#### IV.E CULTURAL RESOURCES AND HISTORIC RESOURCES

#### 1. Introduction

This section of the EIR describes existing setting regarding historic resources in the project area, and provides an analysis of potential impacts related to known and potential resources that would occur with implementation of the proposed project. The analysis is based on information contained in the Cultural Resources Assessment and the Historical Resource Evaluation of 10084 Eucalyptus Avenue both performed by Michael Brandman Associates in June 2012 and July 2013, respectively, and correspondence received from the Soboba Band of Luiseno Indians. The Cultural Resources Assessment and Historical Resource Evaluation are located in Appendix E, and the correspondence is located in Appendix A-3.

### 2. Environmental Setting

### a) Regulatory Framework

Historic resources fall within the jurisdiction of several levels of government. Federal laws provide the framework for the identification, and in certain instances, protection of historic resources. Additionally, states and local jurisdictions play active roles in the identification, documentation, and protection of such resources within their communities. The amended National Historic Preservation Act (NHPA), the California Register of Historical Resources and the City of Ontario's Historic Preservation Ordinance are the primary Federal, State, and local laws and regulations governing the evaluation and significance of historic resources of national, state, regional, and local importance. Descriptions of these relevant laws and regulations are presented below.

#### 1) Federal Level

First authorized by the Historic Sites Act of 1935, the National Register of Historic Places (National Register) was established by the National Historic Preservation Act of 1966, 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." The National Register recognizes properties that are significant at the national, state, and local levels. Further discussion of National Register criteria and guidelines is provided in Section IV, Evaluation Framework, of this document.

#### 2) State Level

The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation, implements the policies of the National Historic Preservation Act (NHPA) on a statewide level. The OHP also carries out the duties as set

forth in the Public Resources Code (PRC) and maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the state's jurisdictions.

Created by Assembly Bill 2881, which was signed into law on September 27, 1992, the California Register of Historical Resources (California Register) is "an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change." The California Register shall include historical resources determined by the commission, according to procedures adopted by the commission, to be significant and to meet the criteria in subdivision (c). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register of Historic Places.

The California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register of Historic Places and those formally Determined Eligible for the National Register of Historic Places;
- California Registered Historical Landmarks from No. 770 onward;
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.
- Other resources that may be nominated to the California Register include:
- Individual historical resources;
- Historical resources contributing to historic districts;
- Historical resources identified as significant in historical resources surveys with significance ratings of Category 1 through 5;
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as a historic preservation overlay zone.

#### 3) Local Level

The City of Ontario has adopted a Historic Preservation Ordinance (City of Ontario Municipal Code Title 9, Chapter 1, Article 26) that establishes the City's scope of historic preservation activities and is the primary body of local law relating to historic preservation. Article 26 includes the purpose and authority for historic preservation, criteria for local historic designation, and procedures for the alteration or demolition of historic properties.

Properties may be designated at the local level as Historic Landmarks or Districts. The City Council maintains a record of those historic properties that have been surveyed at the "Intensive" level on a List of Historical Resources. The properties identified on this list are eligible to apply for placement on the City's List of Designated Historic Landmarks or Districts per Article 26, Section 9-1.2620. Any person or group, including the City, may request the designation of a Historical Resource as a Historic Landmark or District by submitting an application to the Planning Department.

The responsibility for designating local Historic Landmarks and Districts lies primarily with the City Council. The City Council serves as the final authority on applications for designation of local historic landmarks and districts, as established in Article 26, Section 9-1.2620. The Historic Preservation Commission has an advisory role to the City Council for designations of local Historic Landmarks and Districts and applications for placement of Landmarks or Districts on the National Register of Historic Places or the California Register of Historical Resources. The Committee also advises the City Council on requests and applications for removals of buildings from the City's List of Historical Resources.

The Historic Preservation Subcommittee serves in an advisory role to the Historic Preservation Commission regarding applications for designations of local Historic Landmarks and Districts as well as applications for placement of Landmarks or Districts on the National Register of Historic Places or the California Register of Historical Resources. The Subcommittee also has decision-making authority on requests and applications for removals of buildings from the City's List of Historical Resources.

The City has provisions for "automatic designation" by which any property listed in the National Register of Historic Places or the California Register of Historic Resources will automatically be designated as a Local Historic Landmark. Similarly, any neighborhood or area listed in the National Register of Historic Places or the California Register of Historic Resources will automatically be designated as a Local Historic District. Any property identified as a contributing building to a District listed on the National Register of Historic Places or the California Register of Historic Resources will be considered a contributing building in the Local Historic District.

# 4) Evaluation of Historical Significance Under Applicable Regulations

Potentially historic resources are evaluated for historical significance using various criteria established by federal, state, and local regulations. The federal, state, and local eligibility criteria presented below were utilized to evaluate the eligibility of the dairies as potential historical resources, pursuant to CEQA.

#### National Register of Historic Places

To be eligible for listing in the National Register, the quality of significance in American history, architecture, archaeology, engineering, or culture must be in a district, site, building,

structure, or object that possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:

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

A property eligible for listing in the National Register must meet one or more of the four criteria (A through D) defined above. In addition, it must generally be at least 50 years old to be eligible for National Register listing. Properties less than 50 years old may be considered for National Register eligibility under Criterion Consideration G: Properties That Have Achieved Significance within the Past Fifty Years, which states that "a property (which has achieved) significance within the past fifty years is eligible if it is of exceptional importance."

In addition to meeting the criteria of significance, a property must have integrity. "Integrity is the ability of a property to convey its significance." According to "National Register Bulletin 15," within the concept of integrity, the National Register criteria recognize seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of these seven aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. The seven factors that define integrity are location, design, setting, materials, workmanship, feeling, and association. The following is excerpted from "National Register Bulletin 15," which provides guidance on the interpretation and application of these aspects.

