

Appendix F Cultural Resources Assessment

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CULTURAL RESOURCES ASSESSMENT

Pathways to College Charter School Project

Hesperia, San Bernardino County, California

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Data Base Information:

Type of Study: Intensive Survey
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Keywords: Hesperia
USGS Quadrangle: 7.5-minute *Hesperia, California* (1980)



BCRCONSULTING LLC

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MANAGEMENT SUMMARY

BCR Consulting LLC (BCR Consulting) is under contract to Placeworks to complete a Cultural Resources Assessment of the Pathways to College Charter School Project (the project) located in the City of Hesperia (City), San Bernardino County, California. A cultural resources records search, intensive pedestrian field survey, Sacred Lands File search with the Native American Heritage Commission (NAHC), and paleontological overview were conducted for the project in partial fulfillment of the California Environmental Quality Act (CEQA).

The cultural resources records search revealed that 13 cultural resources studies have taken place resulting in the recording of eight cultural resources (all historic-period) within one half-mile of the project site. The project site has never been subject to a previous cultural resources assessment, and no cultural resources have been previously recorded within its boundaries. During the field survey, one historic-period electrical distribution alignment and one historic-period road were identified within the project site boundaries. Neither of these resources is eligible for listing in the California Register of Historical Resources and as such are not historical resources under CEQA. No other cultural resources were identified. Based on these results BCR Consulting recommends that no additional cultural resource work or monitoring is necessary for any earthmoving proposed within the project site. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist should be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

Findings were positive during the Sacred Lands File search with the NAHC, and the NAHC has recommended further communication with the Chemehuevi Indian Tribe (Chemehuevi) and the San Manuel Band of Mission Indians (SMBMI) for more information. BCR Consulting emailed both entities to elicit any concerns. SMBMI indicated that they had no concerns with the project, and Chemehuevi did not respond. Since the City will initiate and carry out the required AB52 Native American Consultation, the results of the official consultation are not provided in this report. However, this report may be used during the consultation process, and BCR Consulting staff is available to answer questions and address concerns as necessary.

According to CEQA Guidelines, projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource”. The appended Paleontological Overview provided in Appendix D has recommended that:

The geologic units underlying the project area are mapped as Quaternary alluvium dating to the Pliocene-Holocene, which is potentially fossiliferous. Quaternary alluvial units are considered to be of high paleontological sensitivity. The Western Science Center does not have localities within the project area, but does have numerous localities within similarly mapped alluvial sediments throughout the region. Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources including those associated with Columbian mammoth (*Mammuthus columbi*), Pacific mastodon (*Mammuthus pacificus*), sabertooth cat (*Smilodon fatalis*), ancient horse (*Equus* sp.), and many other Pleistocene megafauna.

Any fossils recovered from the BCR New Charter School Project area would be scientifically significant. Excavation activity associated with development of the area has the potential to impact the paleontologically sensitive Quaternary alluvial units and it is the recommendation of the Western Science Center that a paleontological resource mitigation plan be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

If human remains are encountered during any proposed project activities, 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 will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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INTRODUCTION

BCR Consulting LLC (BCR Consulting) is under contract to Placeworks to complete a Cultural Resources Assessment of the Pathways to College Charter School Project (the project) located in the City of Hesperia (City), San Bernardino County, California. The project site is located in Section 16 of Township 4 North, Range 4 West, San Bernardino Baseline and Meridian. It is depicted on the United States Geological Survey (USGS) *Hesperia, California* (1980) 7.5-minute topographic quadrangle (Figure 1).

Regulatory Setting

The California Environmental Quality Act. CEQA applies to all discretionary projects undertaken or subject to approval by the state's public agencies (California Code of Regulations 14(3), § 15002(i)). Under CEQA, "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (Cal. Code Regs. tit. 14(3), § 15064.5(b)). State CEQA Guidelines section 15064.5(a) defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (California Register)
- Listed in a local register of historical resources (as defined at Cal. Public Res. Code § 5020.1(k))
- Identified as significant in a historical resource survey meeting the requirements of § 5024.1(g) of the Cal. Public Res. Code
- Determined to be a historical resource by a project's lead agency (Cal. Code Regs. tit. 14(3), § 15064.5(a))

A historical resource consists of "Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California...Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (Cal. Code Regs. tit. 14(3), § 15064.5(a)(3)).

The significance of a historical resource is 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 eligibility for the California Register. If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (State CEQA Guidelines § 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource.

Section 5024.1 of the Cal. Public Res. Code established the California Register. Generally, a resource is considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register (Cal. Code Regs. tit. 14(3), §

15064.5(a)(3)). The eligibility criteria for the California Register are similar to those of the National Register of Historic Places (National Register), and a resource that meets one of more of the eligibility criteria of the National Register will be eligible for the California Register.

The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. Criteria for Designation:

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. Associated with the lives of persons important to local, California or national history.
3. 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.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remain valid for a minimum of five years after the date of this report, all resources older than 45 years (i.e. resources from the "historic-period") will be evaluated for California Register listing eligibility, or CEQA significance. The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

Assembly Bill 52. California Assembly Bill 52 was approved on September 25, 2014. As stated in Section 11 of AB 52, the act applies only to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015.

AB 52 establishes "tribal cultural resources" (TCRs) as a new category of resources under CEQA. As defined under Public Resources Code Section 21074, TCRs are "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe" that are either: (1) included or determined to be eligible for inclusion in the CRHR; included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) determined by the lead agency to be significant pursuant to the criteria for inclusion in the CRHR set forth in Public Resources Code Section 5024.1(c), if supported by substantial evidence and taking into account the significance of the resource to a California Native American tribe. A "historical resource" as defined in Public Resources Code Section 21084.1, a "unique archaeological resource" as defined in

Public Resources Code Section 21083.2(g), or a “nonunique archaeological resource” as defined in Public Resources Code Section 21083.2(h) may also be TCRs.

AB 52 further establishes a new consultation process with California Native American tribes for proposed projects in geographic areas that are traditionally and culturally affiliated with that tribe. Per Public Resources Code Section 21073, “California Native American tribe” includes federally and non-federally recognized tribes on the NAHC contact list. Subject to certain prerequisites, AB 52 requires, among other things, that a lead agency consult with the geographically affiliated tribe before the release of an environmental review document for a proposed project regarding project alternatives, recommended mitigation measures, or potential significant effects, if the tribe so requests in writing. If the tribe and the lead agency agree upon mitigation measures during their consultation, these mitigation measures must be recommended for inclusion in the environmental document (Public Resources Code Sections 21080.3.1, 21080.3.2, 21082.3, 21084.2, and 21084.3).

Paleontological Resources. CEQA provides guidance relative to significant impacts on paleontological resources, indicating that a project would have a significant impact on paleontological resources if it disturbs or destroys a unique paleontological resource or site, or unique geologic feature. Section 5097.5 of the California Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, California Penal Code Section 622.5 sets the penalties for damage or removal of paleontological resources. CEQA documentation prepared for projects would be required to analyze paleontological resources as a condition of the CEQA process to disclose potential impacts. Please note that as of January 2018 paleontological resources are considered in the geological rather than cultural category. Therefore, paleontological resources are not summarized in the body of this report. A paleontological overview completed by professional paleontologists from the Western Science Center is provided as Appendix D.

