

CHAPTER 3.3

CULTURAL RESOURCES

The following is based upon Historic and Paleontological Resources Assessments prepared for this project by CRM TECH on October 26, 2006. These reports were prepared to determine whether the proposed project would cause substantial adverse changes to any historical/archaeological or paleontological resources that may exist in or around the project area, as mandated by CEQA. In order to identify and evaluate such resources, CRM TECH conducted a cultural resource survey and assessment which consisted of a literature and records search conducted at the Eastern Information Center, University of California, Riverside to determine any known cultural resources in the project area and an intense pedestrian field reconnaissance at the project site. The complete text for the cultural resources reports can be found in *Appendix C*. This analysis applies to the site plan being evaluated in this EIR/EIS.

3.3.1 Affected Environment

Cultural Setting

The subject property lies within an area that would have been visited and used by members of the Desert and Pass subgroups of the Cahuilla Indians. The Cahuilla, a Takic-speaking people of hunters and gatherers, are generally divided by anthropologists into three groups, according to their geographic setting: the Pass Cahuilla of the San Gorgonio Pass-Palm Springs area, the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains and the Cahuilla Valley, and the Desert Cahuilla of the eastern Coachella Valley.

The Cahuilla did not have a single name that referred to an all-inclusive tribal affiliation. Instead, membership was in terms of lineages or clans. Each lineage or clan belonged to one of two main divisions of the people, known as moieties. Members of clans in one moiety had to marry into clans from the other moiety. Individual clans had villages, or central places, and territories they called their own, for purposes of hunting game, gathering food, or utilizing other necessary resources. They interacted with other clans through trade, intermarriage, and ceremonies.

Population data prior to European contact are almost impossible to obtain, but estimates range from 3,600 to as high as 10,000 persons. During the 19th century, the Cahuilla population was decimated as a result of European diseases, most notably smallpox, for which the Native peoples had no immunity. Today, Native Americans of Pass or Desert Cahuilla heritage are mostly affiliated with one or more of the Indian reservations in and near the Coachella Valley, including Torres Martinez, Augustine, Agua Caliente, Cabazon, and Morongo.

The nearest Native American group to the project location is the Agua Caliente Band of Cahuilla Indians. The Agua Caliente Indian Reservation was established in 1876 for the *Kauisiktum* ("from the rock") lineage of the Pass Cahuilla, and was named after the famed Agua Caliente hot springs

near present-day downtown Palm Springs, where the main settlement of the lineage was located. Closer to the project location, Chino Canyon served as the summer home of the lineage during the prehistoric and early historic periods. Several other canyons in the vicinity, such as Snow Creek Canyon and Blaisdell Canyon, were reportedly occupied by other lineages of the Pass Cahuilla.

In 1823-1825, José Romero, José Maria Estudillo, and Romualdo Pacheco, leading a series of expeditions in search of a route to Yuma, became the first noted European explorers to travel through the Coachella Valley. However, due to its harsh environment, few non-Indians ventured into the desert valley during the Mexican and early American periods, except those who traveled across it along the established trails. The most important among these trails was the Cocomaricopa Trail, an ancient Indian trading route that was "discovered" in 1862 by William David Bradshaw and became known after that as the Bradshaw Trail. In much of the Coachella Valley, this historic wagon road traversed a similar course to that of present-day SR 111. During the 1860s-1870s, the Bradshaw Trail served as the main thoroughfare between coastal southern California and the Colorado River, until the completion of the Southern Pacific Railroad in 1876-1877 brought an end to its heyday.

Non-Indian settlement in the Coachella Valley began in the 1870s, with the establishment of railroad stations along the Southern Pacific Railroad, and spread further in the 1880s, after public land was opened for claims under the Homestead Act, the Desert Land Act, and other federal land laws. With the development of irrigation works and underground water sources, farming became the dominant economic activity. But it was not until the completion of the Coachella Canal in 1948-1949 that farmers in the arid region obtained an adequate and reliable water supply. The main agricultural staple in the Coachella Valley, the date palm, was first introduced around the turn of the century. By the late 1910s, the date palm industry had firmly established itself, giving the region its celebrated image of "the Arabia of America". Starting in the 1920s, a new industry featuring equestrian camps, resort hotels, and country clubs gradually spread throughout the Coachella Valley and since then has transformed it into southern California's leading winter retreat.

