

January 22, 2016

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SimonCRE Alpha V, LLC
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Subject: Phase I Cultural Resources Inventory for a Proposed 1.87-Acre Commercial Development at 4382 Phelan Road in Phelan, San Bernardino County, California

Dear Mr. Krahenbuhl:

This letter documents the Phase I cultural resources inventory conducted by Dudek for the proposed 1.87-acre commercial development at 4382 Phelan Road Project (Project), located in the unincorporated community of Phelan, San Bernardino County, California. SimonCRE Alpha V, LLC is proposing to construct a commercial development within a currently vacant parcel along Phelan Road. The County of San Bernardino (County) is the lead agency for planning purposes under the California Environmental Quality Act (CEQA). A South Central Coastal Information Center (SCCIC) records search indicates that one cultural resource, historic-era Phelan Road, has been recorded outside but adjacent to the proposed Project site. The resource (CA-SBR-8082H) was previously evaluated for historical significance and was recommended as not eligible for listing on the California Register of Historical Resources (CRHR) (Brock 1995). No further cultural resource considerations are recommended for this resource. Dudek surveyed the Project site for cultural resources (including both archaeological and historic built environment resources) in accordance with the standards and guidelines defined by CEQA. No new cultural resources were identified within the Project site as a result of the survey. Due to a lack of evidence for cultural resources within the Project site, no further management recommendations are necessary beyond standard measures to address unanticipated discoveries of cultural resources and human remains.

PROJECT DESCRIPTION AND LOCATION

SimonCRE Alpha V, LLC is proposing to construct commercial development for Dollar General on a 1.87-acre lot along Phelan Road in Phelan, San Bernardino County (Figure 1). The site area would include a 9,100-square foot building area, hardscape and landscape coverage, parking stalls, retention and septic areas, perimeter fencing, and right-of-way improvements along the site frontage and Sierra Vista Road. The Project site is located on the northwest corner of the

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intersection of Phelan Road and Sierra Vista Road and bound on the north and west by undeveloped vacant lots. The Project site falls within Section 13, Township 4 North, Range 7 West of the *Phelan, CA* U.S. Geological Service (USGS) 7.5-minute series topographic Quadrangle map (Figure 2).

REGULATORY FRAMEWORK

California Register of Historical Resources (CRHR)

In California, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California." (PRC section 5020.1(j).) In 1992, the California legislature established the CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change." (PRC section 5024.1(a).) The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP), enumerated below. According to PRC Section 5024.1(c)(1-4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

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California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC section 21083.2(g) defines “unique archaeological resource.”
- PRC section 21084.1 and CEQA Guidelines section 15064.5(a) defines “historical resources.” In addition, CEQA Guidelines section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource;” it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC section 21074(a) defines “tribal cultural resources.”
- PRC section 5097.98 and CEQA Guidelines section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource." (PRC section 21084.1; CEQA Guidelines section 15064.5(b).) If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA. (PRC section 21084.1; CEQA Guidelines section 15064.5(a).) The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption. (PRC section 21084.1; CEQA Guidelines section 15064.5(a).)

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." (CEQA Guidelines section 15064.5(b)(1); PRC section

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5020.1(q.) In turn, the significance of an historical resource is materially impaired when a project:

- (1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- (2) 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 PRC or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, 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
- (3) 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 as determined by a lead agency for purposes of CEQA.

(CEQA Guidelines section 15064.5(b)(2).) Pursuant to these sections, the CEQA inquiry begins with evaluating whether a Project site contains any "historical resources," then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (Section 21083.2[a], [b], and [c]).

Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

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

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC section 21083.2(a); CEQA Guidelines section 15064.5(c)(4).) However, if a non-unique archaeological resource qualifies as tribal cultural resource (PRC 21074(c); 21083.2(h)), further consideration of significant impacts is required.

CEQA Guidelines section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered.