NATURAL SETTING

Geology

The subject property is located in the southwestern portion of the Mojave Desert. Sediments within the subject property boundaries include older alluvium that have been subject to intermittent flooding and sheetwashing from southwest to northeast (Dibblee, Jr. 1965). Field observations during the current study are basically consistent with these descriptions although some disturbances related to road building and maintenance were evident.

Hydrology

The subject property elevation is approximately 3,160 feet above mean sea level (AMSL). Sheetwashing occurs generally from southwest to northeast across the subject property. To the south, the peaks of the San Bernardino Mountains rise above 10,000 feet and are often capped with snow until late spring or early summer. The area currently exhibits a relatively arid climate, with dry, hot summers and cool winters. Rainfall ranges from five to 15 inches annually (Jaeger and Smith 1971:36-37). Precipitation usually occurs in the form of winter and spring rain or snow at high elevations, with occasional warm monsoonal showers in late summer.

Biology

The mild climate of the late Pleistocene allowed piñon-juniper woodland to thrive throughout most of the Mojave (Van Devender et al. 1987). The vegetation and climate during this epoch attracted significant numbers of Rancho labrean fauna, including dire wolf, saber-toothed cat, short-faced bear, horse, camel, antelope, mammoth, as well as birds which included pelican, goose, duck, cormorant, and eagle (Reynolds 1988). The drier climate of the middle Holocene resulted in the local development of complementary flora and fauna, which remain largely intact to this day. Common native plants include creosote, cacti, rabbit bush, interior golden bush, cheesebush, species of sage, buckwheat at higher elevations and near drainages, Joshua tree, and various grasses. Common native animals include coyotes, cottontail and jackrabbits, rats, mice, desert tortoises, roadrunners, raptors, turkey vultures, and other bird species (see Williams et al. 2008).

CULTURAL SETTING

Prehistory

The prehistoric cultural setting of the Mojave Desert has been organized into many chronological frameworks (see Warren and Crabtree 1986; Bettinger and Taylor 1974; Lanning 1963; Hunt 1960; Wallace 1958, 1962, 1977; Wallace and Taylor 1978; Campbell and Campbell 1935), although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for the Mojave are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the Mojave and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, Mojave chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive, but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or re-sharpening, as well as researchers' mistaken diagnosis, and other factors (see Flenniken 1985; Flenniken and Raymond 1986; Flenniken and Wilke 1989). Recognizing the shortcomings of comparative temporal indicators, this study synthesizes Warren and Crabtree (1986), who have drawn upon this method to produce a commonly cited and relatively comprehensive chronology.

Paleoindian (12,000 to 10,000 BP) and Lake Mojave (10,000 to 7,000 BP) Periods. Climatic warming characterizes the transition from the Paleoindian Period to the Lake Mojave Period. This transition also marks the end of Pleistocene Epoch and ushers in the Holocene. The Paleoindian Period has been loosely defined by isolated fluted (such as Clovis) projectile points, dated by their association with similar artifacts discovered in-situ in the Great Plains (Sutton 1996:227-228). Some fluted bifaces have been associated with fossil remains of Rancho labrean mammals approximately dated to ca. 13,300-10,800 BP near China Lake in the northern Mojave Desert. The Lake Mojave Period has been associated with cultural adaptations to moist conditions, and resource allocation pointing to more lacustrine environments than previously (Bedwell 1973; Hester 1973). Artifacts that characterize this period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescentics (Warren and Crabtree 1986:184). Projectile points

associated with the period include the Silver Lake and Lake Mojave styles. Lake Mojave sites commonly occur on shorelines of Pleistocene lakes and streams, where geological surfaces of that epoch have been identified (Basgall and Hall 1994:69).

Pinto Period (7,000 to 4,000 BP). The Pinto Period has been largely characterized by desiccation of the Mojave. As formerly rich lacustrine environments began to disappear, the artifact record reveals more sporadic occupation of the Mojave, indicating occupants' recession to the more hospitable fringes (Warren 1984). Pinto Period sites are rare, and are characterized by surface manifestations that usually lack significant in-situ remains. Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex (Warren 1984), though use of Pinto projectile points as an index artifact for the era has been disputed (see Schroth 1994). Milling stones have also occasionally been associated with sites of this period (Warren 1984).

Gypsum Period. (4,000 to 1,500 BP). A temporary return to moister conditions during the Gypsum Period is postulated to have encouraged technological diversification afforded by the relative abundance of resources (Warren 1984:419-420; Warren and Crabtree 1986:189). Lacustrine environments reappear and begin to be exploited during this era (Shutler 1961, 1968). Concurrently a more diverse artifact assemblage reflects intensified reliance on plant resources. The new artifacts include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points (Warren 1984; Warren and Crabtree 1986). Other artifacts include leaf-shaped projectile points, rectangular-based knives, drills, large scraper planes, choppers, hammer stones, shaft straighteners, incised stone pendants, and drilled slate tubes. The bow and arrow appears around 2,000 BP, evidenced by the presence of a smaller type of projectile point, the Rose Spring point (Rogers 1939; Shutler 1961; Yohe 1992).

Saratoga Springs Period (1,500 to 800 BP). During the Saratoga Springs Period regional cultural diversifications of Gypsum Period developments are evident within the Mojave. Basketmaker III (Anasazi) pottery appears during this period, and has been associated with turquoise mining in the eastern Mojave Desert (Warren and Crabtree 1986:191). Influences from Patayan/Yuman assemblages are apparent in the southern Mojave, and include buff and brown wares often associated with Cottonwood and Desert Side-notched projectile points (Warren 1984:423). Obsidian becomes more commonly used throughout the Mojave and characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects. More structured settlement patterns are evidenced by the presence of large villages, and three types of identifiable archaeological sites (major habitation, temporary camps, and processing stations) emerge (McGuire and Hall 1988). Diversity of resource exploitation continues to expand, indicating a much more generalized, somewhat less mobile subsistence strategy.

Shoshonean Period (800 BP to Contact). The Shoshonean period is the first to benefit from contact-era ethnography –as well as be subject to its inherent biases. Interviews of living informants allowed anthropologists to match artifact assemblages and particular traditions with linguistic groups, and plot them geographically (see Kroeber 1925; Gifford 1918; Strong 1929). During the Shoshonean Period continued diversification of site assemblages, and reduced Anasazi influence both coincide with the expansion of Numic

(Uto-Aztecan language family) speakers across the Great Basin, Takic (Uto-Aztecan language family) speakers into southern California, and the Hopi across the Southwest (Sutton 1996). Hunting and gathering continued to diversify, and the diagnostic arrow points include desert side-notch and cottonwood triangular. Ceramics continue to proliferate, though are more common in the southern Mojave during this period (Warren and Crabtree 1986). Trade routes have become well established across the Mojave, particularly the Mojave Trail, which transported goods and news across the desert via the Mojave River, to the west of the subject property. Trade in the western Mojave was more closely related to coastal groups than others.

