

## 5. Environmental Analysis

### 5.4 CULTURAL RESOURCES

Cultural resources comprise paleontological, archaeological, and historical resources. Paleontological resources are the fossilized remains of plants and animals. Archaeology is the branch of paleontology that studies human artifacts, such as places, objects, and settlements that reflect group or individual religious, cultural, or everyday activities. Historical resources include sites, structures, objects, or places that are at least 50 years old and are significant for their engineering, architecture, cultural use or association, etc. In California, historic resources cover human activities over the past 12,000 years. Cultural resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. Refer to Section 5.4.2 for legal definitions and significance thresholds associated with archaeological and historical resources. Paleontological resources are analyzed in Section 5.6, *Geology and Soils*, and Tribal Cultural resources are analyzed in Section 5.13, *Tribal Cultural Resources*, of this DEIR.

The analysis in this section is based in part on the following information:

- Cultural and Paleontological Resources Assessment Ontario Ranch Commerce Center, City of Ontario, San Bernardino, California, Material Culture Consulting, September 2018 (Appendix E1).
- NONCONFIDENTIAL - Cultural and Paleontological Resources Survey Results for the Ontario Ranch Business Park Off-sites, in the City of Ontario, San Bernardino County, California, Material Cultural Consulting, November 26, 2019 (Appendix E2)
- DPR Series 523 Inventory Site forms for the Ontario Ranch Business Park Specific Plan Project, Ontario, San Bernardino County, California, Daly and Associates, April 1, 2019 (Appendix E3).

A complete copy of this study is provided in Appendices E1 through E3 of this DEIR.

#### 5.4.1 Environmental Setting

##### 5.4.1.1 REGULATORY BACKGROUND

###### Federal and State Regulations

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

The National Historic Preservation Act of 1966 (NHPA) coordinates public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The act authorized the National Register of Historic Places (NRHP), which lists districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 Review ensures that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process with assistance from state historic preservation offices.

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#### *Archaeological Resources Protection Act*

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

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

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

#### *California Public Resources Code*

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

PRC Sections 5020 to 5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources (CRHR) and is responsible for designating State Historical Landmarks and Historical Points of Interest.

PRC Sections 5079 to 5079.65 define the functions and duties of the Office of Historic Preservation (OHP), which administers federal- and state-mandated historic preservation programs in California as well as the California Heritage Fund.

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites; identify the powers and duties of the Native American Heritage Commission (NAHC); require that descendants be notified when Native American human remains are discovered; and provide for treatment and disposition of human remains and associated grave goods.

### **Local Ordinances**

#### *City of Ontario Development Code*

The City of Development Code Chapters 4 and 7 establish the City's scope of historic preservation activities and is the primary body of local law relating to historic preservation. Division 7.01 includes the purpose and authority for historic preservation, and Division 4.02 includes 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 historic properties that are eligible to apply for placement on the City's List of Designated Historic Landmarks or Districts. Any property owner may request the designation of a Historical Resource as a Historic Landmark or District by submitting an application to the City's Planning Department.

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Pursuant to Development Code Section 4.02.040, 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:

- (1) It meets the criteria for listing in the NRHP; or
- (2) It meets the criterion for listing in the CRHR; or
- (3) It meets one or more of the following criteria:
  - A. It exemplifies or reflects special elements of the City's history;
  - B. It is identified with persons or events significant in local, state, or national history;
  - C. It is representative of the work of a notable builder, designer, architect, or artist;
  - D. It embodies distinguishing characteristics of a style, type, period, or method of construction;
  - E. It is noteworthy example of the use of indigenous materials or craftsmanship;
  - F. It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;
  - G. It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community of the City; or
  - H. 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.
  - I. It has yielded or is likely to yield information important to the City's history or prehistory.

Pursuant to Development Code Section 4.02.040, 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:

- (1) 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 and possesses high artistic values;
- (2) 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;
- (3) Is associated with, or the contributing resources are unified by events that have a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
- (4) The historic resource is, or the contributing resources are associated with lives of persons important to Ontario, California, or national history.

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Landmarks and Districts listed in the NRHP or the CRHR 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 integrity for the time in which they are significant.