SCCIC RECORDS SEARCH

Staff at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton, conducted a California Historical Resources Information System (CHRIS) records search on January 7, 2016 (Confidential Appendix A). This CHRIS search included their collection of mapped prehistoric, historical and built-environment resources, Department of Parks and Recreation (DPR) Site Records, technical reports, archival resources, and ethnographic references within the Project site and surrounding half-mile radius. Additional consulted sources included the National Register of Historic Places (NRHP), California Inventory of Historical Resources/CRHR and listed Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility, California Points of Historical Interest, California Historical Landmarks, and Caltrans Bridge Survey information.

Previously Conducted Studies:

SCCIC records indicate that no previous cultural resource investigations have been conducted within the proposed Project site. At least three studies have been conducted within a half-mile of the proposed Project site (Table 1). All three investigations were negative for the presence of cultural resources.

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Table 1. Previous Studies Conducted Within a Half-Mile of the Project site

Author	Year	Report	Title
Dietz, Stephen A.	1987	SB-01675	Phelan, CA MPO Cultural Resources Assessment (7-5L-055976-C-006)
Keas, Nicole	2001	SB-03778	Phelan Cellular Site (Nextel 71861)
White, Robert S. and Laurie S. White	2003	SB-03991	A Cultural Resource Assessment of a 2.5-Acre Phelan Park Site Located Adjacent to Warbler Road in Phelan, San Bernardino County, CA

Previously Identified Cultural Resources:

SCCIC records indicate that only one cultural resource has been previously recorded within a half-mile of the proposed Project site. The resource consists of the historic-era Phelan Road (CA-SBR-8082H), a portion of which is located outside but immediately adjacent to the southern perimeter of the proposed Project site.

Phelan Road was originally recorded in 1995 by Brock as part of a Historic Resource Evaluation Report for Phelan Road. The resource consists of a nearly 13-mile stretch of road extending east from State Highway 138 to Interstate 15. Phelan Road was established in 1916 as the main thoroughfare from Phelan to Hesperia. The original alignment deviated around private ownerships, drainages, and gullies. In 1947, the dirt road was straightened and paved into what now resembles its current alignment, although a few dirt track deviations are still visible in the landscape surrounding Highway 395. The road was evaluated for historical significance as the main corridor between Phelan and Hesperia. The resource was recommended as not eligible for listing on the CRHR. Brock notes on the DPR form that Phelan Road has been rebuilt and paved on numerous occasions and lacks any integrity (1995). Details relating to this site are contained within Confidential Appendix A.

The SCCIC records search provided copies of three historic maps: the 1903 San Antonio 15-minute series USGS topographic map and the 1955 and 1957 Phelan 7.5-minute series USGS quadrangles. The previously recorded cultural resource located adjacent to the Project site (CA-SBR-8082H) is visible on the 1955 and 1957 Phelan quadrangles but absent from the 1903 San Antonio topographic map.

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A review of historic aerials going back to 1952 indicates that the Project site has remained vacant and relatively undisturbed for over half a century (Historic Aerials 2016). The previously recorded resource Phelan Road (CA-SBR-8082H) is visible on the historic aerial and appears similar to its current state.

NATIVE AMERICAN COORDINATION

As per Dudek's scope of work, the County is responsible for consultation with Native American Tribes under California Assembly Bill (AB) 52. If requested, Dudek will help the County request a list of Tribes in the area from the Native American Heritage Commission (NAHC) and prepare consultation letters to the Tribes for the Project. To date, no Tribal outreach has been performed.

CULTURAL RESOURCES SURVEY

Methods

Dudek Archaeologist Adriane Dorrlor conducted the intensive-level pedestrian survey on January 12, 2015 using standard archaeological procedures and techniques. All field practices met the Secretary of Interior's standards and guidelines for a cultural resources inventory. The intensive-level survey methods consisted of a pedestrian survey conducted in parallel transects spaced no more than 10 meters apart over the entire Project site. Within each transect, the ground surface was examined for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions, features indicative of the current or former presence of structures or buildings (e.g., standing exterior walls, post holes, foundations), and historic artifacts (e.g., metal, glass, ceramics, building materials). Ground disturbances such as burrows, cut banks, and drainages were also visually inspected for exposed subsurface materials. No newly identified artifacts or archaeological features were identified within the Project site.