The City of Palm Springs owes its origin to the early development efforts led by John Guthrie McCallum who began purchasing land in the area in 1872. The townsite was surveyed and subdivided in 1884, initially under the name of "Palm City." After a resurvey in 1887, the new town acquired its present name. The Palm Springs subdivision was an instant success despite its location in the heart of the southern California desert, thanks to an eight-mile irrigation ditch that McCallum built from the Whitewater River to the townsite. By 1892 Welwood Murray had leased the famed Agua Caliente hot springs from the local Native Americans to establish a health resort, forecasting the future of development in the budding community. In the 1920s-1930s, Palm Springs was "discovered" by the rich and famous of Hollywood and soon became a favored desert spa, the forerunner and nucleus of the Coachella Valley's resort industry. Until the post-WWII boom arrived in the Coachella Valley, the project vicinity served as little more than a corridor for the main highway and the main water supply line leading to the town of Palm Springs.

Records and Historical Background Search

A records search of the project area was conducted by CRM TECH at the Eastern Information Center (EIC). The EIC, located at the University of California, Riverside, is part of the State of California's official cultural resource records repository system established and maintained under the auspices of the California Office of Historic Preservation.

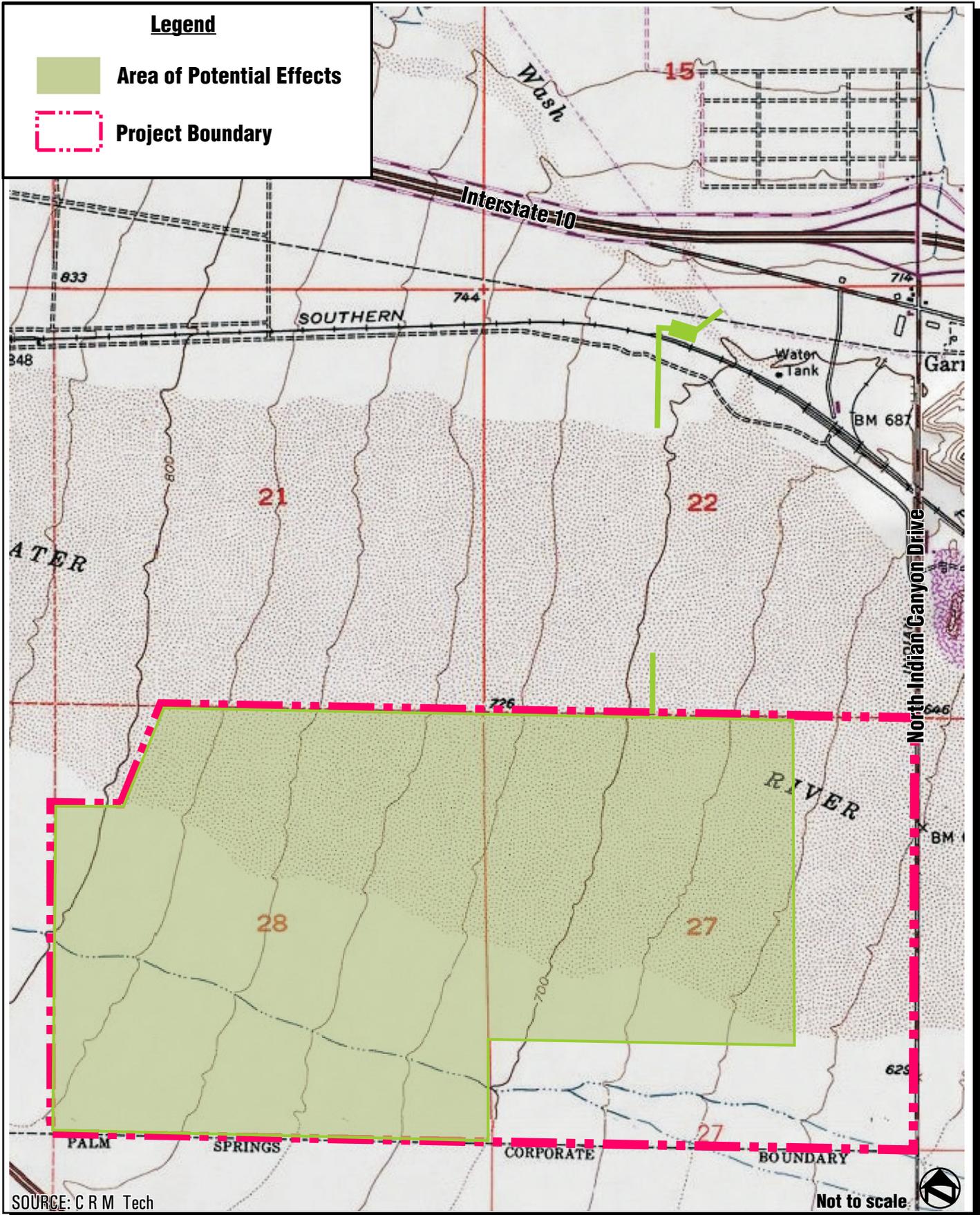
The records search included a review of all available cultural resources survey and excavation reports and site records showing previously identified cultural resources within or near the Area of Potential Effects (APE) as shown on *Figure 3.3-1*. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, or Riverside County Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resource Information System.

