchardists seeking famine relief. Orchard crops, which were largely the main economic driver of the region, were heavily reliant on sufficient water to irrigate. By the 1940s, peaches were the leading crop in Cherry Valley, and local grange, agricultural extension service, and the Agricultural Adjustment Act (AAA) bureau worked with individual ranchers to submit agricultural plans for the upcoming year to receive payments from the 1941 Agricultural Conservation Program. Cherry, peach, prune, and plum growers in the Cherry Valley and Beaumont region, as well as poultry ranchers, were the agricultural groups involved in the program to prevent overproduction and stabilize market values. By 1940, many ranchers in the region expressed interest in going into the poultry business, and presentations for poultry feeding and management were planned for the spring of 1941.

By the late 1940s, wrestling personality "Gorgeous George" and his business partner Herald Patton purchased the land adjacent to the Project area to establish a turkey ranch. A single-story Ranch style house was constructed at the northwest corner of the property in the late 1940s for Gorgeous George and his wife and a second residence was constructed circa 1951 for Patton and his wife. As part of the ranch development, turkey shelters, a processing plant, and other buildings were constructed on the parcel. Turkeys were raised on the property, processed, and sold to local grocery stores. The 1940 Riverside County Crop report livestock estimated there were 225,000 market turkeys and 2 million hatching eggs that year valued at \$776,250. By 1950, County livestock estimates of 284,500 market turkeys and 2,875,000 hatchings were valued at \$2.6 million, an increase of 25 percent from the previous decade. However, the poultry market (hens and eggs) had grown over 350 percent within the same timeframe, and the number of poultry hens increased to 1.875 million hens laying 22.5 million dozen eggs. In total the poultry and turkey industries accounted for 37 percent of the total County livestock valuation of \$37.5 million, more than beef cattle and dairy cattle. By 1960, the value of the poultry industry in the County was estimated at \$19.75 million and the turkey industry lagged at only \$6.6 million. In total, the poultry and turkey industries accounted for 38 percent of the total livestock valuation of \$57 million for the County.

As the poultry market continued to grow in Riverside County, Gorgeous George sold his turkey ranch in 1961 to Frank Draeger. Two years later, the property was sold to Bud Manheim who converted the turkey ranch property into an egg farm. Approximately 36 turkey shade structures and the processing building were removed and approximately 60 new chicken houses, a new egg processing plant, and other supporting buildings were constructed on the property soon thereafter.

From the early 1960s, members of the Manheim family, through their company Sunny-Cal Egg & Poultry Company, developed and operated an egg farm on the original Gorgeous George property and expanded their facility onto the Project area between 1978 and 1980 with the construction of additional chicken houses. By 1980, eggs accounted for almost \$76 million of the \$354 million total livestock estimates for the County; however, the poultry industry had been surpassed by dairy cattle as the County's leading agricultural market. During the 1980s and 1990s, egg valuation trends continued to increase and peaked at \$170 million in 1999; however, after that year, valuations declined as the price per dozen eggs unit decreased. Between 1999 and 2005, County egg valuations plummeted by \$52 million, and by late 2005 Sunny-Cal shuttered the egg farm after determining it was no longer economically feasible. After the closure of the Sunny-Cal facility, County egg production dropped by 2 million the following year.

After the closure of the Sunny-Cal Egg facility in late 2005, the egg farm buildings and structures within the Project area and adjacent property were demolished leaving the concrete foundations in place. The late 1940s constructed Ranch house was demolished circa 2016-2018; however, landscaping associated with the house remains in place. The remaining concrete block, single-story gable roof utility building was constructed circa 2006-2009 within an enclosed fence line with exterior equipment at the northeast corner of the Project area.³

Project Cultural Resources Inventory

A literature review and records search was requested from the Eastern Information Center (EIC), University of California, Riverside, on April 28, 2021. This inventory request included the Project area and a one-mile radius around the Project area, collectively termed the Project study area. The objective of the records search was to identify prehistoric or historical cultural resources that have been previously recorded within the study area during prior cultural resource investigations.

As part of the cultural resources inventory, historical maps and aerial images were also examined to characterize the developmental history of the Project area and surrounding area. The NAHC was also contacted to request a review of the Sacred Lands File (SLF) to identify any known Native American cultural resources that may be present in the Project area. A summary of the results of the record search and background research are provided below.