Ethnography

The Uto-Aztecan “Serrano” people occupied the western Mojave Desert periphery. Kroeber (1925) applied the generic term “Serrano” to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. Bean and Smith (1978) indicate that the Vanyume, an obscure Takic population, was found along the Mojave River near Apple Valley at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. The Serrano lived mainly to the south (Bean and Smith 1978). All may have used the western Mojave area seasonally. Historical records are unclear concerning precise Serrano territory, although archaeologists have recorded evidence of a number of prehistoric sites (including some villages), particularly along the Mojave River. It is doubtful that any group, except the Vanyume, actually lived in the region for several seasons yearly.

History

Historic California is divided into three periods: the Spanish/Mission Period (1769 to 1821), the Mexican/Rancho Period (1821 to 1848), and the American Period (1848 to present).

Spanish Period. The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena (Beck and Haase 1974). This is the first recorded group crossing of the Mojave Desert and, according to Father Garces’ journal, they camped at the headwaters of the Mojave River, one night less than a day’s march from the mountains. Today, this is estimated to have been approximately 11 miles southeast of Victorville (Marenczuk 1962). Garces was followed by Alta California Governor Pedro Fages, who briefly explored the western Mojave region in 1772. Searching for San Diego Presidio deserters, Fages had traveled north through Riverside to San Bernardino, crossed the mountains into the Mojave, then west to the San Joaquin Valley (Beck and Haase 1974).

Mexican Period. In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes (Beattie and Beattie 1974).

American Period. The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day (Beattie and Beattie 1974; Cleland 1941).

PERSONNEL

David Brunzell, M.A., RPA acted as the Project Manager and Principal Investigator for the current study. Mr. Brunzell also completed the cultural resources records search at the South Central Coastal Information Center (SCCIC) and wrote the technical report. BCR Consulting Archaeological Crew Chief Nicholas Shepetuk, B.A. and Staff Historian/Archaeological Field Technician George Brentner, B.A., completed the field assessment.

METHODS

This work was completed pursuant to the CEQA, Public Resources Code (PRC) Chapter 2.6, Section 21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, Section 15064.5. The pedestrian cultural resources survey is intended to locate and document previously recorded or new cultural resources, including archaeological sites, features, isolates, and historic buildings, that exceed 45 years in age within defined project boundaries. The subject property was examined using 10 to 15 meter transect intervals. This study is intended to determine whether cultural resources are located within the subject property boundaries, whether any cultural resources are significant pursuant to the above-referenced regulations and standards, and to develop specific mitigation measures that will address potential impacts to existing or potential resources. Tasks pursued to achieve that end include:

- Sacred Lands File Search through the Native American Heritage Commission
- Vertebrate paleontology resources report through the Western Science Center
- Cultural resources records search to review any studies conducted and the resulting cultural resources recorded within a one-mile radius of the subject property
- Systematic pedestrian survey of the entire subject property
- Recording all cultural resources on California Department of Park and Recreation (DPR) 523 Forms
- Development of recommendations, following CEQA guidelines

Research

Prior to fieldwork, a cultural resources records search was conducted through the SCCIC. This included a review of all prerecorded historic and prehistoric cultural resources, as well as a review of known cultural resource surveys and excavation reports generated from projects located within one mile of the subject property. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register, and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Field Survey

An intensive-level cultural resources field survey of the subject property was conducted on October 22, 2021. The survey was conducted by walking parallel transects spaced approximately 10-15 meters apart across 100 percent of the subject property. Digital photographs were taken at various points within the subject property boundaries, including overviews as well as detail photographs of field conditions. Hand-held Global Positioning Systems (GPS) were available for mapping purposes.

RESULTS

Research

The records search revealed that 13 cultural resources studies have taken place resulting in the recording of eight cultural resources (all historic-period) within one half-mile of the project site. The project site has never been subject to a previous cultural resources assessment, and no cultural resources have been previously recorded within its boundaries. A summary of the records search is included in Table A, and the complete records search bibliography is provided in confidential Appendix A.

Table A. Cultural Resources Located Within One Half-Mile of the Project Site

USGS 7.5 Min Quad	Cultural Resources Within One Mile	Reports Within One Mile
<i>Hesperia, California</i> (1980)	P-36-26953: Historic-Period Single Family Residence P-36-27442: Historic Period Public Utility Building P-36-29070: Historic-Period Single Family Residence P-36-29071: Historic-Period Single Family Residence P-36-29072: Historic-Period Single Family Residence P-36-29073: Historic-Period Single Family Residence P-36-29074: Historic-Period Single Family Residence P-36-29075: Historic-Period Single Family Residence	SB-2109, 2667, 3701, 4419, 5766, 6120, 6859, 7860, 7952, 7952A, 7952B, 8168, 8168A

Field Survey

The project site exhibited approximately 95 percent surface visibility. Disturbances related to sheet washing and a road are present. The project site exhibits a northeasterly aspect and runoff flows towards intermittent drainages to the north and east. Soils include sandy silt, and vegetation includes creosote scrub, Joshua trees, and mixed seasonal grasses. A historic-period asphalt road (temporarily designated PWK2104-H-1) and an electrical

distribution tower alignment (temporarily designated PWK2104-H-2) were identified. These are described in detail and evaluated for significance below. No other cultural resources were identified.

PWK2104-H-1. This resource site consists of a historic-period asphalt road which was the precursor to the current Hesperia Road. The road has been there since at least 1901 according to historic aerial photographs and historic topographic maps (see Appendix A for references). It was originally paved between 1956 and 1980 and is no longer in use. The road is currently partially buried by windblown sand, and is in a state of disrepair and heavily eroded. Local natural and artificial disturbances include sheetwashing, rilling, aeolian deflation, vegetation growth, and OHV activity.

PWK2104-H-2. This resource consists of a historic-period electrical distribution alignment. Of the eight poles in the segment within the project site, four poles have inspection date nails that confirm a historic-period date of construction. Two date nails are marked “30”, and two are marked “45”. The remaining four poles did not feature historic-period nails. The utility poles with 1930 date nails are significantly shorter than the rest of the poles in the alignment. The poles with 1945 date nails both feature cross arms and guy wires. The eastern-most pole is from 1945 and has a small transformer mounted to it. Local natural and artificial disturbances include sheetwashing, rilling, aeolian deflation, vegetation growth, and OHV activity.

SIGNIFICANCE EVALUATIONS

During the field survey two historic-period resources were identified. CEQA calls for the evaluation and recordation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on Section 15064.5 of the *CEQA Guidelines* and Guidelines for the Nomination of Properties to the California Register. Properties eligible for listing in the California Register and subject to review under CEQA are those meeting the criteria for listing in the California Register, or designation under a local ordinance.

Significance Criteria

California Register of Historical Resources. The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the U.S.;
2. It is associated with the lives of persons important to local, California, or U.S. history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of a master, possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

California Register evaluations are provided for each property below.

California Register Evaluations

PWK2104-H-1. Criterion 1: The asphalt road was originally laid out within the general context of the early development of Hesperia, however it is not significantly associated with important events related to the founding of that municipality or development of the region. It is therefore not eligible for the California Register under Criterion 1. Criterion 2: Substantial research has not linked the road with individuals who have been notable in local, state, or national history. It is therefore not eligible for the California Register under Criterion 2. Criterion 3: The resource is a simple example of an asphalt road and exhibits a common design. Therefore, the property does not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual or possess high artistic values. It is therefore not eligible for the California Register under Criterion 3. Criterion 4: The road is a well understood type, and as such the resource has not and is not likely to yield information important in prehistory or history. It is therefore not eligible for the California Register under Criterion 4. The historic-period road is therefore recommended not eligible under any of the four criteria for listing on the California Register, and as such is not recommended a historical resource under CEQA.