Historical background research was conducted on the basis of published literature in local history and historic maps of the project vicinity. Maps consulted include the U.S. General Land Office's (GLO) land survey plat maps (1856-1897) and the U.S. Geological Survey's (USGS) topographic maps dated 1901-1957. These maps are available at the Science Library of the University of California, Riverside, and the California Desert District of the U.S. Bureau of Land Management, located in Moreno Valley.

As part of the research procedures, CRM TECH also contacted the State of California's Native American Heritage Commission in Sacramento on June 27, 2006, to request a records search in the commission's sacred lands file. Following the commission's recommendations, CRM TECH further contacted a total of 25 Native American representatives in the region, both by mail and by telephone, to solicit local Native American input regarding any possible cultural resources concerns over the proposed undertaking. The BLM Palm Springs-South Coast Field Office is conducting government to government Native American Consultation.

Paleontology Research

The records search service was provided by the San Bernardino County Museum in Redlands and the Natural History Museum of Los Angeles County in Los Angeles. These institutions maintain files of regional paleontological localities as well as supporting maps and documents. The records search results identify any known paleontological localities within the project area or in the general vicinity. In addition to the records searches, a literature search was conducted using materials in the CRM TECH library.



Mountain View IV Wind Energy Project EIS/EIR
Area of Potential Effects

FIGURE
3.3-1

Field Surveys

Based on previous research in the area, the records search results, and historical background research, anticipated historical/archaeological resources in the project area included buildings, structures, archaeological sites, and isolates (i.e., sites with fewer than three artifacts). Evidence of prehistoric human habitation of the project area may consist of habitation debris such as ceramic sherds, lithic debitage, groundstone fragments, and faunal remains. Historic-period archaeological remains may include structural foundations, irrigation features, and refuse scatters.

In June and August 2006, CRM TECH conducted the intensive-level, on-foot field survey of the APE. During the field survey, the field team walked parallel east-west transects at 15 meter (approx. 50 feet) intervals across the APE. The power line route was surveyed by walking parallel transects along each side of the centerline. In this way, the ground surface in the entire APE was systematically and carefully examined for any evidence of human activities dating to the prehistoric or historic periods (i.e., 50 years or older). Similar field surveys were conducted for evidence of paleontological resources. Ground visibility was excellent (90%) due to a general lack of vegetation.

3.3.2 Regulatory Environment

Federal

National Historic Preservation Act (36 CFR Part 60.4). Section 106 of the NHPA (Title 16 U.S. Code, Sections 470w-6) requires federal agencies to take into account the effects of their undertakings (projects), licensed or executed by the agency, on historic properties listed or eligible for listing in the NRHP, and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings (16 U.S.C. 470f). The Section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the Agency Official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. This investigation provides the information to evaluate the potential effects to cultural resources from each of the proposed alternatives. The Section 106 process includes the following steps:

- Identify and evaluate the NRHP eligibility of historic properties;
- Assess the effects of proposed action on any historic properties;
Consult with the State Historic Preservation Officer (SHPO), interested parties, and
- when appropriate, the ACHP;
- Treat impacts, as necessary; and
- Proceed with the action.

Other federal criteria include the following:

National Environmental Policy Act of 1969 (NEPA). NEPA requires federal agencies to consider impacts of their actions on the human environment, including the cultural environment, whether the action is funded or permitted by the agency.

Archeological Resources Protection Act of 1979 (ARPA). ARPA was enacted "...to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals." The Act provides the requirements that must be met before Federal authorities can issue a permit to excavate or remove any archeological resource on Federal or Indian lands. The curation requirements of artifacts, other materials excavated or removed, and the records related to the artifacts and materials are also outlined.

American Indian Religious Freedom Act of 1978 (AIRFA). The American Indian Religious Freedom Act (Title 42, U.S. Code, Section 1996) establishes policy of respect and protection of Native American religious practices. There are specific provisions for providing Native American access to religious sites.

Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The NAGPRA requires federal agencies to consult with the appropriate Native American tribes prior to the intentional excavation of human remains and funerary objects. It requires the repatriation of human remains found on the agencies' land.