Records Search Results and Additional Sources

At the time the cultural resource assessment was drafted, the EIC had not returned the results of the literature review and records search. An archaeological resource survey was completed on the Project area in 2013. The records search conducted for that effort did not identify any cultural resources within the Project area and no resources were documented during the survey effort. Additional sources

³ Ibid.

consulted during the cultural resource literature and data review include historical maps, the National Register of Historic Places (NRHP), the Office of Historic Preservation Archaeological Determinations of Eligibility, and the Office of Historic Preservation Built Environment Resources Directory.

As part of the cultural resource assessment, the NAHC was contacted on April 28, 2021, for a review of the SLF. The objective of the SLF search was to determine if the NAHC had any knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) within the immediate vicinity of the Project area of potential effects. The NAHC responded on May 17, 2021, stating that the SLF was completed with negative results. However, NAHC noted that the absence of specific site information in the SLF does not indicate the absence of cultural resources within the Project Area of Potential Effect (APE).

Field Investigation and Results

A cultural resources survey of the Project area was completed from June 8 – 11, 2021. The fieldwork effort included an intensive pedestrian survey of the entire Project which was conducted by walking a series of parallel transects spaced at 10- to 15-meter (33- to 49-feet) intervals. The archaeologists carefully inspected all areas within the Project area likely to contain or exhibit sensitive cultural resources to ensure discovery and documentation of any visible, potentially significant cultural resources within the Project area. No prehistoric archaeological resources were observed during the survey; however, three historic period archaeological sites (21-0281-EH-001H, -002H, and -004H) were documented and evaluated for listing on the CRHR as they were all constructed prior to 1976. A description and evaluation summary for each of these resources is provided below.

Site 21-0218-EH-001H

This resource represents the archaeological remains of a residential structure. The site consists of a concrete pad foundation, a concrete rubble pile, and a series of trees surrounding the foundation. The foundation is partially covered by the concrete rubble pile and is cracked throughout with sections missing. The site is enclosed in a chain-link fence. The area south of the rubble has an elevated smaller platform with a flat, thin brick layer on top.

Based on a review of historic aerial images and archival research, the foundation appears to be what remains of a house foundation that formerly belonged to wrestling personality “Gorgeous George.” Aerial imagery indicates the historic residence was built as early as 1959 and was demolished as recently as 2020 or early 2021. Aerial images suggest the residence was a large house with a pool on the south side. The chain link fence currently surrounding the property was likely put in place either for or after the demolition as a safety precaution.

CRHR Eligibility

According to archival research, the single-family residential structure was built in 1949 and was an asymmetrical, one-story ranch-style house with a low-pitched roof. As previously stated, this home belonged to wrestling personality “Gorgeous George” and was built when he and his business partner, Herald Patton, developed the property for turkey farming. The residence was evaluated in 2004 by The Keith Companies as part of a potential historic district, the Gorgeous George historic district. The

evaluation concluded that the residence is not eligible for listing on the CRHR. At the time of the evaluation, it was noted that the house and pool maintained high architectural integrity; however, they did not possess architectural uniqueness and, as such, did not hold any architectural value. Since the 2004 evaluation, the residence and associated features have been demolished. The site now contains the remnants of these structures. PaleoWest concurs with the original evaluation recommendations made for this resource. The current condition of the site has not revealed any new data or information and, as such, the 20-0281-EH-001H is not recommended eligible for listing on the CRHR.

Site 21-0218-EH-002H

This resource represents the archaeological remains of a residential structure. The site consists of a concrete pad and a rubble pile. There is a large rubble pile covering the western side of the pad as well as an overgrowth of vegetation making the measurements approximate. The pad is cracked and weathered. The site is partially enclosed in a chain-link fence.

Based on a review of historic aerial images, the pad appears to be what remains of a long driveway that was positioned on the north side of a residential structure that is no longer extant. Archival research indicates the residence belonged to Herald Patton. Aerial imagery indicates the historic residence and driveway were built as early as 1966 and were demolished as recently as 2020 or early 2021. Aerial images suggest the residence was a moderately sized house with a long driveway to ingress/egress from the east rather than directly from Cherry Valley Boulevard. The chain-link fence currently partially surrounding the property was likely put in place either for or after the demolition as a safety precaution.

CRHR Eligibility

According to archival research, the single-family residential structure was built in 1951 and was a small, simple ranch-style house on a concrete pad. As previously stated, this home belonged to Herald Patton, who was a business partner of wrestling personality “Gorgeous George.” The house was built after “Gorgeous George” and Herald Patton developed the property for turkey farming. The residence was evaluated in 2004 by The Keith Companies as part of a potential historic district, the Gorgeous George historic district. The evaluation concluded that the residence is not eligible for listing on the CRHR. At the time of the evaluation it was noted that the house had been significantly altered over the years and had a very low architectural integrity and, as such, do not hold any architectural value. At the time of this evaluation the residence was not documented on California Department of Parks and Recreation (DPR) forms; however, a recommendation was made to record the resource prior to any potential demolition activities.