PWK2104-H-2. Criterion 1: This electrical distribution alignment was originally constructed within the general context of the early development of Hesperia, however it is not significantly associated with important events related to the founding of that municipality or development of the region. It is therefore not eligible for the California Register under Criterion 1. Criterion 2: Substantial research has not linked the alignment with individuals who have been notable in local, state, or national history. It is therefore not eligible for the California Register under Criterion 2. Criterion 3: The resource is a simple example of an electrical distribution alignment with wooden towers that exhibit a common design. Therefore, the property does not embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual or possess high artistic values. It is therefore not eligible for the California Register under Criterion 3. Criterion 4: The alignment is a well understood type, and as such the resource has not and is not likely to yield information important in prehistory or history. It is therefore not eligible for the California Register under Criterion 4. The historic-period distribution alignment is therefore recommended not eligible under any of the four criteria for listing on the California Register, and as such is not recommended a historical resource under CEQA.

RECOMMENDATIONS

During the field survey, one historic-period electrical distribution alignment and one historic-period road were identified within the project site boundaries. Neither of these resources is

eligible for listing in the California Register of Historical Resources and as such are not historical resources under CEQA. No other cultural resources were identified. Based on these results BCR Consulting recommends that no additional cultural resource work or monitoring is necessary for any earthmoving proposed within the project site.

Although the current study has not indicated sensitivity for cultural resources within the project boundaries, ground disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. Prior to the initiation of ground-disturbing activities, field personnel should be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements;
- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;
- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks.

Findings were positive during the Sacred Lands File search with the NAHC, and the NAHC has recommended further communication with the Chemehuevi Indian Tribe (Chemehuevi) and the San Manuel Band of Mission Indians (SMBMI) for more information. BCR Consulting emailed both entities to elicit any concerns. SMBMI indicated that they had no concerns with the project, and Chemehuevi did not respond. Since the City will initiate and carry out the required AB52 Native American Consultation, the results of the official consultation are not provided in this report. However, this report may be used during the consultation process, and BCR Consulting staff is available to answer questions and address concerns as necessary.

According to CEQA Guidelines, projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource”. The appended Paleontological Overview provided in Appendix D has recommended that:

The geologic units underlying the project area are mapped as Quaternary alluvium dating to the Pliocene-Holocene, which is potentially fossiliferous. Quaternary alluvial units are considered to be of high paleontological sensitivity. The Western Science Center does not have localities within the project area, but

does have numerous localities within similarly mapped alluvial sediments throughout the region. Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources including those associated with Columbian mammoth (*Mammuthus columbi*), Pacific mastodon (*Mammuthus pacificus*), sabertooth cat (*Smilodon fatalis*), ancient horse (*Equus* sp.), and many other Pleistocene megafauna.

Any fossils recovered from the BCR New Charter School Project area would be scientifically significant. Excavation activity associated with development of the area has the potential to impact the paleontologically sensitive Quaternary alluvial units and it is the recommendation of the Western Science Center that a paleontological resource mitigation plan be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

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 will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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APPENDIX A

RECORDS SEARCH BIBLIOGRAPHY

Report List

PWK2104

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SB-02109	NADB-R - 1062109; Voided - 90-6.4	1990	OLSON, RICHARD V.	CULTURAL RESOURCE INVESTIGATION OF PARCELS PPD-89-61 AND PM-13151 IN THE CITY OF HESPERIA, SAN BERNARDINO COUNTY, CALIFORNIA	RESEARCH ASSOCIATES	
SB-02667	NADB-R - 1062667; Voided - 92-6.8	1992	MCKENNA, JEANETTE A.	A PHASE I LINEAR SURVEY: CULTURAL RESOURCES INVESTIGATIONS FOR THE CITY OF HESPERIA INDUSTRIAL REVITALIZATION IMPROVEMENT DISTRICT (91-020), A-1 (A.P.N. 410), HESPERIA, SAN BERNARDINO COUNTY, CALIFORNIA	MCKENNA ET AL.	
SB-03701	NADB-R - 1063701	2001	CHANDLER, EVELYN and ROGER MASON	CULTURAL RESOURCE RECORD SEARCH & LITERATURE REVIEW FOR AN AMERICAN TOWER CORPORATION TELECOMMUNICATIONS FACILITY #BC_810_N2, HESPERIA HOSE SUPPLY, HESPERIA, CA. 6PP	CHAMBERS GROUP, INC	
SB-04419	NADB-R - 1064419	2004	MCKENNA, JEANETTE A.	RESULTS OF A PHASE I CULTURAL RESOURCES INVESTIGATION OF TEH BRIAN HOLM PROPERTY, APN'S 0407-061-110 & -120 (3 ACRES) IN THE CITY OF HESPERIA, SAN BERNARDINO COUNTY, CA. 28PP	MCKENNA ET AL	
SB-05766	NADB-R - 1065766	1997	Love, Bruce	Cultural Resources Report: Bakersfield—Rialto Fiberoptic Line Project, Kern, Los Angeles and San Bernardino Counties, California.	CRM TECH	
SB-06120	NADB-R - 1066120	2006	Lantsberger, Steven J.	Form SF-424 Preapplication for Economic Development Administration (EDA) Grant Funds.	City of Hesperia	
SB-06859	NADB-R - 1066859	2010	Tang, Bai "Tom", Terri Jacquemain, Daniel Ballester, and Harry Quinn	Identification and Evaluation of Historic Properties: Town of Apple Valley and City of Hesperia Wastewater Reclamation Plants and Related Facilities Project, Victor Valley Area, San Bernardino County, California.		
SB-07860	NADB-R - 1067860	2014	Fulton, Phil, Elisa Bechtel, M. Litt, and Casey Tibbett	Cultural Resource Assessment Class III Inventory: Verizon Wireless Services VZT Cashew Facility, City of Hesperia, County of San Bernardino, California.	LSA	36-027442

Report List

PWK2104

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SB-07952	Caltrans - SRTS 5452 (016)	2014	Tang, Bai "Tom"	Historic Property Survey Report; Willow Street Paseo Project City of Hesperia, San Bernardino County, California	CRM Tech	36-029070, 36-029071, 36-029072, 36-029073, 36-029074, 36-029075
SB-07952A		2014	Hogan, Michael and Terri Jacquemain	Archaeological Survey Report. Willow Street Paseo Project City of Hesperia, San Bernadino County, California.	CRM Tech	
SB-07952B		2014	Tang, Bai "Tom"	Historical Resources Evaluation Report. Willow Street Paseo Project City of Hesperia, San Bernadino County, California	CRM Tech	
SB-08168	Caltrans -	2015	Hogan, Michael and Terri Jacquemain	Archaeological Survey Report, Third Avenue Storm Drain Project, City of Hesperia, San Bernardino County Caltrans District 8 ER-4809 (004)	CRM TECH	
SB-08168A		2015	Tang, Bai "Tom" and Terri Jacquemain	Historical Resources Evaluation Report, Third Avenue Storm Drain Project, City of Hesperia, San Bernardino County Caltrans District 8 ER-4809 (004)	CRM TECH	