As part of the City's consideration of the New Model Colony (NMC; now Ontario Ranch) project, a Historic Context for the NMC area was developed and designed to "provide a historical background for dairy properties located within the former San Bernardino County Agricultural Preserve. It 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 planning" (Galvin & Associates 2004). The NMC Historic Context defines six historic context themes that are the basis for evaluations to determine the historic significance of properties within the NMC area. These are 1) Pre-1930 rural or dairy properties 2) 1930-1960 Dairy Properties, 3) Post-1960 Dairy Properties, 4) Commercial Properties or other, 5) Art Deco or Moderne Milk Parlors (circa 1920-1940), and 6) Ranch style houses (Galvin & Associates 2004).

The City of Ontario requires that EIRs associated with Specific Plans in NMC must consider Galvin's findings and address impacts to historical resources. Therefore, this EIR's analysis of the resources on the project site considers the contextual aspects of the NMC Historic Context with an analysis of the proposed project.

#### *City of Ontario General Plan*

The City of Ontario General Plan Community Design Element contains several policies (CD4-1 through CD4-7) to meet the City's goals regarding management of cultural and paleontological resources. CD4-1 applies to the current study as an effort to update the known information on the project area, as it has not been surveyed or examined in the past ten years:

- **CD4-1** Cultural Resource Management. Update and maintain an inventory of historic sites and buildings, professional collections, artifacts, manuscripts, photographs, documents, maps, and other archives.
- **CD4-2** Collaboration with Property Owners and Developers. Educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes, and neighborhoods.
- **CD4-3** Collaboration with Outside Agencies. Pursue opportunities to team with other agencies, local organizations, and nonprofits in order to preserve and promote Ontario's heritage.
- **CD4-4** Incentives. Use the Mills Act and other federal, state, regional, and local programs to assist property owners with the preservation of select properties and structures.
- **CD4-5** Adaptive Reuse. Actively promote and support the adaptive reuse of historic sites and buildings to preserve and maintain their viability.

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- **CD4-6** Promotion of Public Involvement in Preservation. Engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.
- **CD4-7** Public Outreach. Provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario, and the Robert E. Ellingwood Model Colony History Room.

### 5.4.1.2 NATURAL SETTING

The Specific Plan area is situated in the San Bernardino Basin, adjacent to the Transverse Ranges Geomorphic Province. This province is comprised of a series of mountain ranges that run transverse to most mountain ranges in southern California, roughly east/west trending. The mountains within the province, including the San Gabriel and San Bernardino mountains to the north and northeast, were uplifted by tectonic activity, and provide a major sedimentary source for the alluvium basins of the adjacent areas (Critelli et al. 1995). The geologic units underlying this project are mapped entirely as younger Quaternary alluvium (Qyfa) dating from the late Holocene to Pleistocene (Jennings et al. 1977). These deposits derived broadly as alluvial fan deposits from the San Bernardino Mountains to the north (McLeod 2018).

Young Quaternary alluvium (Qyfa) are Holocene to late Pleistocene-aged alluvial fan deposit that typically consists of river and stream derived sediments. The sediments are comprised of slightly consolidated gray-hued arkosic, sandy and gravel-sand deposits derived from local Peninsular Ranges batholith granitic bodies (Morton 2003).

### 5.4.1.3 CULTURAL SETTING

#### *Prehistory*

Most researchers agree that the earliest occupation for the Ontario area dates to the early Holocene (11,000 to 8,000 years ago). The following discussion of the cultural history of San Bernardino County is summarized from the Cultural and Paleontological Resources Assessment (Appendix E1 of this DEIR) and describes seven periods of prehistory—the San Dieguito Complex, the Milling Stone Horizon, the Encinitas Tradition, the La Jolla Complex, the Pauma Complex, and the San Luis Rey Complex—since these culture sequences have been used to describe archaeological manifestations in the region. The Late Prehistoric component in the area of San Bernardino County was represented by the Cahuilla, Gabrielino, and Luiseño Indians.

#### *Paleo Indian Period*

The Paleo Indian Period is associated with the terminus of the late Pleistocene (12,000 to 10,000 YBP). The environment during the late Pleistocene was cool and moist, which allowed for glaciation in the mountains and the formation of deep, pluvial lakes in the deserts and basin lands. However, by the terminus of the late Pleistocene, the climate became warmer, which caused glaciers to melt, sea levels to rise, greater coastal erosion, large lakes to recede and evaporate, extinction of Pleistocene megafauna, and major vegetation changes. The earliest sites known in the area are attributed to the San Dieguito culture, which consists of a hunting culture with flaked stone tool industry.