Since the 2004 evaluation, the residence has been demolished. The site now contains the remnants of what appears to be the long driveway leading to the house. PaleoWest concurs with the original evaluation recommendations made for this resource. The current condition of the site has not revealed any new data or information and, as such, the 20-0281-EH-002H is not recommended eligible for listing on the CRHR.

Site 21-0218-EH-004H

This site includes the historic age portion of what remains of a poultry farming facility. The site includes the following features:

- a cinder block building (formerly a turkey barn)
- a series of large linear and parallel concrete foundations (formerly shade and roost structures)
- a set of rectangular cinder block wells
- a set of large steel water tanks with an associated small wooden electrical building
- another wooden building housing a toilet and shower stalls
- a series of cylindrical concrete silo foundations with associated wood/chicken feed processing building
- a small concrete building foundation

This facility was originally a turkey ranch developed by wrestling personality “Gorgeous George” and his business partner Herald Patton in the late 1940s. The property originally included a large sheet-metal turkey brooder house, more than 36 sheet-metal turkey houses (for shade and roosting), and a sheet-metal processing building. Many of these structures were subsequently removed when the ranch was converted to an egg farm after a couple of ownership transitions in 1961 and 1963.

CRHR Eligibility

In 2004, an evaluation of the extant structures was conducted by The Keith Companies. This evaluation included the “Gorgeous George Turkey Brooder House/Turkey Barn” and associated structures as part of a potential historic district, the Gorgeous George historic district. The evaluation concluded that the turkey barn and associated structures do not retain sufficient integrity to be eligible for listing on the CRHR. The barn and associated structures had been compromised by modern alterations and maintenance over the years. In addition, while the original structures on the property were associated with “Gorgeous George,” the majority of the original structures were removed and/or had been significantly altered by the time the evaluation was conducted. As such, the poultry farming complex was not recommended eligible for listing on the CRHR.

Since the 2004 evaluation, more of the associated structures have been demolished. The site now contains the remnants of these structures. PaleoWest concurs with the original evaluation recommendations made for this resource. The current condition of the site has not revealed any new data or information and, as such, the 20-0281-EH-004H is not recommended eligible for listing on the CRHR.

4.4.3 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) was passed in 1966 and is codified in Title 16, Section 470 et seq. of the U.S. Code (USC). The goal of the Act is to ensure federal agencies act as responsible stewards of our nation's resources when their actions affect historic properties. Among the regulations of the NHPA,

Section 106 requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Properties (AChP) a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by AChP. See Title 36 Code of Federal Regulations (CFR) Part 800, “Protection of Historic Properties.”

Section 106 applies when two thresholds are met: 1) there is a federal or federally licensed action, including grants, licenses and permits, and 2) that action has the potential to affect properties listed in or eligible for listing in the NRHP. Section 106 requires each federal agency to identify and assess the effects of its actions on historic resources. The responsible federal agency must consult with appropriate state and local officials, Indian Tribes, applicants for federal assistance and members of the public, and consider their views and concerns about historic preservation issues when making final project decisions. The agency should also plan to involve the public and identify any other potential consulting parties. If the agency determines that it has no undertaking or that its undertaking is a type of activity that has no potential to affect historic properties, the agency has no further Section 106 obligations.

Pursuant to Section 106, impacts to a cultural site or artifact must be declared “significant,” “potentially significant” or “not significant.” Under NHPA regulations, impacts to “significant” archeological sites must be mitigated for, while “not significant” archeological remains need not. A “potentially significant” determination is utilized when there is not enough information to make a conclusive ruling. NHPA mitigation would not be necessary for archeological sites avoided during development.

National Register of Historic Places

Developed in 1981 pursuant to Title 36 CFR Section 60, the NRHP provides 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. It should be noted that the listing of a private property on the NRHP does not prohibit any actions which may otherwise be taken by the property owner with respect to the property. The listing of sites in California to the NRHP is initiated through an application submitted to the State Office of Historical Preservation (OHP). Applications deemed suitable for potential consideration are handled by the State Historic Preservation Officer (SHPO). All NRHP listings for sites in California are also automatically added to the CRHR by the State of California. The listing of a site on the NRHP does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA (and NEPA [National Environmental Protection Act]) review to be satisfied prior to the approval of any discretionary action occurring that might adversely affect the resource.