Resource List

PWK2104

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-36-026953		Resource Name - 10325 Fourth Ave; Other - CRM TECH 2527-1	Building	Historic	HP02	2014 (Michael Hogan, CRM Tech)	
P-36-027442		Resource Name - 16555 Hercules St; Other - Verizon	Building	Historic	HP09	2014 (Elisa Bechtel, LSA)	SB-07860
P-36-029070		Resource Name - CRM TECH 2787-1	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952
P-36-029071		Resource Name - CRM TECH 2787-2	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952
P-36-029072		Resource Name - CRM TECH 2787-3	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952
P-36-029073		Resource Name - CRM TECH 2787-4	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952
P-36-029074		Resource Name - CRM TECH 2787-5	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952
P-36-029075		Resource Name - CRM TECH 2787-6	Building	Historic	HP02	2014 (Daniel Ballester, CRM Tech)	SB-07952

APPENDIX B

DEPARTMENT OF PARK AND RECREATION 523 FORMS

PRIMARY RECORD

Primary #
HRI #

Trinomial
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 4

*Resource Name or #: PWK2104-H-1

P1. Other Identifier: Hesperia Road

***P2. Location:** ☒ Not for Publication ☐ Unrestricted

***a. County:** San Bernardino and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** *Hesperia, California*

Date: 1980 T 4N ; R4W ; SW¼ of NE¼ of Sec 16; S.B.B.M.

c. Address: Intersection of 3rd Ave and Hercules St City: Hesperia Zip: 92345

d. UTM: Zone: 11 ; 472073mE/ 3810342mN (G.P.S.)

Elevation: 3,160 feet AMSL

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) From Maple Avenue in Hesperia, travel east approximately 2.4 miles. Turn north onto 3rd Ave and travel approximately 0.8 miles. Turn east onto Hercules St and park. The historic-period road is on the east side of the parcel located on the northwest corner of the intersection of Hercules St and Hesperia Rd.

***P3a. Description:** (Describe resource and its major elements: design, materials, condition, alterations, size, setting, boundaries)

This resource site consists of a historic-period asphalt road which was the precursor to the current Hesperia Road. The road has been there since at least 1901 according to historic aerial photographs and historic topographic maps (USDA 1901, 1902, 1906, 1912, 1923, 1936, 1942, 1945, 1952, 1968, 1969, 1994). Hesperia was founded in the late 19th Century after the Atchison, Topeka and Santa Fe Railroad depot was established in 1885 (citytowninfo.com 2022; City of Hesperia 2022). The road is currently partially buried by windblown sand, and is in a state of disrepair and heavily eroded. Local natural and artificial disturbances include sheetwashing, rilling, aeolian deflation, vegetation growth, and OHV activity. The vegetation community is creosote scrub and local sediments are dominated by dry, yellowish brown sandy loam with minimal levels of subangular gravel.

***P3b. Resource Attributes:** HP37. Highway/trail. AH7. Roads/trails/railroad grades

***P4. Resources Present:** ☐ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: NE, 10/22/2021

***P6. Date Constructed/Age and**

Sources: ☒ Historic (USDA)

☐ Prehistoric ☐ Both

***P7. Owner and Address:**

Good Day Apartments, Inc.

***P8. Recorded by:**

N. Shepetuk, G. Brentner

BCR Consulting, LLC

Claremont, CA 91711

***P9. Date Recorded:** 10/22/2021

***P10. Survey Type:** (Describe)

Intensive

***P11. Report Citation:** *Cultural Resources Assessment of the New Charter School Project, Hesperia, San Bernardino County, California.*

***Attachments:** ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):

L1. Historic and/or Common Name: Hesperia Road

L2a. Portion Described: ☐ Entire Resource ☒ Segment ☐ Point Observation **Designation:**

b. Location of point or segment: (Provide UTM coordinates, legal description, and any other useful locational data. Show the area that has been field inspected on a Location Map) The northern terminus of the subject segment is at 11S 472493mE 3810493mN and the south end is at 11S 472467mE 3810271mN (NAD83). The entire segment is contained within the southwest ¼ of the northeast ¼ of Section 16, Township 4 North, Range 4 West, SBBM.

L3. Description: (Describe construction details, materials, and artifacts found at this segment/point. Provide plans/sections as appropriate.) This linear resource consists of a portion of an abandoned/unmaintained section of Hesperia Road. It is asphalt paved, although it is heavily eroded and partially covered by windblown sand.

L4. Dimensions: (In feet for historic features and meters for prehistoric features)

a. Top Width: 10 – 15 feet

b. Bottom Width: N/A

c. Height or Depth: N/A

d. Length of Segment: 740 feet

L5. Associated Resources: None

L6. Setting: (Describe natural features, landscape characteristics, slope, etc., as appropriate.) Local natural and artificial disturbances include sheetwashing, rilling, aeolian deflation, vegetation growth, and OHV activity. The vegetation community is creosote scrub and local sediments are dominated by dry, yellowish brown sand with minimal levels of subangular gravel. There is a gentle slope with a northeastern aspect.

L4e. Sketch of Cross-Section (include scale) **Facing:**
Variable heights/widths make a cross-section impractical

L7. Integrity Considerations: Because the road appears to remain in its original location it retains its integrity of location. Since the road has been paved with asphalt since its original creation, the surrounding area has been developed into a residential neighborhood, and no evidence of exceptional craft or workmanship the integrity of setting, materials, design, workmanship, association, and feeling are not intact.

L8b. Description of Photo, Map, or Drawing (View, scale, etc.) view NE, overview from S end of segment