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#### ***Milling Stone Period***

Around 8,000 years ago, subsistence patterns changed, resulting in a material complex consisting of an abundance of milling stones (for grinding food items) with a decrease in the number of chipped stone tools. Originally identified as the “Millingstone Horizon,” it was later redefined as a cultural tradition named the Encinitas Tradition with various regional expressions including the Sayles or Pauma cultures in inland San Diego County extending into western San Bernardino County. The Encinitas Tradition characteristics include abundant metates and manos, crudely made core and flake tools, bone tools, shell ornaments, very few projectile points, indicating a subsistence pattern focused on hunting and gathering a variety of floral resources.

#### ***Late Prehistoric Period***

At approximately 1,500 years before present, bow and arrow technology started to emerge in the archaeological record, which also indicates new settlement patterns and subsistence systems. The local population retained the subsistence methods of the past but incorporated new materials into their day to day existence, as evidenced by the archaeological record. The Palomar Tradition is attributed to this time, and is comprised of larger two patterns: the Peninsular Pattern in the inland areas of the northern Peninsular Ranges (e.g., San Jacinto and Santa Rosa mountains) and the northern Coachella Valley, and the San Luis Rey pattern of the project area. Archaeological sites from this time period are characterized by soapstone bowls, arrowhead projectile points, pottery vessels, rock paintings, and evidence of cremation sites.

#### ***Spanish Period (1769 to 1821) to Mexican Period (1821 to 1848)***

The Spanish period began in 1769 with Captain Gaspar de Portolá’s land expedition and ended in 1821 with Mexican Independence. During the Spanish Period, the establishment of the Mission San Gabriel Arcángel (1771) was influential throughout the surrounding regions, using the area for cattle grazing. An asistencia was established within the area nearby in Redlands in 1819 and helped facilitate the Mission’s control of the surrounding area. However, after control of the area shifted to Mexico, secularization began throughout the area and the missions and their associated ranches began to decline. The Mexican government proceeded to push settlements of Mexican populations from the south by deeding large grants to individuals who promised to employ settlers.

#### ***American Period (1848 to present)***

The Gold Rush of 1849 would see tremendous influx of Americans and Europeans flooding into Southern California. Rancho Santa Ana del Chino became a popular stopover for travelers of the rush. The passing of the Homestead Act of 1862 continued this increase of settlers within the region, George and William Chaffey were among these early pioneers. The Chaffey brothers bought over 6,000 acres of land in 1882 that was arid and covered by patches of scrub brush (City of Ontario 2018a). The brothers designed a water system that connected miles of cement pipe from an underground water source to each parcel of land. This land would eventually become the cities of Ontario and Upland. George and William Chaffey derived the name of the city from their native province of Ontario in Canada (GPA 2007). The City of Ontario was incorporated in 1891, becoming one of the earliest established towns in San Bernardino County (City of Ontario 2018a and b). By 1903, the city was referred to as a “Model Irrigation Colony” after receiving an

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award at the World Fair as a “Model Colony” for innovation in water rights and technology, which assisted in attracting settlers to the City (City of Ontario 2018a).

Dairies began to be established in the region, known as Chino Valley, during the late 1890s and continued to dominate the area throughout the 20th century. During the 1920s and 1930s, middle European dairymen began settling in the area (GPA 2004). In 1967, the County of San Bernardino designated 14,000 acres of land in Chino Valley as an agricultural preserve protected by the Williamson Act and the Land Conservation Act. By the 1990s, increased demand for housing and high dairy operation costs pressured farmers in the San Bernardino Agricultural Preserve to consider relocating their dairies and annexing their land to adjoining cities. Anticipating the expiration of the Williamson Act, the area was divided, and portions were incorporated into the cities of Ontario, Chino, and Chino Hills. The City of Ontario annexed 8,200 acres of the former San Bernardino Agriculture Preserve in 1999 and called the area the New Model Colony. The Local Agency Formation Commission (LAFCO) required the City to prepare a General Plan Amendment and EIR prior to annexation. In 1996, the City of Ontario began planning for annexation and adopted the New Model Colony General Plan Amendment and EIR in 1998 (GPA 2004).