State

According to the California Public Resources Code 5020.1(j) a historical resource "includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California". More specifically, CEQA guidelines state that the term "historical resources" applies to any such resources listed in or determined to be eligible for listing in the California Register of Historical Resources, included in a local register of historical resources, or determined to be historically significant by the Lead Agency. CEQA establishes that "a project 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" (PRC 21084.1). "Substantial adverse change," according to PRC 5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired." According to Appendix G, Environmental Checklist of the CEQA Guidelines,

a project would have a significant impact on paleontological resources if it would directly or indirectly destroy a paleontological resource or site, or unique geologic feature.

3.3.3 Environmental Consequences

The following section describes the impacts to cultural resources that are expected to occur as a result of project implementation.

Methodology and Significance Criteria

This section provides a discussion of the methodology and criteria used to assess impacts to cultural resources that could occur as a result of construction and operation of the proposed project and alternatives. For purposes of impact evaluation, the following criteria are used.

NEPA Significance Criteria

Project construction and operation activities could have adverse effects on historic properties if they:

- Directly or indirectly... “diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.” [36 CFR 800.9(b)]
- Otherwise directly or indirectly... “harm characteristics that qualify the property for inclusion in the National Register of Historic Places.” [36 CFR 800.9(b)]

CEQA Significance Criteria

Appendix G of the State CEQA Guidelines (Cal. Code Regs. Title 14 §15000 et seq., 1998) states that the project would have a significant effect on cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource;
- Cause a substantial adverse change in the significance of an archaeological resource;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

Project Impacts

Prehistoric Resources

The records search and associated field reconnaissance conducted at the project site did not identify any prehistoric resources on the site. The records search indicated that the APE was at least partially covered by three previous cultural resources surveys. Outside the APE boundaries but within a one-

mile radius, EIC records show at least 18 previous cultural resources studies on various tracts of land and linear features (*Appendix C* Figs. 4, 5 show areas of previous surveys; Table 1 lists the reports associated with those surveys). As a result of these studies, ten additional historical/archaeological sites have been recorded within the scope of the records search, including four prehistoric sites (Table 2, *Appendix C* lists these recorded sites). The four prehistoric sites consisted of ceramic scatters, a hearth feature under a rock shelter, and a rock ring with a few artifacts. None of these previously recorded prehistoric sites was located in the immediate vicinity of the APE, and thus none of them requires further consideration. Due to the lack of any cultural material encountered during the field investigation and the low potential for any buried cultural deposits, the project is anticipated to have no impact on prehistoric resources. Consequently, no further archaeological management is recommended. However, as a standard construction practice, if cultural materials (Native American or historic artifacts) are encountered during construction, work should stop in the vicinity of the find until the material can be assessed by a qualified archaeologist.

Historic Resources

One historic-period linear site, CA-RIV-6381H (33-9498), was previously recorded as lying across a portion of the APE. The site represents the former Southern Pacific (now Union Pacific) Railroad, which was completed through the Coachella Valley in 1876-1877. In 2005, another segment of the railroad in the Coachella Valley was formally evaluated for historic significance, and was determined not to constitute a significant site due to the lack of historic integrity. Outside the APE boundaries but within a one-mile radius, EIC records show five historic-period sites (see Table 2, *Appendix C*). Three of the historic-period sites were refuse deposits consisting of cans and other trash items, while the other two were linear features, including John G. McCallum's 1880s irrigation ditch and a small segment of early 20th century pipeline. None of these previously recorded sites was located in the immediate vicinity of the APE, and thus none of them requires further consideration. Therefore, the project will have no impact on historic resources.

During the field survey, the former Southern Pacific Railroad (Site CA-RIV-6381H) was noted at its previously recorded location, still under heavy use today as part of the Union Pacific Railroad system. Like other historic-period transportation arteries that remain a part of the modern infrastructure, the physical features associated with the rail line are mostly of modern origin, and none of them dates to the period when the Southern Pacific's Coachella Valley line was first completed in the 1870s. As a result, the railroad features at this location demonstrate no distinctive historical characteristics.

In addition to the rail line at Site CA-RIV-6381H, seven small buildings of plain appearance and utilitarian character were noted within the APE. These buildings are associated with former wind turbine operations. Four of them are wood-frame structures, and the other three are built of concrete blocks. All of these buildings are clearly modern in origin and architecturally nondescript, and thus require no further consideration during this study.