Location is the place where the historic property was constructed or the place where the historic event occurred.

Design is the combination of elements that create the form, plan, space, structure, and style of the property.

Setting is the physical environment of a historic property and refers to the character of the place in which the property played its historical role. It involves how the property is situated and its relationship to its surroundings. It is particularly important for historic districts.

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

Feeling is property's expression of the aesthetic or historic sense of a particular period of time.

Association is the direct link between an important historic event or person and a historic property.

In assessing a property's integrity, the National Register criteria recognize that properties change over time; therefore, it is not necessary for a property to retain all its historic physical features or characteristics. The property must, however, retain the essential physical features that enable it to convey its historic identity.

For properties that are considered significant under National Register criteria A and B, National Register Bulletin 15 states that a property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s).

In assessing the integrity of properties that are considered significant under National Register criterion C, National Register Bulletin 15 provides that a property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique.

State and local laws and regulations may apply to properties listed in the National Register. For example, demolition or inappropriate alteration of National Register eligible or listed properties may be subject to the California Environmental Quality Act (CEQA).

#### California Register of Historical Resources

To be eligible for the California Register, a historic resource must be significant at the local, state, or national level under one or more of the following four criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- 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
- Has yielded, or may be likely to yield, information important in prehistory or history.

Additionally, a historic resource eligible for listing in the California Register must meet one or more of the criteria of significance described above and retain enough of its historic

character or appearance to be recognizable as a historic resource and to convey the reasons for its significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

Integrity under the California Register is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. The resource must also be judged with reference to the particular criteria under which it is proposed for eligibility. It is possible that a historic resource may not retain sufficient integrity to meet criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

# California Office of Historic Preservation Survey Methodology

The evaluation instructions and classification system prescribed by the California Office of Historic Preservation in its Instructions for Recording Historical Resources provide a three-digit evaluation rating code for use in classifying potential historic resources. The first digit indicates one of the following general evaluation categories for use in conducting cultural resources surveys:

- Listed on the National Register or the California Register;
- Determined eligible for listing in the National Register or the California Register;
- Appears eligible for the National Register or the California Register through survey evaluation;
- Appears eligible for the National Register or the California Register through other evaluation:
- Recognized as Historically Significant by Local Government;
- Not eligible for any Listing or Designation; and
- Not evaluated for the National Register or California Register or needs re-evaluation.

The second digit of the evaluation status code is a letter code indicating whether the resource is separately eligible (S), eligible as part of a district (D), or both (B). The third digit is a number that is used to further specify significance and refine the relationship of the property to the National Register and/or California Register. Under this evaluation system, categories 1 through 4 pertain to various levels of National Register eligibility. The California Register, however, may include surveyed resources with evaluation rating codes through level 5. In addition, properties found ineligible for listing in the National Register, California Register, or for designation under a local ordinance are given an evaluation status code of 6.

# City of Ontario Criteria for Historic Landmarks and Districts

A property that meets one or more of the following criteria is eligible to be placed on the City's List of Historic Landmarks and Districts as a Landmark if (per Municipal Code Section 9-1.2615):

- (1) It meets the criteria for listing in the National Register of Historic Places; or
- (2) It meets the criteria for listing in the California Register of Historic Resources; or
- (3) It meets one or more of the following criteria:
  - It exemplifies or reflects special elements of the City's history;
  - It is identified with persons or events significant in local, state, or national history;
  - It is representative of the work of a notable builder, designer, architect, or artist;
  - It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:
  - It is a noteworthy example of the use of indigenous materials or craftsmanship;
  - It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation:
  - It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community or the City; or,
  - It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

Any neighborhood or area that meets one or more of the following criteria is eligible to be placed on the City's List of Historic Landmarks and Districts as a District (per Municipal Code Section 9-1.2615):

Is a geographically definable area possessing a concentration of Historical Resources or thematically related grouping of structures which contribute to each other and are unified by plan, style, or physical development; and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values;

Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning;

Is associated with, or the contributing resources are unified by, 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; or

Is or the contributing resources are associated with the lives of persons important to Ontario, California, or national history;

Landmarks and districts listed in the National Register of Historic Places or the California Register of Historic Resources are automatically placed on the City's List of Historic Landmarks and Districts. In addition to the criteria listed above that refer to the historical significance of the resource; the City also requires Landmarks and Districts to have maintained a high level of integrity, as defined in Article 26, Section 9-1.2615, which follows the criteria in the National Register of Historic Places. The following criteria relate to the integrity of the resource:

Design. Any alterations to the property should not have adversely affected the character defining features of the property. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance.

Setting. Changes in the immediate surroundings of the property (buildings, land use, topography, etc.) should not have adversely affected the character of the property.

Materials and Workmanship. Any original materials should be retained, or if they have been removed or altered, the replacements have been made that are compatible with the original materials.

Location. The relationship is between the property and its location is an important part of integrity. The place where the property was built and where historic events occurred is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in a few cases, the relationship between a property and its historic associations is destroyed if the property is moved.

Feeling. Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district such as the Guasti Winery, retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century.

Association. Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility.

# b) Existing Conditions

### 1) Historical Background

The following information about the historical setting is attributable to and summarized from the July 2012 Cultural Resources Assessment of the Grand Park Specific Plan.

### Historic Era (Post 1769)

In 1819, Rancho San Bernardino was established and led to colonization of the interior parts of southern California. This followed a decision by the heads of the mission system to expand their grazing holdings into the interior with plans to later establish a chain of additional Missions in the deserts (Lech 2004). A decision was made to create an estancia, or a ranch headquarters with a chapel and occasional visits by padres, at the Guachama Ranchería. Construction began about 1830, and it was not yet finished when the project was abandoned in 1834. Lugo (1950) noted that between 1830 and 1832, a large house and other buildings were constructed, which his family occupied after the Rancho was granted to him by Mexican authorities. The project area lies well south of the main thoroughfare between Arizona and the Mission. The property was likely grazed during the Mexican Period by the holders of the Rancho El Rincon.