### Historical Resources

The project site is currently occupied by the Legend Dairy Farm. The Legend Dairy Farm was established at the project site in 1973. Potential historical resources identified on the site include the Main House, Manager’s House (manufactured house), Dairy Barn, associated structures and features of the dairy farm, and a small house to the west of the Main House (see Table 5.4-1). The subject property is not currently listed in either the NRHP, CRHR, or as a City of Ontario Historic Landmark.

**Table 5.4-1 Potentially Historical Structures Analyzed within Project Area**

Structure	Year Constructed	Evaluation and Criteria
Main House	1973	Evaluated as ineligible for listing in the National and California Register.
Dairy Barn/Milking Parlor:	1973	Evaluated as ineligible for listing in the National and California Register.
Managers House	1980	Evaluated as ineligible for listing in the National and California Register.
Three-bay garage building	1980	Evaluated as ineligible for listing in the National and California Register.
Associated Features (poles, utility sheds, feed bins, water tanks, runoff pit)	1973	Evaluated as ineligible for listing in the National and California Register.

Source: Daly and Associates 2019

### Federal and State Criteria

Pursuant to the National Register and/or California Register criterion relating to the Legend Dairy Farm property’s association with significant historical events that exemplify broad patterns of our history, the subject property does not qualify as a significant resource under Criteria A/1. While the history of the Legend Dairy Farm with the development of the dairy industry in Ontario is important, the Legend Dairy

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Farm was not specifically identified in our research as the site of an event important to the history of dairy farming in California or the United States. There is no evidence that the Legend Dairy Farm Company property is eligible for listing under National Register Criterion A or California Register Criterion 1.

Pursuant to the National Register and California Register criteria relating to the Legend Dairy Farm association with the lives of persons significant in our past, the property does not qualify as a significant resource under National Register Criterion B or California Register Criterion 2. This criterion is used to determine if the Legend Dairy Farm is directly associated with persons important in the history of dairy farming or is important in the settlement of Chino Valley or Ontario. Research did not reveal any direct relationship between persons important on a national or state level, and the Legend Dairy Farm outside of normal dairy farm activities.

Pursuant to the National Register and California Register criteria relating to the distinctive characteristics of a type, period, region, or method of construction, the Legend Dairy Farm does not appear to be eligible for listing as a significant Large Capacity Dairy under National Register Criterion C or California Register Criterion 3. The Legend Dairy Farm property is an example of a Large Capacity Dairy constructed in Ontario in 1973. The design of a Large Capacity Dairy had been developed over 50 years of both technical improvements in milking machinery and the handling of dairy cows. The Large Capacity Dairies were simply an expansion of the dairy operations built soon after World War II, which brought together the improved hygienic of milking operations with the use of mechanical milking parlors. Large-scale dairy farms had been established, constructed, and operated in the Chino Valley Dairy region since the early 1950s, and this made the Legend Dairy Farm a latecomer to area. Legend Dairy Farm built an operation whose success was insured by following the example of the layout and management of other regional farms. The Legend Dairy Farm does not present any significant contributions to the history of Large Capacity Dairies that would warrant it being eligible for listing as a significant property under Criterion C/3.

The Main House of the Legend Dairy Farm has been found to meet the criteria to be considered a contributing resource, 1960s through 1980s Ranch style house, to the New Model Colony Historic Context. While the Main House of the Legend Dairy Farm meets the level of integrity to be considered a local resource, the building itself has not been found to meet the criteria to be listed in the National Register or California Register. The Main House of Legend Dairy Farm has not been found to have been associated with events that have made a significant contribution to the broad pattern of dairy farm ranch houses, or to the cultural history of dairy farming, in Ontario, California, or the United States. The Main House of Legend Dairy Farm has not been found to have been directly associated with persons important to the dairy farm industry in Ontario, California, or the United States; nor does it present a late-period, Ranch style residence of high artistic values, or a design that contributes to the national or regional discussion regarding Ranch style houses constructed in 1973.