Several power poles, dirt roads, and earthen berms were found in the APE; all of them are of indeterminate age. None of these features is documented in historic maps, or by any other historical sources consulted for this study. The row of wooden power poles runs along the southernmost dirt road in the APE, and some appear to have been torn down during decommissioning of the wind energy generating facilities that were previously on the site. There are earthen flood control berms scattered within and near the APE. None of these minor, ubiquitous features exhibits any particular historical characteristics. Therefore, none of them was recorded during the survey. No known historic properties or historical resources will be impacted by the project as currently proposed.

Native American Resources

The Native American Heritage Commission reported that the sacred lands record search identified no Native American cultural resources in the immediate vicinity of the APE. However, noting that "the absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area," the Commission suggested that other Native American representatives be contacted, and provided a list of potential contacts in the region. CRM TECH contacted all 25 individuals on the list and the organizations they represent. None of the eight Native American representatives who responded to CRM TECH's inquiries at the time the cultural reports were completed, had concerns about the APE or the proposed development at this location. The Agua Caliente Band of Cahuilla Indians, the nearest Native American group to the APE, had not replied as of report completion. The BLM Palm Springs-South Coast Field Office is conducting government to government Native American Consultation.

Paleontologic Resources

The Natural History Museum of Los Angeles County and the San Bernardino County Museum found no known paleontological localities within or in the general vicinity of the project area. The San Bernardino County Museum considers the project vicinity to be an area of "low paleontologic sensitivity," and declares any ground-disturbing operations in the vicinity to have a "low potential to impact significant nonrenewable paleontologic resources." Literature review of geologic characteristics further indicates low potential for paleontologic resources. The field survey produced negative results. The project area was closely inspected for any evidence of paleontological remains, but none were found. The surveyors observed that soils in the project area consist of coarse sand and gravel, with intermittent cobbles and small to medium-size boulders. No fossil vertebrate or invertebrate remains were encountered during the field survey. However, Pleistocene-age sediments may be present at depth below the surface. Therefore, periodic monitoring of earth moving activities for paleontological resources is recommended if earth-moving activities exceed fifteen (15) feet in depth. Should older potentially fossiliferous alluvial sediments be encountered, then continuous monitoring for paleontological resources, along with a program to mitigate impacts to the resources that are unearthed, is recommended. Implementation of these measures will reduce potential impacts on paleontologic resources to a level that is less than significant.

3.3.4 Mitigation Measures

No significant impacts have been identified; therefore, no mitigation measures are recommended beyond those environmental commitments incorporated into the project as described below:

- 3.3-3. If human remains are exposed during construction on non-federal land, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. Construction must halt in the area of the discovery of human remains, the area must be protected, and consultation and treatment shall occur as prescribed by law. If human remains are encountered on federal land, pursuant to the Native American Graves Protection and Repatriation Act and associated regulations, the responsible federal agency official must be notified by telephone immediately, and with written confirmation (43 CFR 10.4[c]). In addition, all ongoing activities must cease, the remains should be secured and protected, and Native American representatives should be consulted (43 CFR 10.4[d]).
- 3.3-2. Any buried cultural materials unearthed during earth-moving operations associated with the undertaking should be examined and evaluated by a qualified archaeologist prior to further disturbances.
- 3.3-3. The excavation of areas greater than fifteen (15) feet shall be monitored by a qualified paleontological monitor. Monitoring shall be restricted to any undisturbed subsurface older alluvium which might be present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The monitor shall also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.
- 3.3-4. If specimens are found when excavation exceeds fifteen (15) feet, the following steps shall be followed:
 - Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.
 - Specimens shall be identified, curated, and placed into a repository with permanent retrievable storage.
 - A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a

discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate Lead Agency, would signify completion of the program to mitigate impacts to paleontologic resources.

3.3.5 Reduced Development Alternative

As outlined in *Section 2.9*, this alternative assumes development only within BLM managed lands within Section 28, and extension of utility lines and a substation within a portion of Section 22 (also BLM lands). No site disturbance would occur within Section 27, as planned for the proposed project. This alternative would utilize existing access roads from a previous wind energy operation, thus minimizing site disturbance. Overall disturbance would be reduced by approximately 5.8-6.3 acres. However, site disturbance from any of the development scenarios would be minimal and no significant cultural resources have been identified. As with the project, any impacts to buried cultural resources can be mitigated to less than significant levels. Therefore, this alternative is not viewed as substantially superior to the project (preferred alternative) regarding potential impacts to cultural resources.

3.3.6 No Action Alternative

Under the no action alternative, no site disturbance would take place and no impacts related to cultural resources would occur.