#### The American Period

Ontario began as an agricultural colony focused on primarily fruit growing. Both the citrus and the olive industries were popular agricultural endeavors in the area. Chaffey set aside 1 square mile for the Ontario town site with half of the area deeded to trustees for the endowment of an agricultural college. The first purchase of land in Ontario occurred in 1882 and the first edition of the local newspaper was on December 4, of that same year. The emphasis on agriculture within the community was evidenced by the construction in 1883 of an agricultural college on 20 acres in the Ontario Colony. Chaffey College was the first college in San Bernardino County. In 1884, the Ontario School District was created. The first schoolhouse was erected on the same corner where Central School stands today, at "G" Street and Sultana Avenue.

Ontario was incorporated on December 10, 1891. The area continued to prosper in the citrus industry. In the 1920s, the largest business was the Exchange Orange Products Company, now Sunkist Growers, Inc., which was a subsidiary of the California Fruit Growers Exchange. It was moved to Ontario in 1926, where it processed citrus culls into juice and cattle feed. Population swelled in Ontario in the 1950s. The numerous 10-acre orange groves in town were removed by the owners and Tract homes built. The construction boom was led by the California National Guard Armory at John Galvin Park. In 1952, over \$14,000,000 was spent on construction, \$11,000,000 of which was spent on 642 new single-family homes in four new subdivisions. In 1959, Ontario began to develop new areas to the east and south, including the Ontario Industrial Park, east of Campus Avenue between Mission Avenue and the Pomona Freeway. By the mid-twentieth century, Ontario was a leading dairy community in the state of California.

# Development of Dairying in Southern California and the Chino Valley

The development of the dairy industry can be organized into three general periods or eras, which are each reflective of a particular historic period in the evolution of dairying. These three periods are 1) 1900 to 1930, which consisted of free grazing of cattle 2) 1931-1949, which changed from free grazing dairying to dry-lot dairying with the mechanization of milking, and 3) 1950 to 1969, when the use of machinery and scientific feeding and breeding began. Dairies of the earliest phase were concentrated around the peripheries of major metropolitan centers to service the areas with the largest populations. The first dairies before the 1930s were small family concerns, consisting of 5 or 6 acres.

The second phase of dairying, from 1931 to 1949 saw a change from free grazing dairying to dry-lot dairying with the mechanization of milking. This era saw many changes in three areas of the industry: 1) an increase in the number of cows, 2) an increase in population and 3) legislative price fixing of milk.

In 1930, the Co-operative Dairy Product Association formed to negotiate milk prices with distributors for any surplus milk not used by the creameries. By this time, most of the dairy industry of Southern California consisted of producers, dairymen on contract to the creameries; processors, owners of the processing plants and transportation fleets; and the retailers.

Prior to World War II, dairies were widely dispersed throughout the Los Angeles Basin. Large clusters of dairies were found in areas such as Torrance, Artesia, El Monte, and the San Fernando Valley. During this period, much of the feed and fodder was available from the local area, and dairies usually occupied the less valuable land that was not suited to citrus or truck farms raising vegetables for market.

World War II resulted in a population explosion that contributed to uncontrolled urban sprawl. People began to spread out from Los Angeles because of the availability of land and the low interest rates that were available for first time homeowners and the returning GIs. As housing tracts sprang up on suburban land, dairies located nearest to the metropolitan centers of population shifted to the peripheries. This relocation tended to concentrate the dairies in the vicinity of Artesia and Bellflower. The Bellflower-Artesia area was an ideal location for the dairying industry because of favorable weather conditions and because the district contained all of the specialized services that contributed to the efficiency of the industry. Hay and grain dealers, veterinarians, equipment handlers, specialized financing organizations, cattle brokers and a pool of skilled laborers were all available within a few miles or a few minutes time.

One of the reasons that dairy farming was located in centralized locations such as the Bellflower-Artesia area is that production usually took place within the "least cost" location. The highest cost input component for dairymen is grain. This item is used in large quantities in order to maintain the extremely high production. The Basin area was geographically close to the Long Beach Port, which made access to feed available. As the freeway system

developed, dairy farmers could more economically farm in more outlying areas and still have access to feed. Dairymen in outlying areas could offset the cost of transporting feed by mixing their own feeds and placing more emphasis on locally produced materials such as barley, beet pulp, or cottonseed meal. The outlying areas would have more readily available green feeds.

### Dairy Farming in the Inland Empire

The third phase of dairy farming in the Chino Valley occurred between 1950 and 1969 and consisted of the introduction of scientific feeding and breeding, resulting in larger herds and more productive dairy operations. The dairy properties that developed during 1950 to 1969 are located on very large parcels or on properties that comprise multiple smaller parcels. The average size for a property associated with this context is approximately 40-acres or more. As the mechanization of dairying advanced, the size of the parcel increased as the dairy farmer was capable of milking more cattle. The layout of the dairy property also changed as the dairy operation began to introduce new farming equipment for the mechanization process.

The center for dairying in Southern California prior to this era was located around the Artesia area in Los Angeles County. However, due to the encroachment of the developing residential communities, the dairy farmers were forced to move to the Chino Valley area. In moving to Chino Valley, the dairymen established the most efficient and modern dairies in the nation. In the old production facilities, one man milked 100 cows twice a day. With the technology of the new milking systems of the 1950s-60s, one man easily could milk 450 cows twice a day. During the 1950s and 1960s, the use of machinery increased out of necessity because of the manpower shortage due to World War II. Machines could handle more cows, consequently, the herds increased in size again. The dairy farmers moved to new dairies to take advantage of mechanization; their old barns were not large enough for the new machinery. The dairy farmers from this period were able to afford more land after selling their dairies for premium prices in the highly valued inner-city areas of Los Angeles County, and could consequently increase the size of their operations and upgrade their milking facilities as the cost of land in the Chino Valley area was far less costly.