#### *City of Ontario Criteria*

##### ***Criteria I. It has Yielded or is Likely to Yield Information Important to the City's History or Prehistory.***

The Legend Dairy Farm does present high integrity for a "Post 1950, Scientific, Large Capacity Dairy" farm constructed in 1973, for possessing the physical attributes of a large-scale dairy operation, but it does not



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appear to have the capacity to be determined a significant individual property as a contributor to the history of dairy farming in the City of Ontario.

Prior to 1950, the dairy farms in the Chino Valley area were primarily owned and operated by a single family, with some hired hands to supplement the family's involvement. Even with the advent of modern milking equipment, improved feeding and animal husbandry, the dairy farms continued to resemble those of the early twentieth-century, with the cows able to be in pasture, and make a visual connection to the early days of settlement in Ontario and the Chino Valley.

After World War II, the pressure from urban development, high price of land, and loss of interest by the younger generations of dairy farmers, forced dairy farmers in the New Model Colony Area to adapt the modern livestock business plan of operating, what is called in common terminology, a factory farm. The Legend Dairy Farm has approximately 1,500 head of cattle on the property, with approximately 1,000 head being milked on a daily basis due to the improvement of technology, not the physical aspects of the farm. A factory farm is considered:

*An operation is defined as an animal feeding operation, or AFO, if the facility confines, stables, or feeds animals for 45 days or more in a 12-month period, and a ground cover of vegetation is not sustained over at least 50 percent of the confinement area. An operation is defined as a concentrated animal feeding operation, or CAFO, if it meets the definition of an AFO and also confines more than 1,000 animal units (1,000 animal units is equal to 700 dairy cows; USDA 2019).*

### ***Criterion A. It Exemplifies or Reflects Special Elements of the City's History.***

Evaluating the property under the City of Ontario criteria for historic landmarks, the property of the Legend Dairy Farm has not been found to exemplify or reflect special elements of the City's history. The "Post 1950, Scientific, Large Capacity Dairies" were identified in the "New Model Colony Historic Context" not for their contribution to the post World War II development of the City of Ontario, but rather that the advancements of dairy management and technology allowed for farmers to milk a greater number of cows in a 24-hour period. Farmers expanded the size of the cattle pens to hold more head of cattle that in turn allowed a dairy farmer to sell more milk. That may have been a technological improvement which contributed to the amount of milk produced in Southern California, but there is no evidence that the activities of the Legend Dairy Farm operation presented any special elements of the City's history.

### ***Criterion B. It is Identified with Persons or Events Significant in Local, State, or National History.***

The Legend Dairy Farm has not been identified with persons or events significant in local, state, or national history.

### ***Criterion C. It is Representative of the Work of a Notable Builder, Designer, Architect, or Artist.***

The built-environment resources of the Legend Dairy Farm were not designed or organized by a notable builder, designer, architect, or dairy farm expert. These types of large-scale dairy operations were being constructed across California and in many parts of the United States since after World War II. Per the USDA, there are over 450,000 AFOs in the United States in 2017, of which dairy operations make up a large percentage of the total number.

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***Criterion D. It Embodies Distinguishing Characteristics of a Style, Type, Period, or Method of Construction.***

While the Legend Dairy Farm property has been noted as having high integrity as an example of a “Post 1950 Scientific, Large Capacity Dairy,” the buildings and structures of the Legend Dairy Farm do not exhibit significantly important examples of building practices that would be important to the dairy industry dating from after 1973. The design of the dairy facility at Legend Dairy Farm had no impact on the future of architectural or agricultural development of dairy farms in Ontario or the Chino Valley in the last half of the twentieth-century.

***Criterion E. It is Noteworthy Example of the Use of Indigenous Materials or Craftsmanship.***

The buildings and structures of the Legend Dairy Farm do not exhibit noteworthy examples of the use of indigenous materials or craftsmanship. The use of Tudor architectural details on a late period Ranch style home is a somewhat incongruous design choice that actually presents a discordant blending of architectural styles.

***Criterion F. It Embodies Elements That Represent A Significant Structural, Engineering, or Architectural Achievement or Innovation.***

The Legend Dairy Farm property does not embody elements that represent significant dairy technology, or design of a factory farm, constructed in the 1970s. The Legend Dairy Farm operation presents the type of large scale, dry lot, milking operation widely used across California where urban growth pushes against agrarian interests. (And why the Williamson Act was enacted to protect agricultural and open space land.)