L9. Remarks: None

L8a. Photograph, Map or Drawing

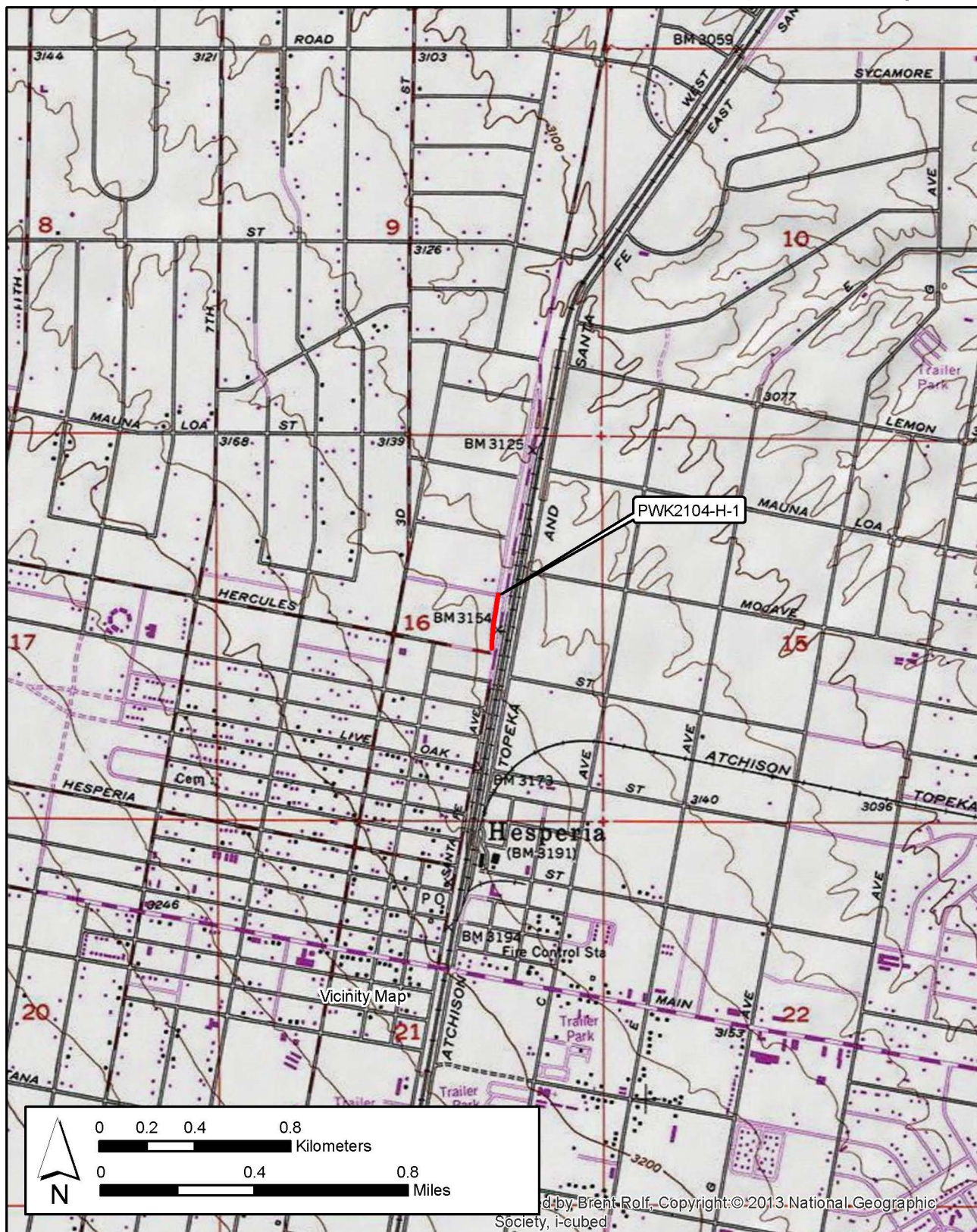


L10. Form Prepared by: (Name, affiliation, and address)
Nicholas Shepetuk
BCR Consulting, LLC
Claremont, CA 91711

L11. Date: February 10, 2022

*Map Name: *Hesperia, California*

*Scale: 1:24,000 *Date of Map: 1980



*Recorded by: Nichoas Shepetuk, George Brentner

*Date: 2/10/22

☒ Continuation

☐ Update

References:

City of Hesperia

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1906 Aerial Photos of Los Angeles County. Electronic document: historicaerials.com. Accessed 2/10/22.

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State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 2

*Resource Name or #: PWK2104-H-2

P1. Other Identifier: N/A

***P2. Location:** ☒ Not for Publication ☐ Unrestricted

***a. County:** San Bernardino

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** *Hesperia, California*

Date: 1980 T 4N ; R 4W ; SW¼ of NE¼ of Sec 16; S.B.B.M.

c. Address: Intersection of 3rd Ave and Hercules St City: Hesperia Zip:92345

d. UTM: Zone: 11S; 472430mE/ 3810277mN (G.P.S.; NAD83) (easternmost pole) Elevation: 3,160 feet AMSL

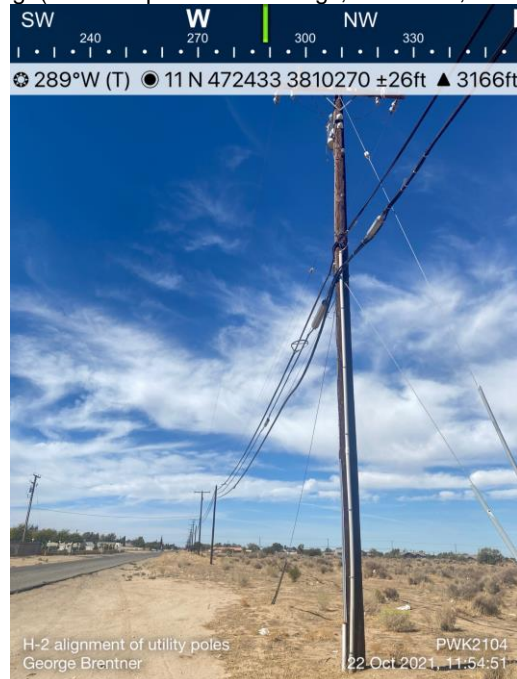
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) From Maple Avenue in Hesperia, travel east on Main Street approximately 2.4 miles. Turn north onto 3rd Ave and travel approximately 0.8 miles. Pass Hercules and park on the east side of 3rd. The utility line is along the north side of Hercules.

***P3a. Description:** (Describe resource and major elements: design, materials, condition, alterations, size, setting, and boundaries)
This resource consists of a historic-period utility line. Of the eight poles in the segment within the current segment, four poles have inspection date nails that confirm indicate a historic-period date of construction. Two date nails are marked "30", and two are marked "45". The remaining four poles did not feature historic-period nails. The utility poles with 1930 date nails are significantly shorter than the rest of the poles in the alignment. The poles with 1945 date nails both feature cross arms and guy wires. The eastern-most pole is from 1945 and has a small transformer mounted to it. The environmental setting is creosote scrub and Joshua tree woodland. The surficial sediment observed in the area is dry, yellowish-brown sandy silt with minimal levels of subangular gravel. The surface visibility was 95 percent.

***P3b. Resource Attributes:** HP39. Other

***P4. Resources Present:** ☐ Building ☒ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo:
(View, date, accession #) WNW,
10/22/21

***P6. Date Constructed/Age and Sources:** ☒ Historic
☐ Prehistoric ☐ Both

***P7. Owner and Address:**
Good Day Apartments, Inc.

***P8. Recorded by:** (Name, affiliation, and address)
N. Shepetuk, G. Brentner
BCR Consulting, LLC
Claremont, CA 91711

***P9. Date Recorded:** 10/22/21

***P10. Survey Type:** Intensive

***P11. Report Citation:** *Cultural Resources Assessment of the New Charter School Project, Hesperia, San Bernardino County, California.*