Dairy properties that were constructed after 1950 will have more than one very large residence, or a series of large residences that comprise at least one residence constructed after 1950, and enlarged residences from earlier periods. They may also feature attached two car garages or garages attached to the residences by a covered breezeway, a large "herringbone" style milking parlor designed in the Ranch style, numerous pole structures, large silos, large milk storage tanks, breeding stalls, calf stalls, rows of stanchions, grain bins, etc, and a huge expanse of open space behind the dairy buildings that is used for the production of feed and the processing of manure.

These properties may also have additional small residences to house hired workers who live and work on the land which may be located near the family's residences or may be located somewhere else on the property. These houses are generally small and may have been the original house from the early part of the century that was occupied by the dairy owner, or past dairy owners, prior to the proliferation and productivity of the current operation.

Almost all of the owner's residences that are located on the post 1950 dairy properties are constructed in the Ranch architectural style of architecture; however, a few may be residences that were popular prior to that era, but may have been enlarged or remodeled to reflect the success of the more efficient dairy operations. Most of the worker's houses either are very small examples of the Ranch style, or are smaller residences constructed in styles that were popular prior to this era. A few structures may still fall within this context even if the residence was constructed prior to 1950, as the dairy farmer may have adapted an earlier dairy property to a mechanized dairy operation with the addition of a large residence and large milking parlor.

This period exhibits a shift in the barn architecture from the "flat style" milking parlor to a "herringbone" style. In the new milking parlor design, the cow's stanchions are placed at an angle in order to use space more efficiently and the cows climb a gentle grade from the floor into their stall so that when the milkers come along, they do not have to kneel because the cows are at an elevated height. This is a labor and time saving device because it eliminates the amount of time it takes for milkers to kneel down to access the udders of the cows. Most of the farms from this period will exhibit the "herringbone" style of barn in the agricultural preserve area. In addition to the change in the parlor layout, the modernized milking parlors are also equipped with milking machines that automatically express milk from the cow's teats and also stop automatically once the cow's milk flow lessens. All of the "herringbone style" milk parlors that were constructed after 1950 were designed in the Ranch style to match the residences.

If there is more than one residence, then the residences are constructed on either side of the milking parlor. All the buildings that are related to a post 1950 dairy property are painted in the same color scheme, even if the individual resources are not necessarily constructed in the same architectural styles. These large dairy operations have a circular driveway in front of the milk parlor and almost always have designed landscaping to complement the property as a whole, both in front of the milking parlor and in front of the residences. The property is often times surrounded by a matching fence. The property will also have many other dairy facilities associated with the operation such as pole structures, silos, bins, stalls, etc. These resources are laid out behind the milking parlor and residences and are aligned in a geometrically spaced fashion; either perpendicular or parallel to the milking parlor. The pole structures are long and narrow rectangular structures. The number of pole structures and associated farming equipment may reflect the size and productivity of the dairy operation. Behind the pole structures, there is a large expanse of open space that is used for the production of feed and the processing of manure. Many of the dairy properties from the era have signs in front of their operations exhibiting the Dairy Association that they are connected with.

Most of the dairy operations that are associated with this context were built by former dairy farmers that had relocated in the Chino Valley after having moved from the Artesia area. Because of the small fortune they had gained from selling their land in Los Angeles County, the dairy farmers constructed these large dairy operations all at once and included the most advanced and efficient dairy facilities available in the nation at the time. The multitude of the buildings and structures on the property combined with their geometric arrangement demonstrates the introduction of scientific feeing and breeding, resulting in larger herds and more productive dairy operations. Additionally, the size and style of the Ranch houses reflect the wealth that these dairy farmers had attained. Many of the larger Ranch style residences from this period appear to have been designed by architects or prominent builders, which further demonstrates the image and opulence of the post-1950 dairy farmers.

The change to the "herringbone style" milking parlors demonstrates the change in the increased productivity and the scientific advances that occurred in the milking industry. The presence of multiple residences on these properties represents the multi-generational nature of the industry and the importance that the dairy lifestyle played in the unity of the family. The manicured landscaping and general condition and continuity of the properties demonstrate the pride that the dairy farmers had toward their profession and the pride they had in the hard work and diligence of building up their dairy operations. The milk trucks were replaced by large semi-trucks, which continued to utilize the circular driveway in front of the milking parlor to express milk from the storage tanks. The signs displayed in front of the dairy operations exhibit the large presence of the dairy associations and the pride and loyalty that the dairy farmers have in membership with certain dairy associations.

#### Annexation and the New Model Colony

By 1999, rapidly escalating dairy operation costs and another housing boom caused the long-term agricultural uses of these lands to be forfeited. Approximately 8,200 acres of the agricultural preserve were annexed into the City of Ontario, with 5,000 acres annexed by the City of Chino, with the City of Chino Hills gaining the remainder. Ontario named its portion of the former San Bernardino County Agricultural Preserve the "New Model Colony (NMC)," after the Chaffey brothers' original "Model Colony of Ontario." In 1998, the City of Ontario adopted a General Plan for the NMC.