National Historic Landmarks Program

The National Historic Landmarks Program, developed in 1982 and as authorized by the Historic Site Act, identifies and designates National Historic Landmarks (NHLs) to “encourage the long-range preservation of nationally-significant properties that illustrate or commemorate the history and prehistory of the U.S.” The program is administered by the Department of the Interior pursuant to 36 CFR Section 65.5. Unlike any of the other state or federal registries, sites listed on the NHL are explicitly preserved and protected from harm under federal law.

Antiquities Act of 1906

The only federal law protecting fossil resources on public lands is the Antiquities Act of 1906 (16 USC 431-433). Enacted when Theodore Roosevelt was president, the Antiquities Act was designed to protect nonrenewable fossil and cultural resources from indiscriminate collecting. NEPA (42 USC 4321) directs Federal agencies to use all practicable means to "...preserve important historic, cultural, and natural aspects of our national heritage...".

Actions by the U.S. Army Corps of Engineers

Appendix C of Title 33 CFR Section 325 establishes procedures to be followed by the U.S. Army Corps of Engineers (USACE) to fulfill the requirements of the NHPA, as well as other applicable historic preservation laws and Presidential directives related to historic resources potentially affected by USACE actions (including issuance of permits pursuant to the federal Clean Water Act [CWA]). It specifies that when a project's authorization requires a federal action (for example, issuance of permit pursuant to Section 404 of the CWA), the project must comply with the requirements of Section 106 of the NHPA.

State

Assembly Bill 52 and Senate Bill 18 are addressed in **Section 4.16, Tribal Cultural Resources**.

California Register of Historical Resources

The State's OHP manages and oversees the CRHR, which is intended to serve as "an authoritative guide to the state's significant historical and archeological resources." As outlined in PRC § 5020 et seq., resources listed must meet one of four "significance criteria" related to events, people, construction/artistic value or information. Sites must also retain sufficient integrity to convey their significance. The CRHR includes a number of type resources, including: all properties listed in or determined formally eligible for listing in the NRHP; all California Historical Landmarks from #770 onward; specific California Historical Landmarks issued prior to #770 and certain California Points of Historical Interest, as deemed appropriate for listing by the California Historic Resources Commission; and, any properties nominated per OHP regulations. California Historical Landmarks are intended to recognize resources of statewide significance. Points of Historical Interest recognize resources of local or countywide significance. Lastly, as mentioned above, all NRHP listings within California are automatically added to the CRHR. The listing of a site on a California State register does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA review to be satisfied prior to any discretionary action occurring that might adversely affect the resource.

California Code of Regulations

CCR Title 14 § 1427 recognizes that "California's archaeological resources are endangered by urban development and population growth and by natural forces." Accordingly, the State Legislature finds that "these resources need to be preserved in order to illuminate and increase public knowledge concerning the historic and prehistoric past of California." Lastly, it states that any person "not the owner thereof, who willfully injures, disfigures, defaces or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a

misdemeanor." The code also specifies that it is a misdemeanor to "alter any archaeological evidence found in any cave or to remove any materials from a cave."

California Health and Safety Code (Sections 7050.5, 7051, and 7054)

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code (HSC) collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the PRC), as well as 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, treatment of the remains prior to, during and after evaluation, and reburial procedures.

California Environmental Quality Act

The Project is subject to compliance with CEQA, as amended. Compliance with CEQA statutes and guidelines requires both public and private projects with financing or approval from a public agency to assess the project's impact on cultural resources (PRC §§ 21082, 21083.2 and 21084 and CCR § 10564.5). The first step in the process is to identify cultural resources that may be impacted by the project and then determine whether the resources are "historically significant" resources.

CEQA defines historically significant resources as "resources listed or eligible for listing in the California Register of Historical Resources (CRHR)" (PRC § 5024.1). A cultural resource may be considered historically significant if the resource is 45 years old or older, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and meets any of the following criteria for listing on the CRHR:

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; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history (PRC § 5024.1).

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance. CEQA states that if a project will have a significant impact on important cultural resources, deemed "historically significant," then project alternatives and mitigation measures must be considered.

Local

Beaumont General Plan

The Beaumont GP Update serves as the City's blueprint for future development and decision-making. Goals and policies relevant to the Project that pertain to cultural resources include:

Conservation and Open Space Element

Goal 8.11: A City where archaeological, cultural resources, tribal cultural resources, and historical places are identified, recognized, and preserved.