***Criterion G. It has a Unique Location, a Singular Physical Characteristic, or is an Established and Familiar Visual Feature of a Neighborhood, Community of the City.***

The Legend Dairy Farm is just one of many that once were located at the corners of Ontario’s main roads. But the question to ask is: does the Tadema dairy operation present an aesthetic value to the passersby, and is that farm revered as representational to the history of Ontario. Unlike the older dairy barns that date from the 1920s and 1930s, and present a visual connection to a “simpler time,” the Legend Dairy Farm does not engender an emotional connection.

***Criterion H. 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.***

Large capacity dairies continue to operate across California. Many of the dairy farmers who are leaving the Chino Valley area are moving north to Tulare, Merced, and Kern Counties. They are constructing dairy operations that are based upon the same basic physical design, but are being outfitted with technologically advanced milking, animal husbandry, and herd control devices. The Legend Dairy Farm is not an important or significant example of a large capacity dairy, and its loss would not adversely affect the history of dairy operations in Ontario.

### *Conclusion*

The property has met the aspects of physical integrity, and character-defining features, to be identified as a Post 1950s Scientific, Large Capacity Dairy, but does not appear to have played a significant role in the history

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of dairy farming, or appear to be an important example of a large-scale, concentrated animal dairy operation in Ontario, or the Chino Valley area. Consequently, the buildings and structures of the Legend Dairy Farm are not considered eligible for listing pursuant to criterion in the NRHP, CRHR, or as a Landmark in the City of Ontario.

### Archaeological Resources

Archaeological sites include prehistoric and historic sites. An archaeological site is the location of a significant event; a prehistoric or historic occupation or activity; or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure (OHP 1995).

The California Historical Resource Information System (CHRIS) records search identified a total of 20 cultural resources investigations that have been previously conducted within a one mile radius of the Specific Plan area. No prior investigations of the Specific Plan area were identified, yet six studies took place on lands adjacent to the Specific Plan area. The records search identified six previously recorded cultural resources within 1-mile of the Specific Plan area. No resources have been recorded within the Specific Plan area.

The entire Specific Plan area has been repeatedly and significantly altered and disturbed by over 80 years of agricultural/dairy operations. Modern refuse was observed throughout the Specific Plan area. No archaeological resources were identified within the project area, including offsite area, during field surveys.

### 5.4.2 Thresholds of Significance

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

- C-1 Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.
- C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- C-3 Disturb any human remains, including those interred outside of dedicated cemeteries.

#### *Historical Resources*

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered “historically significant” if the resource meets the criteria for listing on the CRHR:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated the with lives of persons important in our past;

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- 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. (PRC § 5024.1; 14 CCR § 4852)

The fact that a resource is not listed in the CRHR, not determined to be eligible for listing, or not included in a local register of historical resources does not preclude a lead agency from determining that it may be a historical resource.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold C-3

This impact will not be addressed in the following analysis.

#### 5.4.3 Plans, Programs, and Policies

- PPP CUL-1 Cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.
- PPP CUL-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.
- PPP CUL-3 The removal, without permission, of any paleontological site or feature is prohibited from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof (PRC Section 5097.5). This applies to agencies' own activities, including construction and maintenance, and permit actions by others.
- PPP CUL-4 Adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands require reasonable mitigation. (PRC Section 5097.5)
- PPP CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5)

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### 5.4.4 Environmental Impacts

#### 5.4.4.1 METHODOLOGY

Material Culture Consulting (MCC) prepared a cultural and paleontological assessment report in order to identify historical, archeological, and paleontological resources and analyze any potentially significant adverse effects. Preparation of the report required records searches, site inspections, intensive-level surveys, background research, and Native American coordination. The NRHP and CRHR criteria were used and a sacred lands file search from NAHC was conducted.

On July 25, 2018, Allison Hill, M.A., RPA, conducted a search of the CHRIS at the South Central Coast Information Center (SCCIC), located at the California State University, Fullerton, Orange County. The search covered any previously recorded cultural resources and investigations within a one mile radius of the Specific Plan area. The CHRIS search also included a review of the NRHP, the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources.