Today, the NMC area is comprised almost entirely of agricultural uses and agriculture-related businesses. The area is roughly bounded by Riverside Drive to the north, Euclid Avenue to the west, Milliken/Hamner Avenue to the east, and Merrill Avenue and the San Bernardino County/Riverside County line to the south. Bisecting roads running east/west include Chino Avenue, Schaeffer Avenue, Edison Avenue, and Eucalyptus Avenue, and roads running north/south include Bon View Avenue, Grove Avenue, Walker Avenue, Grant/Carpenter Avenue, Archibald Avenue, Sumner Avenue, and Cleveland Avenue.

#### NMC Historic Context and the PCR Analysis

Support documents were prepared for a previous project on the site (2004-2008). These included a dairy study by PCR of the whole of the project, and a survey of certain parcels

within it by Tibbett (2004). PCR, a historical architecture firm, re-examined the whole of the project for historic-era resources only. Dahdul (2002) performed an archaeological survey of the Aspen properties, leaving only APN#0218-241-15 and -16 unsurveyed by any professional archaeologist.

PCR reviewed Galvin (2004), then performed a historical significance analysis of all standing structures in light of Galvins NMC findings. Since Tibbet (2004) and Dahdul (2002) were not faced with the prospect of analyzing any standing structures in the project area in light of the NMC analysis, these two authors did not record any building in the project area because all buildings in those parcels were less than 45 years old.

The NMC Historic Context Statement (Galvin 2004) was designed to "provide a historical background for dairy properties located within the former San Bernardino County Agricultural Preserve and provides a framework for understanding and preserving the history of the area as well as a foundation for integrating historic preservation into future land use The goal of the Statement is not to place roadblocks between historic preservation and future development, but to assist in the on-going historic analysis of this portion of the City. Galvin filled out DPR523 forms for each of 300 45+ years old properties surveyed, and found that the period of significance (pp 65) for the NMC Historic District is 1915-1975 and that the District is significant at the local, state and national level of analysis under several potential historical themes. Galvin noted that for any post-1950's dairy to be a contributing element (i.e., not an individual dairy inside the District with *low integrity*) within the District, that dairy must have the majority of the buildings dating to 1950-1969, the milking parlor must have no alterations (the parlor can be in use or not), and the dairy must adequately convey the historic feel of the period. Galvin also discussed the Ranch House residential types as a context specific to residential architecture and gave minimums of significance based on visual qualities. Isolated or Dairy-related Ranch Houses built before 1970 can be considered elements of the NMC District if they convey specific minimal elements.

The City requires that EIR's associated with Specific Plans in the NMC Area must consider Galvin's findings and address impacts to historical resources as each Specific Plan EIR is processed. Given this need, PCR's goal was to merge the contextual aspects of Galvin with a CEQA-level analysis of the Grand Park Specific Plan. Since Galvin identified 6 historical contexts and placed the whole of the District between the period 1915-1975, Galvins population of "post 1960's dairies" (see Galvin 2004, Appendix A in the Cultural Resources Assessment) could be contextually significant to the District if they conveyed specific characteristics. Additional dairies could be considered part of the District when intensive historical surveys are undertaken.

#### 2) Previously Identified Historic Resources

#### National or State Register Listing Status

On June 6, 2012, MBA staff archaeologist Audrey Podratz, B.A., undertook a cultural resource records search at the Archaeological Information Center at the San Bernardino

County Museum (AIC), which is the official State cultural resource information center for the County. To identify any historic properties, she examined the current inventories of the NR, the CR, the California Historical Landmarks (CHL) list, and the California Points of Historical Interest (CPHI) list. In addition, the Historic Resources Inventory (HRI) was examined to determine the existence of previously documented local historical resources. The search focused specifically on the project site and adjacent land within a one-mile search radius.

The records search showed that the whole of the property has never been surveyed by a professional archaeologist within the last 25 years: the westernmost and easternmost quarters were surveyed by Tibbett (2004) and the Aspen properties were surveyed by Dahdul (2002), but the Lee Properties (APN#0218-241-15 and 0218-241-16) have not been surveyed prior to this year (refer to the discussion below under Subsection 3.a.4). This property contains a plowed field and is improved with a dairy at 10084 Eucalyptus Avenue. Architectural historians with PCR Services (Wuellner and Fratinardo 2008, aka "PCR") did review the older dairy structures and establish individual significance ratings for older buildings within the whole of the project, but no systematic field survey was undertaken during their work. None of the properties within the project location are listed on either the National or California Register.

### 3) Identification of Potential Historic Resources

Where MBA disagrees with PCR is that PCR applied the four Criterion of Significance for listing on the CRHR to each of the individual dwellings, milking parlors and accessory site elements as individual properties in their analysis, rather than examining the structures in the project against the contextual parameters which support the elements of the District as found in Galvin. This is why the two analysts' interpretations appear to disagree within the Grand Park Project site. When each historic element PCR examined was deemed fulfilling CRHR Criterion 1 (events), all dwellings, milking parlors and sites were therefore considered contributing elements to the District by PCR staff (see Table below).

Table IV.E-1: PCR Technical Findings (2008) and Galvin Technical Findings (2004).

APN	Title	Address	Unit and Age	PCR Significance Rating *	Galvin Analysis?
0218-241-19	Bosma property	10469 Edison	Ranch house, c 1969	5D3	Too young, therefore Galvin did not consider this Ranch House a potentially significant element within the District

Table IV.E-1 (cont.): PCR Technical Findings (2008) and Galvin Technical Findings (2004).