Ms. Dorrlor took detailed notes and photographs of previously recorded cultural resource CA-SBR-8082H and the surroundings. All fieldwork was documented using field notes, digital photography, a Global Positioning System (GPS) receiver with sub-meter accuracy, iPad technology with close-scale field maps, and aerial photographs. Location-specific photographs were taken using an Apple 3rd Generation IPAD equipped with 8 MP resolution and georeferenced PDF maps of the Project site. Accuracy of this device ranged between 3 meters and 10 meters. All field notes, photographs, and records related to the current study are on file at Dudek's Riverside, California office.

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Results

No new cultural resources were identified during the intensive-level pedestrian survey. The Project site was generally bound to the east, south and west by retail development, and to the north by scattered single family residences. Tujunga sand consisting of somewhat excessively drained sand derived from granitic alluvium characterized the Project site (USDA 2016). Ground visibility was excellent with vegetation typical of the unconsolidated creosote bush scrub community. Throughout the entire Project site, off-road vehicle tracks scarred the landscape. Modern trash dumping and evidence of land grading and/or pushing was also visible throughout the Project site.

The location of previously recorded CA-SBR-8082H was inspected for any evidence of modern alterations and/or modifications to the original alignment. This resource is a historic to modern period improved road known as Phelan Road. The road as mapped is approximately 13-miles in length and runs east from State Highway-138 to Interstate-15. The southern perimeter of the Project site parallels the road for approximately 300-feet. Current design plans propose an ingress/egress route from Phelan Road to the Project site. According to the current design plans, there will be no impact to Phelan Road; improvements are limited to the sidewalk and curb.

Archival research indicates that the road has maintained its current alignment since at least 1952 (Historic Aerials 2016). The road is first visible on the 1955 Phelan 7.5-minute series topographic map. No major historic event or individual is associated with this road. The segment of road that parallels the Project site has been subject to modern improvements such as grading, widening, and paving. Previously, the historic road alignment was found not eligible under state level eligibility criteria due to lack of integrity (Brock 1995). The segment of CA-SBR-8082H that parallels the Project site does not retain any integrity and is not a historical resource under CEQA. As a result, the proposed Project would have a less than significant impact on historical resources under CEQA. No further cultural resource considerations are recommended.

SUMMARY OF FINDINGS

Dudek's Phase I cultural resources inventory of the Project site suggests that there is low potential for the inadvertent discovery of cultural resources during ground breaking activities. SCCIC records indicate that only one historic-era cultural resource, historic-era Phelan Road, has been recorded adjacent to but outside the Project site. Phelan Road (CA-SBR-8082H) was previously evaluated for historical significance and found not eligible for listing in the CRHR

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(Brock 1995). The segment of Phelan Road adjacent to the Project site was revisited during the current field efforts. No evidence of the original dirt track road associated with CA-SBR-8082H was uncovered during the investigation. This segment of Phelan Road is modernized and fully maintained by the California Department of Transportation. No further cultural resource considerations are recommended for this resource.

MANAGEMENT RECOMMENDATIONS

Due to for the absence of cultural resources within the Project site, no further management recommendations are necessary beyond standard measures to address unanticipated discoveries of cultural resources and human remains (see below). The recommendation of no further archaeological work for the proposed project is presumed pending the results of Native American tribal correspondences with the County. Should tribal contacts identify cultural resources within the Project site, the County will work in cooperation with Native American tribal representatives to determine if Native American monitoring or other treatment measures are necessary. As the lead agency under CEQA, the County is responsible for formal government-to-government consultation with the Tribes under California Assembly Bill AB 52. If requested, Dudek will assist the County in that process.

Unanticipated Discovery of Cultural Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

Unanticipated Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the remains are determined to be Native American, the Coroner shall notify the NAHC in

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Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descended (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Should you have any questions relating to this report and its findings please contact us at the email or phone numbers listed below.

Respectfully Submitted,



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*Att: Figure 1. Regional Map
Figure 2. Vicinity Map
Appendix A: Confidential SCIC Records Search Information*

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REFERENCES CITED

Brock, James. 1995. State of California Department of Parks and Recreation Series 523 Form for Phelan Road-CA-SBR-8082H, P-36-008082. On file at the South Central Coastal Information Center.