Policy 8.11.1 Avoid or when avoidance is not feasible, minimize impacts to sites with significant archaeological, paleontological, cultural and tribal cultural resources, to the extent feasible.

Policy 8.11.2 Comply with notification of California Native American tribes and organizations of proposed projects that have the potential to adversely impact cultural resources, per the requirements of AB 52 and SB 18.

Policy 8.11.4 Require that any human remains discovered during implementation of public and private projects within the City be treated with respect and dignity and fully comply with the California Native American Graves Protection and Repatriation Act, California Public Resources Code Amended Statutes 1982 Chapter 1492, California Public Resources Code Statutes 2006, Chapter 863, Section 1, CA Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, Public Resources Code Section 5097.94, SB 447 (Chapter 404, Statutes of 1987) and other appropriate laws.

Beaumont Municipal Code Section 17.02.125 – Certificates of Appropriateness

This section outlines the process intended to provide various levels of historic protection and to preserve existing elements of historic resources in the City, a certificate of appropriateness. The establishment of a certificate of appropriateness is intended to protect structures of historic significance including areas of architectural, cultural, historic, economic, political, and social importance from the adverse effects of any alteration, demolition, or removal. A certificate of appropriateness is required for the exterior alteration, demolition, removal or relocation of any historic resource or potential historic resource. A historic resource is defined as: a resource identified in a City-approved historic or cultural resources study; a structure over 50 years old; and/or a structure potentially eligible for registration on a local, state, or national register. Minor modifications that do not involve new construction, additions to, or demolition of existing structures shall be reviewed and approved or denied by the Community Development Director. Modifications that do not meet the criteria for Community Development Director review shall be reviewed and approved or denied by the City Planning Commission after a public hearing.

4.4.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning cultural resources. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5; or

- Disturb any human remains, including those interred outside of formal cemeteries.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on cultural resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on site conditions at the time of NOP distribution (September 22, 2021); field reconnaissance conducted by PaleoWest; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on historical and archaeological resources and human remains considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.4.5 Impacts and Mitigation Measures

Impact 4.4-1 Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Level of Significance: No Impact

Construction and Operations

There are no historic-age resources present on the Project site. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. No impact would occur.

Mitigation Measures

No mitigation is required.

Level of Significance

No impact.

Impact 4.4-2 Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

Construction of the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5. As a result of the cultural resource records search and intensive pedestrian survey, three historic period archaeological sites were documented on the property (21-0281-EH-001H, -002H, and -004H). These resources consist of the remnants of two residential structures and the remnants of a large poultry farming facility, all of which were constructed in the late 1940s and early 1950s. These resources were previously evaluated, when they were still extant, and did not meet the criteria for listing on the CRHR. PaleoWest concurs with the original evaluation efforts as the current condition of the resources does not provide any additional data or information that would alter those recommendations. No further cultural resource management is recommended for these resources.

Additionally, the SLF records search did not identify any sacred lands or sites in the area. However, as stated in the NAHC response letter, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area.

A significant impact would occur if grading and construction activities would result in a substantial adverse change in the significance of an archaeological resource determined to be “historic” or “unique.” According to CEQA, if an archaeological resource is neither historic nor unique, the effects of a project on that resource will not be considered significant effects on the environment (*State CEQA Guidelines*, § 15064(C)(4)).

Conservatively, it is assumed that any as-yet unidentified archaeological resources at the Project site would be impacted through grading and construction activities. However, the significance of the impact would be based upon the criteria presented in the thresholds of significance (i.e., is the archaeological resource determined to be “historic” or “unique”). Because the potential for discovery and damage or destruction of unknown resources exists and would be potentially significant, mitigation would be required. **Mitigation Measures (MM) CUL-1** through **MM CUL-2** would reduce these impacts to less than significant.

Operations

Following completion of construction and disturbances of the Project site, the Project would include use for e-commerce and commercial development. These land use operations would not impact any known or unknown archaeological resources as the operations would occur within the building(s) and designated operational areas. Therefore, operation of the Project site would have no impact on archaeological resources.

Mitigation Measures

MM CUL-1 A qualified archaeological monitor will be present during Project-related ground-disturbing activities in undisturbed native sediments.

MM CUL-2 In the event that potentially significant cultural materials are encountered during Project-related ground-disturbing activities, all work will be halted in the vicinity of the discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource.

Level of Significance

Less than significant impact with mitigation incorporated.