APN	Title	Address	Unit and Age	PCR Significance Rating *	Galvin Analysis?
0218-241-19	Bosma property	10361 Edison	Ranch house, c 1969	5D3	Too young, did not record
0218-241-19	Bosma property	10361 Edison	Milk Parlor, c 1969	5D3	"
0218-241-19	Bosma property	10361 Edison	Site, no estimated date	5D3	"
0218-241-16	Lee property	10084 Eucalyptus	Ranch house, c 1968	5D3	Too young, therefore Galvin did not consider this Ranch House a potentially significant element within the District. MBA's review suggests this dairy was built about 1965-1966.
0218-241-16	Lee property	10084 Eucalyptus	Milk parlor, c 1968	5D3	,,
0218-241-16	Lee property	10084 Eucalyptus	Site, no date	5D3	"
0218-241-22	Schone- Tevelde property	10350 Eucalyptus	Ranch house, c 1969	5D3	Too young, therefore Galvin did not consider this Ranch House a potentially significant element within the District
0218-241-22	Schone- Tevelde property	10350 Eucalyptus	Milk parlor, c 1969	5D3	66
0218-241-22	Schone- Tevelde property	10350 Eucalyptus	Site, no date, c 1969	5D3	

Table IV.E-1 (cont.): PCR Technical Findings (2008) and Galvin Technical Findings (2004).

APN	Title	Address	Unit and Age	PCR Significance Rating *	Galvin Analysis?
0218-241-06	Van Meeteren property	9811 Edison	Dairy and Dwelling, c 1972	Not eligible	Yes, by Galvin. No, by PCR because the structures were considered not eligible on the basis of age. This dairy has been demolished.

<sup>\*</sup> Significance Code 5D3: "appears to be a contributor to a district that appears eligible for local listing or designation through survey evaluation." OHP, December 2003.

Source: Michael Brandman Associates Cultural Resources Assessment, July 2012.

PCR developed a mitigation measure that would address impacts to the structures they deemed contributing elements to the District. The recommended measures consisted of recordation of each dairy and associated structural elements onto DPR523 form sets. In MBA's view, the actual analysis of each dairy found in PCR (2008), which is less than 45 years old, demonstrates that the dairies and the structures inside each parcel are not significant within the context of Galvin (2004) because they are as of this date less than 45 years old and are therefore *non-contributing* elements of the dairy District. PCR argued that these dairies do carry qualities that allow them to be considered significant under CRHR Criterion 1 (event). PCR's mitigation measure was to record the dairies onto DPR523 form sets, then file the forms with the local Information Center. PCR's work adequately records the historical data associated with the dairies, but because these dairies are too young, MBA does not recommend recording them onto DPR523 forms.

# 4) Conclusion Regarding Historical Significance

Cultural and historical review of the whole of the project shows that only one 45+ year old structure exists. This structure complex is located at 10084 Eucalyptus. Before demolition permits are issued, the complex should be further evaluated (refer to the discussion below under Subsection 3.a.4). MBA believes that the remainder of the project site is very unlikely to contain significant cultural resources on the exposed soil surface.

# 3. Environmental Impacts

### a) Methodology

# 1) Review of Historical Aerial Photographs

MBA staff reviewed a series of online historic aerial photographs. The dates of the aerials reviewed for the project were: 1938, 1948, and 1959. In 1938, the majority of the project site was being used for dryland hay. The far southwest corner saw an orchard of some type and recent hay cuttings can be seen in the remainder of the entire western half of the project. The Van Meeteren property exhibited a farmhouse and barn in the center, which was subsequently demolished when the dairy was built. The eastern half of the project site was fallow and the far southeastern portion appears to have been flooded and was not being actively plowed. Except for the Van Meeteren property farm, no buildings were located on the project site in 1938.

Between 1948 and 1959, a few changes occurred on the project site. Much of the eastern half of the project site had been plowed, irrigation added, and a large grape orchard planted. A structure or house was located in the southwestern portion of the Aspen property. This was later demolished. The farmhouse in the western 160 acres of the project site was fully developed, and rows of Eucalyptus cut the field into manageable sections. Use of Eucalyptus was common to reduce damage from winds on dryland fields. The orchard in the southwest corner was removed and row crops planted. The 1959 aerial shows that the grounds had not yet been modified to accept dairies.

In 1967, a dairy had been built in the northwest corner of the Aspen property with feedlots to the south of the milking barn. Grapes were being grown in the easternmost quarter of the project site, while the western portion of the Aspen property was still hay. In the western section, the Lee property held a new dairy at 10084 Eucalyptus with the feedlots to the north of the milking barn, while the rest of the western portion of the project site was still in hay with the large farm in the southern half of the Van Meeteren property still visible. Because dairies were making their way into this area, farmers that had owned large pieces of property before World War II were beginning to sell to dairymen from Orange County, whose land was becoming too valuable to milk cows.

Buildings less than 45 years old (built 1967) are not considered historic resources under CEQA guidelines unless the overwhelming evidence shows that they should be considered for listing. These data demonstrate that the only possible buildings intact from this year are located on parcel 16 (0218-241-16). The photos suggest that this dairy was built about 1965 (not 1968 as PCR suggests), therefore, the structures should be recorded on DPR523 forms for this structure complex (refer to project mitigation measures for details).

# 2) Native American Heritage Commission Record Search

MBA contacted the Native American Heritage Commission (NAHC) on June 5, 2012 and again via email on June 25, 2012 requesting a Sacred Lands File Search for traditional cultural properties in and near the project area. The NAHC response, dated June 22, 2012

indicated that no sacred lands or traditional cultural properties are known within or near the project area. The NAHC also forwarded a list of Native American groups or individuals that may have knowledge regarding cultural resources/lands in the project area, and/or have a general interest in the project. To ensure that Native American concerns are addressed, the NAHC recommended an informational letter describing the proposed project, including a map illustrating the location of the project site be sent to each of seven NAHC-listed tribal contacts. As an initial contact in furtherance of the City's Native American tribal consultation requirements under SB 18, an information letter was sent to each of the tribal contacts (see Appendix B, Cultural Resource Compliance Documents) on June 27, 2012. As of the date of this report, MBA received one response from the Soboba Band of Luiseno Indians, and this has been reproduced in Appendix B of the Cultural Resources Assessment.