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USDA (U.S. Department of Agriculture). 2016. Natural Resources Conservation Service (NRCS). "Web Soil Survey." Accessed January 2016. <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.

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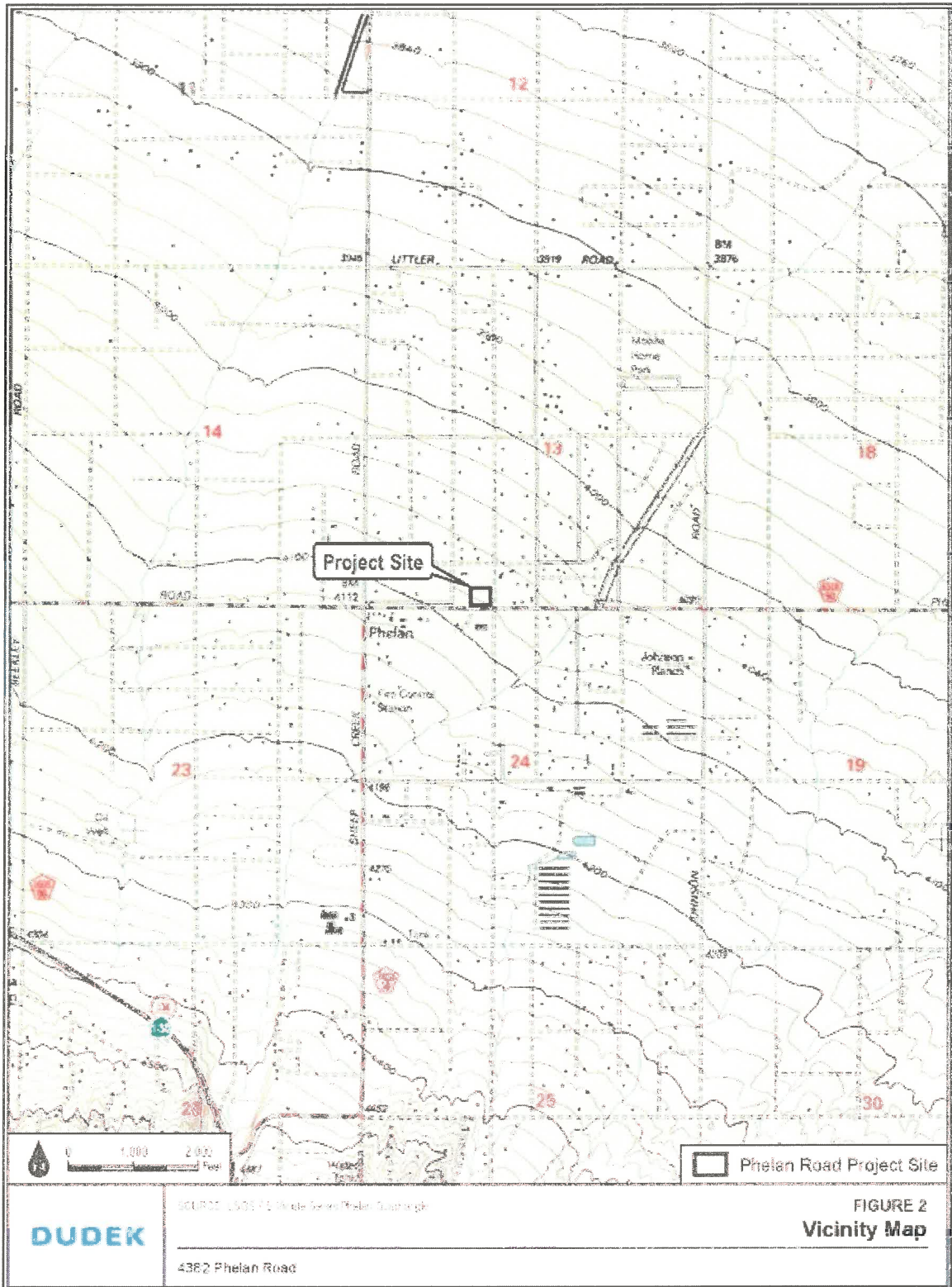
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