Impact 4.4-3 *Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?*

Level of Significance: Less than Significant Impact

Construction

Past land uses of the Project site include residential and poultry farming. The Project site is currently vacant. No cemeteries exist onsite. The closest cemetery, Desert Lawn Funeral Home and Memorial Park, is located approximately 1,200 feet to the south of the Project site, across Brookside Avenue and Interstate 10. An intensive pedestrian survey of the Project site was conducted June 8 – 11, 2021, during which time no human remains were identified. A records search was requested from the EIC for the Project area and a one-mile buffer; however, at the time the cultural resource assessment was drafted, the results had not yet been provided. The EIC is still experiencing delays as a result of the current COVID-19 protocols and guidelines. A search of the SLF was also conducted, with negative results.

The Project site includes a series of seasonal drainages. The presence of this water source would indicate this area is moderately sensitive for cultural resources. Note that some, but not all, of the onsite drainages are located within Planning Area 3: Open Space and would not be affected by ground disturbing activities. With that, the potential exists for Project construction to reveal unknown human remains. If human remains are found, those remains would require proper treatment in accordance with applicable laws, including California HSC §§ 7050.5-7055 and California PRC § 5097.98 and § 5097.99. California HSC §§ 7050.5-7055 describe the general provisions for treatment of human remains. Specifically, California HSC § 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. California HSC § 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by state law, the procedures set forth in PRC § 5087.98 would be implemented, including evaluation by the County Coroner and notification of the NAHC. The NAHC would then designate the Most Likely Descendant of the unearthed human remains.

It is unlikely that any human remains would be encountered during ground disturbing activities given that the Project site is already partially disturbed, and the onsite drainages are ephemeral⁴ (i.e., flows only in

⁴ Rock Biological Consulting. 2021. Beaumont Summit Station Aquatic Resources Delineation Report.

direct response to precipitation). However, previously undiscovered human remains could be encountered during construction activities. If human remains are found during excavation, excavation would be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., California HSC §§ 7050.5-7055 and California PRC §§ 5097.98 and 5097.99), the Project's impacts concerning potential to disturb human remains, would be reduced to a less than significant.

Operations

Occupation of the Project site would not further impact human remains. The Project would consist of e-commerce and commercial buildings and therefore, would not cause a substantial adverse effect to undiscovered human remains.

Mitigation Measures

No mitigation is required.

Level of Significance

Less than significant impact.

4.4.6 Cumulative Impacts

For purposes of the cultural resource impact analysis, cumulative impacts are considered for cumulative development within Beaumont, according to the related projects; see **Table 4-1, Cumulative Projects**.

As concluded above, the Project would not cause an adverse change in the significance of a historical resource pursuant to State CEQA Guidelines § 15064.5, as none are present on the Project site. Therefore, no cumulative impact concerning historical resources would occur.

As discussed above, the potential exists for undiscovered archaeological resources to be adversely impacted during Project construction. With implementation of **MM CUL-1** and **MM CUL-2**, the Project would not cause a substantial adverse change in the significance of archaeological resources. Cumulative projects could involve actions that damage known or as-yet undiscovered archaeological cultural resources specific to those development sites. However, as with the Project, all cumulative development would undergo environmental and design review on a project-by-project basis pursuant to CEQA to evaluate potential impacts to cultural resources. This would include studies of historical and archaeological cultural resources that are present or could be present within a development site. Additionally, cumulative development would be subject to compliance with the established federal, state, and local regulatory framework concerning the protection of cultural resources on a project-by-project basis. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. The Project's cumulative impacts to archaeological cultural resources would be less than significant given compliance with the established regulatory framework and site-specific mitigation would be required.

As concluded above, previously undiscovered human remains could be encountered during Project construction activities; however, a less than significant impact would occur in this regard following compliance with the established state regulatory framework. Cumulative development could impact previously undiscovered human remains during construction. However, all cumulative development would undergo environmental review on a project-by-project basis to evaluate the site-specific archaeological sensitivity. Additionally, cumulative development would be subject to compliance with the established state regulatory framework concerning the discovery of human remains on a project-by-project basis. The Project's cumulative impacts concerning the potential to disturb human remains would be less than significant given compliance with the established regulatory framework would be required.

4.4.7 Significant Unavoidable Impacts

No significant unavoidable cultural resources impacts have been identified.

4.4.8 References

City of Beaumont. 2020. *Beaumont General*

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Rocks Biological Consulting. 2021. *Beaumont Summit Station Aquatic Resources Delineation Report.*