# 3) Cultural Resource Reconnaissance Survey Results

MBA staff archaeologist Audrey Podratz visited the project site on June 11, 2012 and photographed most of the parcels and inspected all of the dairies (Appendix E.1). Ms. Podratz confirmed that the Bosma dairy was active and the rock crushing plant in the southeast corner was still in use. She noted that fodder was not being grown in the 60-acre portion of the Lee Property (0218-241-15: it was plowed and fallow) that has never before seen the construction of a dairy nor buildings of any kind. Formal survey of this plowed section of the project site is not necessary because no significant resources will be detected in a plowed field. It is likely that soil to about 2 feet below current grade is completely churned.

Soils in the remainder of the project site have been heavily churned to about 3 feet below grade because they have been used for dairying for at least 40 years. Therefore, in all sections of the project site except parcel 0218-241-15, it is likely that all soils have been completely disturbed to a point about 4 feet below average grade.

MBA considers the potential for impacts to cultural resources "low" to a point 2 feet below grade in parcel 0218-241-15, and to a point 4 feet below grade in the remainder of the project site. Once the disturbed horizon has been removed, soils throughout the whole of the project site are considered moderately sensitive for buried cultural resources.

Of all structures that research shows are 45+ years old, only the dairy at 10084 Eucalyptus still stands. All other complexes are less than 45 years old. Following CEQA guidelines and recommendations made by the Office of Historic preservation, this dairy should be recorded onto DPR523 form sets.

### 4) Historical Resource Survey Results

The house and dairy at 10084 Eucalyptus was examined on May 10, 2013 by Michael H. Dice, M.A., RPA, and Environmental Specialist Catherine Lytle who performed a walkover survey of the Property (Appendix E.2). MBA determined that although the dairy retains good historical integrity, the property is not considered significant following contextual guidelines associated with the City of Ontario New Model Colony historical background as

defined by Galvin and Associates (2004). The resource is also not considered eligible for the California Register of Historical Resources nor the National Register of Historic Places.

# b) Thresholds of Significance

Would the project:

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- Disturb any human remains, including those interred outside of formal cemeteries?

The potential to disturb human remains was determined to be less than significant in the Initial Study. Refer to Appendix A-2 for a discussion of this threshold.

If a professional is asked to determine if a site is a "unique archaeological (historic) resource" under CEQA Guidelines and therefore subject to mitigation prior to development, a threshold of significance should be developed prior to testing/evaluation. This is a procedure recommended to professionals by the Office of Historic Preservation (OHP) / State Prehistoric Preservation Officer (SHPO). The threshold of significance is simply a point where the qualities of significance are defined during the analysis and the resource is believed to be a "unique archaeological (historic) resource" under CEQA. An adverse effect to a "unique resource" is regarded as the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource will be reduced such that it no longer meets the significance criteria. In lay terms, should an analysis show that the development will destroy the unique elements of a site, but leave non-unique elements intact, then the significance of the site will be lost and there must be mitigation for the loss of the unique elements.

If a prehistoric site is tested, it is traditionally held that buried features such as, hearths, burials, middens, etc., could hold analytical information that will pass the significance threshold and make the site eligible for listing on the CR under Criterion D. For historic archaeological sites, analysis of the condition and integrity of the architecture at the modern ground surface level may cause the site to pass the threshold under Criterion A, B and/or D. For historic buildings, the completeness and integrity of the structural architecture may cause the site to pass the threshold under Criterion A, B and/or C.

The threshold should be associated with the site context or theme. If sets of unusual artifacts, buried but unusual buildings, or human remains are detected during tests of cultural resources in the project area, or if a historical review of the property finds that it was once associated

with a person and/or event of historical significance at the State/National level, the sites will likely be considered potentially significant for CR/NRHP listing. In the event that the significance of the site will be reduced below the threshold because of development, a recommendation for data collection, a Phase III excavation, must be submitted to the Lead Agency.

Section 15064.5(b) of the CEQA Guidelines states that a project involves a "substantial adverse change in the significance of a historical resource" when one or more of the following occurs:

Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

The Secretary of the Interior's Standards for Rehabilitation (Standards) are codified at 36 Code of Federal Regulations (CFR) Section 67.7. In most circumstances, the Standards are relevant in assessing whether there is a substantial adverse change under CEQA. Section 15064.5b(3) of the CEQA Guidelines states in part that ". . . a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historic resource," and therefore may be considered categorically exempt.

# c) Project Impacts

# 1) Impacts to Historic Resources

Based on the historical evaluation of the dairy complex at 10084 Eucalyptus Avenue, this resource is not considered a significant resource. Therefore, less than significant impacts related to the demolition of this resource would result from project implementation.

Site wide evaluation of the potential for impacts to unknown buried cultural resources is considered "low" from 0 to 2 feet below grade. For parcel #0218-241-15, the potential for impacts to buried cultural resource during project-related earthmoving rises to "moderate" only after the plow zone is removed or cut through during mass grading operations (2-feet or more below grade). In the remainder of the project site, the potential for impacts to buried cultural resources rises to "moderate" after the upper 4 feet of topsoil has been removed for cut through. MBA recommends that archaeological mitigation-monitoring take place once the potential for impacts to cultural resources rises to moderate in any one area of the site. Section 5 below provides mitigation monitoring recommendations.

# 2) Impacts to Paleontological Resources

Geologic maps indicate that the City is situated on surface exposures of recent alluvium. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. According to the geological map of the Corona North, CA. quad (Morton and Gray 1995), the project is located on surface exposures of Holocene sand deposits (Qye) and Young alluvial fan deposits (Qyfa) which have "low" potential for impacts to paleontological resources. As depth increases, so does the potential for impact to significant paleontological resources. In MBA's view, fossils may be encountered on the Project site at a depth greater than 15 feet. However, these younger sediments overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources. Older Pleistocene alluvial sediments have yielded significant fossils of extinct plants and animals elsewhere in the Inland Empire with one known resource discover in the NMC. These older sediments, often found at depths of 10 feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates.