MCC conducted an intensive-level survey of all undeveloped areas of the project area in 2018. During the course of fieldwork, survey conditions were generally poor. The majority of the Specific Plan area (68.6 acres) was inaccessible to intensive level survey, due to agricultural and dairy activities. The areas that were surveyed intensively (15.5 acres) had ground visibility ranging from fair (50 percent) to good (approximately 75 percent) with most of the landscaping a combination of manure and annual grasses. However, the entire Specific Plan area was surveyed opportunistically, from multiple viewpoints within and around the perimeter of the proposed area. MCC researched the history of the study area to determine the context(s) in which the buildings located therein were to be evaluated as potential historical resources; and reviewed and analyzed ordinances, statutes, regulations, bulletins, and technical materials relating to federal, state, and local historic preservation designations programs.

MCC also conducted a field survey of the off-site infrastructure improvement areas. Brian Waldo, MCC Archaeologist and cross-trained Paleontologist, conducted the survey of the proposed off-site areas on November 15, 2019. The survey consisted of walking in parallel transects spaced at approximately 15-meter intervals while closely inspecting the ground surface. All undeveloped areas were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). The type of sediment and land formations were also noted in order to assess the potential for paleontological sensitivity. Existing ground disturbances (e.g. cutbanks, ditches, animal burrows, etc.) were also visually inspected to get a sense of subsurface deposits and soil horizons.

Additionally, Daly and Associates conducted a historic resource assessment and evaluation of the property. Site-specific research was conducted on the subject property by using data from the San Bernardino County Assessor, historic maps, city directories, newspaper articles, aerial photographs, and other published sources.

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Photographs were taken during the intensive-level site visit of buildings and structures, architectural and dairy industry-related details, or other points of interest.

#### 5.4.4.2 IMPACT ANALYSIS

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

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**Impact 5.4-1: Development of the project would not impact an identified historical resource. [Threshold C-1]**

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**Impact Analysis:** Under CEQA, a project has a significant impact on a historical resource if it “would result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired” (CEQA Guidelines Section 15064.5(b)(1)). Material impairment would occur if the project would result in demolition or material alteration of those physical characteristics that convey the resource’s historical significance (CEQA Guidelines Section 15064.5(b)(2))

As described above (see Table 5.4-1), potential historical resources in the study area—the Main House, Manager’s House (manufactured house), Dairy Barn, associated structures and features of the dairy farm, and a small house to the west of the Main House—were evaluated to determine if they are considered historical resources. Since the buildings structures do not appear to have played a significant role in the history of dairy farming, or appear to be an important example of a large-scale, concentrated animal dairy operation in Ontario or the Chino Valley area, they are not considered eligible for listing pursuant to criterion in the NRHP, CRHR, or as a Landmark in the City. Therefore, demolition of on-site structures would not impact an identified historical resource.

**Level of Significance Before Mitigation:** Less than significant impact.

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**Impact 5.4-2: The project area has a low sensitivity for archaeological resources, however, there is a potential to encounter previously undiscovered buried resources during grading activities. [Threshold C-2]**

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**Impact Analysis:** Based on the results of the resources search and survey, the proposed Specific Plan area is considered to have a low sensitivity for presence of archaeological deposits or features. A pedestrian survey of the off-sites infrastructure improvement areas did not encounter any cultural resources and there is a low potential for impacting prehistoric or historical archaeological deposits or features. Despite actions taken to ensure that all cultural resources are identified prior to construction, including record searches and field surveying, there is a possibility that undiscovered, buried archaeological resources might be encountered during grading activities. As a result, impacts to archaeological resources are considered potentially significant and mitigation measures are required to ensure the proper treatment of undiscovered archaeological resources that may be encountered during grading.

**Level of Significance Before Mitigation:** Potentially significant impact.

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### 5.4.5 Cumulative Impacts

Cultural resources impacts are site specific and generally do not combine to result in cumulative impacts. In the immediate vicinity of the project site, no significant cultural resources were identified that if altered could combine with the effects of the project to result in a cumulatively significant impact to cultural resources. Additionally, cultural resources investigations would be required for other projects before the City of Ontario would permit ground disturbances or demolition or substantial alteration of existing structures. Such investigations would identify resources on the affected project sites that are or appear to be eligible for listing on the National or California Registers. Such investigations would also recommend mitigation measures to protect and preserve cultural resources. The proposed project includes mitigation measures to ensure proper identification, treatment, and preservation of cultural resources on the project. Therefore, cumulative impacts to cultural resources would be less than significant.