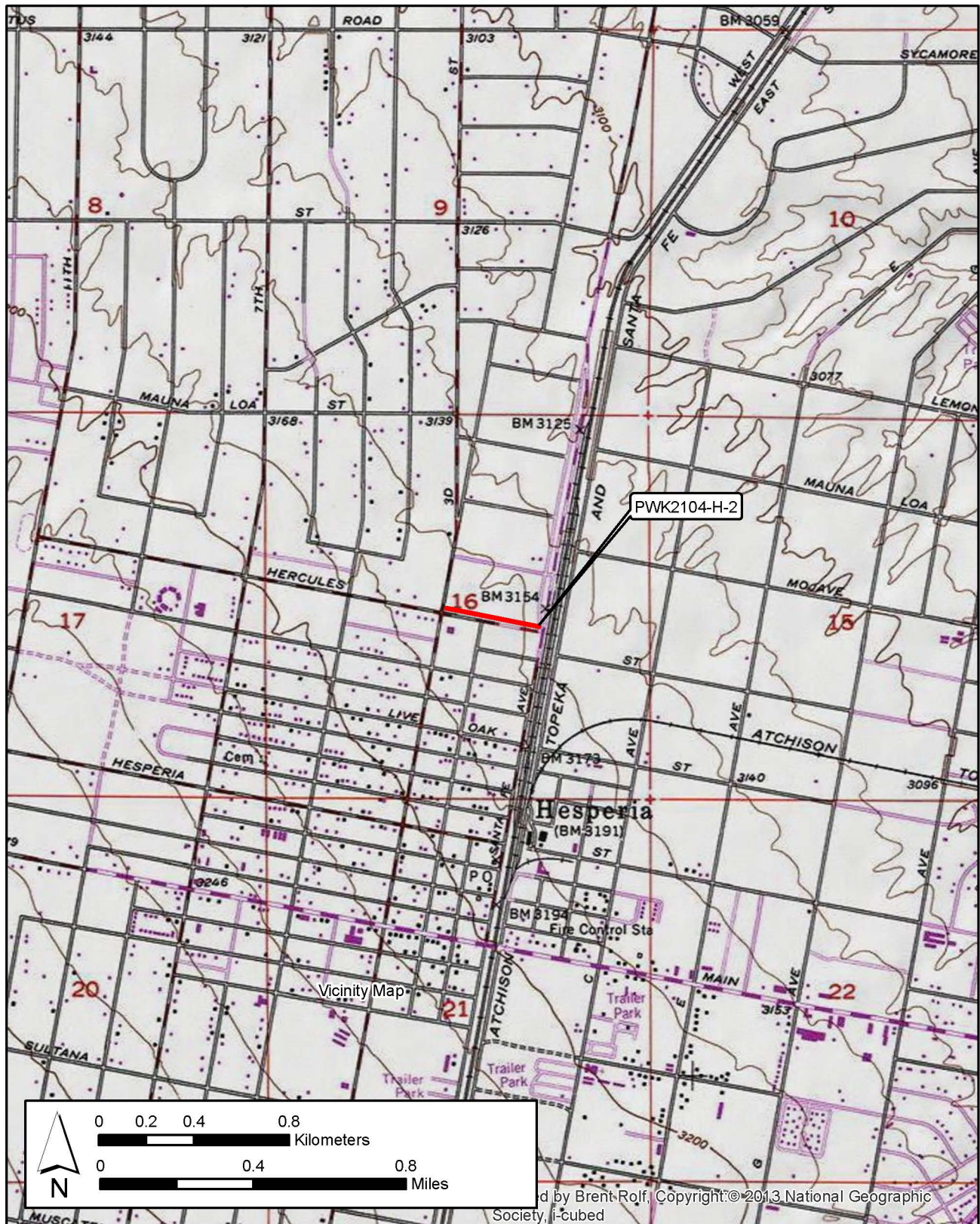
***Attachments:** ☐ NONE ☒ Location Map ☐ Sketch Map ☐ Continuation Sheet ☐ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List):

DPR 523A (1/95)

*Required information

*Map Name: *Hesperia, California*

*Scale: 1:24,000 *Date of Map: 1980



APPENDIX C

NATIVE AMERICAN HERITAGE COMMISSION SACRED LANDS FILE SEARCH

**NATIVE AMERICAN HERITAGE COMMISSION**

October 26, 2021

Nicholas Shepetuk
BCR Consulting LLCVia Email to: nickshepetuk@gmail.comCHAIRPERSON
Laura Miranda
LuiseñoVICE CHAIRPERSON
Reginald Pagaling
ChumashSECRETARY
Merri Lopez-Keifer
LuiseñoPARLIAMENTARIAN
Russell Attebery
KarukCOMMISSIONER
William Mungary
Paiute/White Mountain
ApacheCOMMISSIONER
Julie Tumamait-Stenslie
ChumashCOMMISSIONER
[Vacant]COMMISSIONER
[Vacant]COMMISSIONER
[Vacant]EXECUTIVE SECRETARY
Christina Snider
Pomo**NAHC HEADQUARTERS**
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov**Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, New Charter School Project, San Bernardino County**

Dear Mr. Shepetuk:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the Chemehuevi Indian Tribe and the San Manuel Band of Mission Indians on the attached list for more information.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
San Bernardino County
10/26/2021**

Chemehuevi Indian Tribe

Sierra Pencille, Chairperson
P.O. Box 1976 1990 Palo Verde Drive Chemehuevi
Havasupai Lake, CA, 92363
Phone: (760) 858 - 4219
Fax: (760) 858-5400
chairman@cit-nsn.gov

Morongo Band of Mission Indians

Ann Brierty, THPO
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5259
Fax: (951) 572-6004
abrierty@morongo-nsn.gov

Morongo Band of Mission Indians

Robert Martin, Chairperson
12700 Pumarra Road Cahuilla
Banning, CA, 92220 Serrano
Phone: (951) 755 - 5110
Fax: (951) 755-5177
abrierty@morongo-nsn.gov

Quechan Tribe of the Fort Yuma Reservation

Jill McCormick, Historic
Preservation Officer
P.O. Box 1899 Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

San Fernando Band of Mission Indians

Donna Yocum, Chairperson
P.O. Box 221838 Kitanemuk
Newhall, CA, 91322 Vanyume
Phone: (503) 539 - 0933 Tataviam
Fax: (503) 574-3308
ddyocum@comcast.net

San Manuel Band of Mission Indians

Jessica Mauck, Director of
Cultural Resources
26569 Community Center Drive Serrano
Highland, CA, 92346
Phone: (909) 864 - 8933
Jessica.Mauck@sanmanuel-nsn.gov

Serrano Nation of Mission Indians

Wayne Walker, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (253) 370 - 0167
serranonation1@gmail.com

Serrano Nation of Mission Indians

Mark Cochrane, Co-Chairperson
P. O. Box 343 Serrano
Patton, CA, 92369
Phone: (909) 528 - 9032
serranonation1@gmail.com

Twenty-Nine Palms Band of Mission Indians

Darrell Mike, Chairperson
46-200 Harrison Place Chemehuevi
Coachella, CA, 92236
Phone: (760) 863 - 2444
Fax: (760) 863-2449
29chairman@29palmsbomi-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed New Charter School Project, San Bernardino County.

Positive Sacred Lands File Search Results in Hesperia

From: David Brunzell (david.brunzell@yahoo.com)

To: chairman@cit-nsn.gov

Date: Tuesday, November 2, 2021, 10:10 AM PDT

Dear Chairperson Pencille,

We got a positive Sacred Lands File search from the NAHC for the New Charter School Project in Hesperia. It's located as follows (SBBM; see attached project location map):

Township 4 North
Range 4 West
Section 16
USGS 7.5 Minute Topographic Quad: *Hesperia, California* (1980)

I'd expect the City to send AB52 letters, but wanted to check with you to see if there is anything specific we should know about on or adjacent to this property. Please let me know if you have questions or need additional info.