Once it is determined that excavations in the Specific Plan will reach at least 10 feet below grade, a qualified Paleontologist should be brought onto that portion of the project site with cuts at that depth to inspect the strata and determine if the potential for impacts to paleontological resources should be considered "moderate". Areas with moderate potential for impacts to fossil resources should be monitored by a Paleontological Inspector.

# 3) Accidental Discovery of Human Remains

There is always the possibility that ground-disturbing activities during construction may uncover previously unknown buried human remains without an on-site archaeological Inspector. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code § 7050.5 dictates that no further disturbance shall

occur until the County Coroner has made the necessary findings of the origin and disposition pursuant to CEQA regulations and Public Resources Code (PRC) § 5097.98.

# 4) Accidental Discovery of Cultural Resources

It is always possible that ground-disturbing activities during construction will uncover previously unknown, buried cultural resources without a monitor present. In the event that buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5(a)(4) of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) forms.

If the resources are determined to be a historic resource as defined under §15064.5(a)(3) of the CEQA Guidelines, mitigation measures shall be identified by the archaeologist and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered because of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.

#### 4. Cumulative Impacts

The analysis of cumulative impacts on historic resources involved an evaluation of whether the cumulative impacts of the proposed project and related projects in the area, when taken as a whole, would substantially diminish the number of extant resources within the historic context. The structure complex located at 10084 Eucalyptus is the only property on the project site that appears to be eligible as historical resources, pursuant to CEQA. However, it cannot be argued that this property is inherently valued as a resource for a study of period, style, or method of construction, as they are contributing resources in a potential district and are important primarily for their historical association with the development of dairy industrialization in the Chino Valley.

The subject property is noteworthy as an individual resource but has interest and value as part of an identified historic district of an extremely concentrated population of dairies from throughout the 20th century. These dairies are contributors to a rare example of an agricultural landscape that has not only survived but also thrived despite its proximity to a

densely populated urban environment. Because of the unique nature of historical resources and the level of local, state, and federal regulatory requirements applicable to historical resources, the cumulative effects of individual projects will be addressed on a case-by-case basis. In 2004, the Historic Context identified 131 examples of the "Post-1960 Dairy Farm," which would appear to indicate that there are numerous dairies of a similar period that exist within the NMC. Thus, given the substantial numbers of post-1950 dairies that remain intact, the cumulative impacts on historic resources would be less than significant.

# 5. Mitigation Measures

The following mitigation measures are recommended to address impacts to identified historic resources:

- CUL-1 Cultural resource mitigation monitoring is required, within the constraints found in this mitigation measure during all project-related earthmoving in the Specific Plan. The monitoring must be headed by a City-approved Project Archaeologist, who may choose to use qualified field representatives (Inspector) during earthmoving. The Project Archaeologist must create a mitigation-monitoring plan prior to a City approved pregrade meeting. The mitigation monitoring plan document must contain a description of how and where historical and/or prehistoric artifacts will be curated if found during monitoring by the archaeological Inspector.
- CUL-2 Mitigation/monitoring by a qualified archaeological Inspector should take place on the project site once project-related excavations reach 4 feet below current grade, except within parcel #0218-241-15, where Inspections should begin once 2 feet below current grade.
- CUL-3 If any historic or prehistoric cultural resources are inadvertently discovered by the archaeological Inspector, the find(s) must be blocked off from further construction-related disturbance by at least 50 feet, and the Project Archaeologist must then determine whether the find is a historic resource as is defined under §15064.5(a)(3) of the CEQA Guidelines. If the find(s) is not found to be a historic resource, it must be recorded onto DPR523 form sets and project-related excavation can then continue. If the find(s) is determined to be a historic resource, appropriate measures associated with impacts to such resources could include avoidance, capping, incorporation of the site in greenspace, parks or open space, or data recovery excavation of the find(s). No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect or appropriately mitigate the significant resource. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.

CUL-4

Once project-related excavations reach 10 feet in any one location in the Specific Plan, the City of Ontario shall require that a qualified Paleontologist be brought to the area(s) that have been cut at that depth and inspect the cut(s) to determine if the potential for impacts to fossil resources has risen from "low" to "moderate". If the potential for impacts has indeed risen to "moderate," then the City shall require that a qualified Paleontological Inspector monitor all cuts until all deep excavations are completed. Mitigation for impacts to any vertebrate finds shall follow all professional standards and any finds shall be offered to a museum the City names.

CUL-5

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD) and at the same time provide notification to the City of Ontario, Development Agency, Planning Director or designee. If the remains are deemed non-historic, the Coroner shall notify the Sheriff's Department for investigation. As required by Section 5097.98 of the Public resources Code, with the granting of permission by the landowner or his/her authorized representative, the descendent may inspect the project site of the discovery; however, the MLD is not prohibited from discussing and conferring with other descendants of the human remains as allowed by Public Resources Code Section 5097.98. The descendent shall complete the inspection within 48 hours of notification by the NAHC consistent with Public Resources Code Section 5097.98. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. The MLD will determine the ultimate disposition of the remains and provide written documentation to the City of Ontario, Development Agency, Planning Director or designee of the ultimate disposition of the remains.

# 6. Level of Significance After Mitigation

Under CEQA, the mitigation measures proposed would reduce the significant impacts of the project related to discovery of any previously unknown historical or archaeological resource, and the potential to discover human remains. After implementation and completion of the recommended mitigation measures, impacts to this cultural resources would be reduced to a less than significant level.