### 5.4.6 Level of Significance Before Mitigation

Impact 5.4-1 would be less than significant.

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

- **Impact 5.4-2** Buildout of the Specific Plan could impact buried or obscured archaeological resources during grading activities.

### 5.4.7 Mitigation Measures

CUL-1 Prior to issuance of any permits allowing ground-disturbing activities for the proposed project, the City of Ontario shall ensure that an archeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and will be on-call during all grading and other significant ground-disturbing activities. The Qualified Archaeologist shall ensure that the following measures are followed for the project:

- Prior to any ground disturbance, the Qualified Archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should unanticipated cultural resources be made during construction.
- In the event that unanticipated cultural material is encountered during any phase of project construction, all construction work within 50 feet (15 meters) of the find shall cease and the Qualified Archaeologist shall assess the find for importance. Construction activities may continue in other areas. If the discovery is determined to not be important by the Qualified Archaeologist, work will be permitted to continue in the area.

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- If a find is determined to be important by the Qualified Archaeologist, additional investigation would be required, or the find can be preserved in place and construction may be allowed to proceed.
- Additional investigation work would include scientific recording and excavation of the important portion of the find.
- If excavation of a find occurs, the Qualified Archaeologist shall draft a report within 60 days of conclusion of excavation that identifies the find and summarizes the analysis conducted. The completed report shall be approved by the City's Planning Director and filed with the County and with the South Central Coastal Information Center at California State University, Fullerton.
- Excavated finds shall be curated at a repository determined by the Qualified Archaeologist and approved by the City.

#### 5.4.8 Level of Significance After Mitigation

Implementation of Mitigation Measure CUL-1 would ensure the project applicant and construction contractors are aware of potential cultural resources onsite and have specified procedures to implement to ensure these potentially uncovered resources are not damaged during grading and construction activities. The mitigation measure requires that any archaeological resources encountered during project ground-disturbing activities be preserved and/or recovered, evaluated, and curated, if necessary, by a qualified archaeologist, thus reducing potential impacts associated with archaeological resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

#### 5.4.9 References

- Daly and Associates, 2019, April 1. DPR Series 523 Inventory Site forms for the Ontario Ranch Business Park Specific Plan Project, Ontario, San Bernardino County, California.
- Galvin and Associates. 2004, September. The City of Ontario's Historic Context for the New Model Colony Area. Prepared for City of Ontario Planning Department.  
[https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Historic\\_Preservation/the\\_dairy\\_industry.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Historic_Preservation/the_dairy_industry.pdf).
- Galvin Preservation Associates (GPA). 2007. Historic Context for the City of Ontario's Citrus Industry. Prepared for City of Ontario Planning Department. <http://www.ontarioca.gov/sites/default/files/>.
- Material Culture Consulting (MCC). 2018, September. Cultural and Paleontological Resources Assessment Ontario Ranch Commerce Center, City of Ontario, San Bernardino, California.
- . 2019, November 26. NONCONFIDENTIAL - Cultural and Paleontological Resources Survey Results for the Ontario Ranch Business Park Off-Sites, in the City of Ontario, San Bernardino County, California.



## 5. Environmental Analysis CULTURAL RESOURCES

Office of Historic Preservation (OHP). 2012, October 24. California Historical Resources.  
<http://ohp.parks.ca.gov/listedresources/>.

———. 1995, March. Instructions for Recording Historical Resources.  
<http://ohp.parks.ca.gov/pages/1054/files/manual95.pdf>.

Ontario, City of. 2018a. “Ontario’s History.” City of Ontario Southern California.  
<http://www.ontarioca.gov/planning/historic-preservation/ontarios-history>.

———. 2018b. “City History.” City of Ontario Southern California.  
<https://www.ontarioca.gov/aboutontario/city-history>.

United State Department of Agriculture (USDA). 2019 (accessed). Animal Feeding Operations.  
<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/livestock/afo/>.

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