Sincerely,

David Brunzell
Principal Investigator/Archaeologist

BCR Consulting LLC

U.S. Small Business Administration (SBA) Member
505 West 8th Street
Claremont, California 91711
909-525-7078

www.bcrconsulting.net



PWK2104.kml
1.4kB

RE: Positive Sacred Lands File Search

From: Ryan Nordness (ryan.nordness@sanmanuel-nsn.gov)

To: david.brunzell@yahoo.com

Date: Wednesday, November 3, 2021, 02:15 PM PDT

Hey David,

Thank you for the heads up! We don't have anything internally that would give us any concerns besides that it looks to be completely undisturbed.

From: David Brunzell <david.brunzell@yahoo.com>
Sent: Tuesday, November 2, 2021 10:09 AM
To: Ryan Nordness <Ryan.Nordness@sanmanuel-nsn.gov>
Subject: Positive Sacred Lands File Search

Hi Ryan,

We got a positive Sacred Lands File search from the NAHC for the New Charter School Project in Hesperia. It's located as follows (SBBM; see attached project location map):

Township 4 North

Range 4 West

Section 16

USGS 7.5 Minute Topographic Quad: *Hesperia, California* (1980)

I'd expect the City to send AB52 letters, but wanted to check with you to see if there is anything specific we should know about on or adjacent to this property. Please let me know if you have questions or need additional info.

Thanks!

David Brunzell
Principal Investigator/Archaeologist

BCR Consulting LLC
U.S. Small Business Administration (SBA) Member

505 West 8th Street

Claremont, California 91711

909-525-7078

www.bcrconsulting.net

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APPENDIX D

PALEONTOLOGICAL RESOURCES ASSESSMENT



BCR Consulting LLC
Nicholas Shepetuk
505 West 8th Street
Claremont, CA 91711

October 5, 2021

Dear Mr. Shepetuk,

This letter presents the results of a record search conducted for BCR New Charter School Project (PWK2104) in the City of Hesperia, San Bernardino County, California. The project site is located in Section 16 of Township 4 North and Range 4 West on the Hesperia, California (1980) USGS 7.5 minute topographic quadrangle.

The geologic units underlying the project area are mapped as Quaternary alluvium dating to the Pliocene-Holocene, which is potentially fossiliferous. Quaternary alluvial units are considered to be of high paleontological sensitivity. The Western Science Center does not have localities within the project area, but does have numerous localities within similarly mapped alluvial sediments throughout the region. Pleistocene alluvial deposits in southern California are well documented and known to contain abundant fossil resources including those associated with Columbian mammoth (*Mammuthus columbi*), Pacific mastodon (*Mammut pacificus*), sabertooth cat (*Smilodon fatalis*), ancient horse (*Equus* sp.), and many other Pleistocene megafauna.

Any fossils recovered from the BCR New Charter School Project area would be scientifically significant. Excavation activity associated with development of the area has the potential to impact the paleontologically sensitive Quaternary alluvial units and it is the recommendation of the Western Science Center that a paleontological resource mitigation plan be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

If you have any questions, or would like further information, please feel free to contact me at amcdonald@westerncentermuseum.org

Sincerely,


A handwritten signature in cursive script, appearing to read 'Andrew McDonald', is shown in a light gray rectangular box.

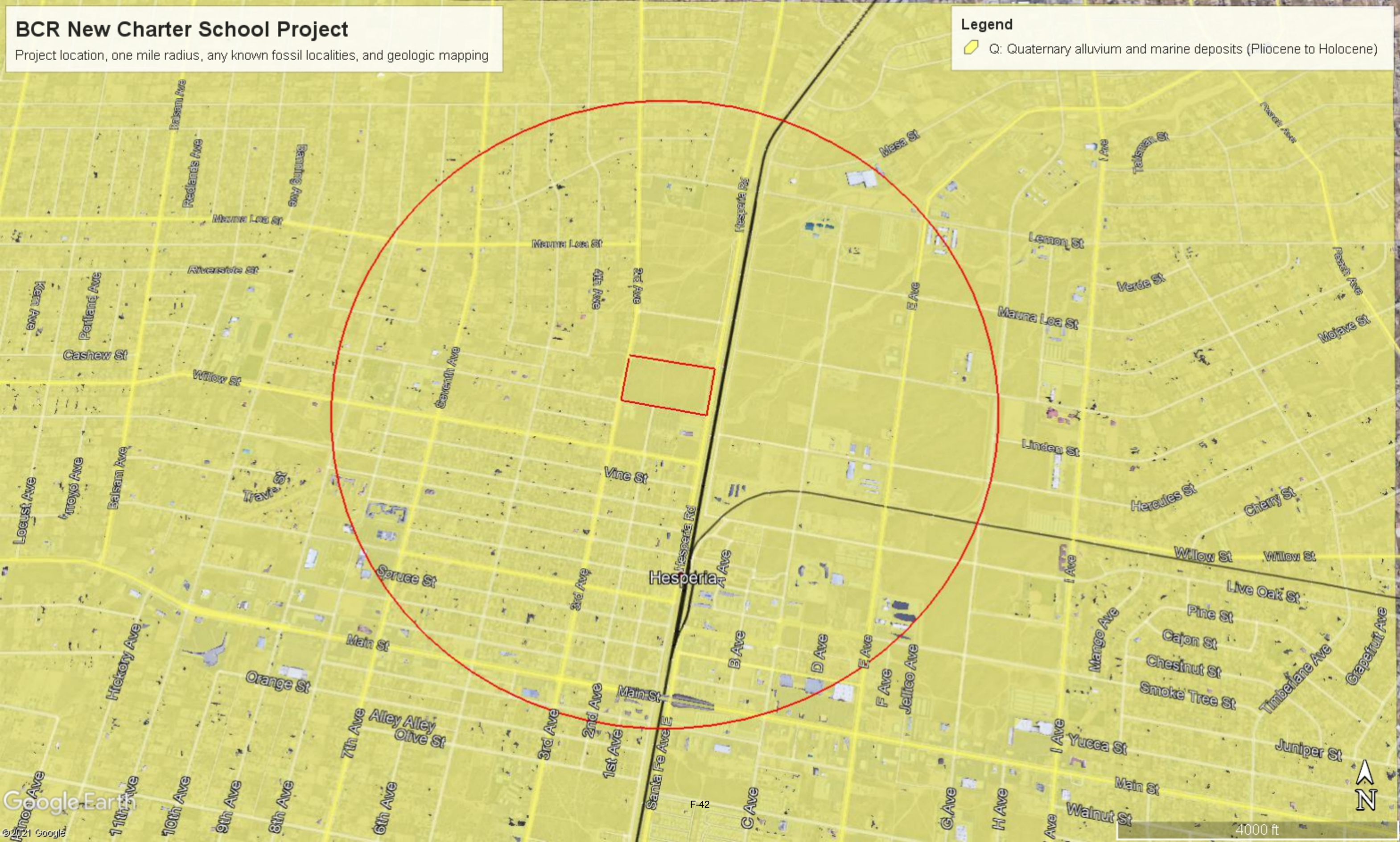
Andrew McDonald
Curator

BCR New Charter School Project

Project location, one mile radius, any known fossil localities, and geologic mapping

Legend

 Q: Quaternary alluvium and marine deposits (Pliocene to Holocene)



APPENDIX E

PROJECT PHOTOGRAPHS



