

5.4 CULTURAL RESOURCES

This section of the Draft Environmental Impact Report (Draft EIR) addresses the potential for implementation of the proposed Section 31 Specific Plan Project (“Section 31 Specific Plan” or Project”) to affect cultural resources within the Project Site and in the immediate surrounding area within the City of Rancho Mirage (City). Cultural resources include places, objects, and settlements that reflect group or individual religious, archaeological, or architectural activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. Information from the following study of the Project Site is incorporated into this section:

- *Section 31 Specific Plan Cultural Resource Study, Rancho Mirage, Riverside County, California*, Scott H. Kremkau and Allison Hill, Statistical Research, Inc. (SRI), May 2019.

A complete copy of this study is included in the Appendices to this Draft EIR (**Appendix E: Cultural Resources Study**). Please see **Section 9.0** for a glossary of terms, definitions, and acronyms used in this Draft EIR.

A. ENVIRONMENTAL SETTING

1. Existing Conditions

Regional and Local Setting

California is divided into geomorphic provinces which are distinctive, generally easy-to-recognize natural regions in which the geologic record, types of landforms, pattern of landscape features, and climate in all parts are similar. The Project Site is in the Coachella Valley in the northern part of the Colorado Desert Geomorphic Province, which is a low-lying barren desert basin. More specifically, the Project Site is located in the City of Rancho Mirage within Riverside County, in the heart of the Coachella Valley. Topographically, the elevation of the Project Site ranges from approximately 280 to 320 feet above sea level and generally slopes from the northeast to the south. The Project Site is relatively flat with no areas of significant topographic relief other than sand mounds, commonly referred to as hummocks, or rolling hills that rise from one to four feet above their base.

The approximately 618-acre Project Site has never been developed and currently consists of relatively undisturbed desert lands. The Project Site is nearly entirely covered by low-lying sand dunes and sand fields with minimal modification and little topographical variation, which provides good ground visibility. However, some areas around the edges of the Project Site are disturbed. These areas contain disturbances consistent with the installation of utility lines along the southern and western edges of the Project Site

and two small borrow pits located on the northern side of the Project Site, with isolated areas of grading and moderately- and lightly-used two-track roads also present throughout the Project Site.

Cultural Setting

Prehistoric Background

Three principal prehistoric periods¹ include the Paleoindian, Archaic, and Late Prehistoric periods. The Paleoindian period groups, probably with Clovis complex technology, occupied much of California beginning about 12,000 years before present (BP). However, there is very little evidence of a Paleoindian period occupation of the northern Coachella Valley. The reasons for this are unclear but may be related to a lack of habitat for the large game hunted by Clovis people. There is also little-known evidence of San Dieguito presence in the northern Coachella Valley. The reasons for this are unclear, but the lack of an early occupation may indicate that Lake Cahuilla was not inundated during this time.

The Archaic period groups began approximately 8,000 years BP and records suggest only a minor occupation by relatively few people. When the climate began to cool approximately 4,000 years BP, it appears that the Colorado Desert was reoccupied and several archaeological sites in the northern Coachella Valley are dated to this time. Records suggest much of the occupation centered on the shores of Lake Cahuilla. Excavations at two sites near Desert Hot Springs located 12 kilometers (km), or approximately 7 miles, northwest of the Project Site encountered deposits dating to the transition from the Late Archaic to the late Prehistoric period, approximately 1,200 to 1,000 years BP. These sites contained evidence for habitation, including hearth features; activity surfaces and a variety of artifact types, such as flaked stone debitage; faunal remains; and possible human remains. These sites are located adjacent to the ethno-historically known Seven Palms Village, and it is likely these sites represent an early occupation of the village.

The Late Prehistoric period groups began approximately 1,500 B.P. Yumkan (or Patayan) agricultural groups along the Colorado River area began to influence Colorado Desert groups, particularly in the Coachella Valley. Agricultural crops were also probably introduced into the area during this time. The Late Prehistoric period groups that occupied the Coachella Valley were the direct ancestors of the ethnographic Cahuilla. This period represents a significant increase in human occupation of the Coachella Valley and several large archaeological sites from this period have been identified.

1 Jerry Schaefer, "The Challenge of Archaeological Research in the Colorado Desert: Recent Approaches and Discoveries," *Journal of California and Great Basin Anthropology* 16 no. 1 (1994): 60–80.

Ethnographic Background

The aboriginal group that occupied the northern Coachella Valley during the historical period was the Desert Cahuilla, who, along with the Mountain and Pass Cahuilla, constituted the ethnographic Cahuilla. The Cahuilla spoke a language of the Takic branch of Northern Uto-Aztecan, and the Desert Cahuilla spoke a distinct dialect of Cahuilla. There have been few archaeological studies of the historical-period Cahuilla, but testing at the former Mission Creek Indian Reservation, approximately 35 kilometers or 22 miles northwest of the Project Site, identified occupations stretching from the Lake Prehistoric period into the early twentieth century. Similarly, excavations at Tahquitz Canyon, 12 kilometers or 7 miles west of Project Site, found a large village complex dating between 1600 and 1870.

The Cahuilla exploited a large amount of plant species with mesquite on the Coachella Valley floor as the primary food staple. The Desert Cahuilla also grew a few agricultural crops, namely corn, beans and squash, which were probably obtained from native peoples along the Colorado River to the east. The Cahuilla also preferred a variety of animals including deer and mountain sheep to smaller animals such as rabbits and rodents. The Cahuilla population was originally as many as 3,000 people, but declined rapidly after the smallpox and measles epidemic of 1863.

In 1876, the Agua Caliente Indian Reservation (Reservation) was founded by an Executive Order of President Ulysses S. Grant which was expanded in 1877 and 1907. The Reservation covers roughly 31,500 acres and consists of all even-numbered sections and all unsurveyed portions of Township 4 South, Ranges 4 and 5 East, and Township 5 South, Range 4 East, on the San Bernardino Meridian, with the exception of sections already given out by the United States (US) government. The odd-numbered sections had already been given to railroads as an incentive to develop cross-country rail lines, and as such, the Reservation appears as a checkerboard pattern on maps. In 1891, Congress passed the Mission Indian Relief Act, which authorized allotments of Reservation land to be given to individuals. The allotment elections were finally approved by the Secretary of the Interior as part of the Equalization Act in 1959, which finalized the individual Indian allotments and set aside certain lands for Agua Caliente Tribal use and cemeteries.

Historical Background

The extreme aridity of the Colorado Desert acted as a deterrent to many early explorers. The earliest recorded European visit to the Coachella Valley was by José Romero in the winter of 1823–1824, the leader of an expedition attempting to reach the Colorado River by a new route.² Until the mid-nineteenth

2 Lowell J. Bean and William Mason, *Diaries & Accounts of the Romero Expeditions in Arizona and California, 1823-1826* (Palm Springs, CA: Palm Springs Desert Museum, 1962).

century, however, most expeditions into the Coachella Valley were confined to the established prehistoric trail systems. In 1853, William P. Blake described the Coachella Valley during the Pacific Railroad Survey expedition.³ Blake recorded the general environment, noted the location of Indian villages, described native agriculture in the Coachella Valley, and recorded some oral traditions of the Indians concerning life around ancient Lake Cahuilla. In 1855 and 1856, the US Land Office Survey surveyed the valley and divided it into townships and sections. Section 24 was added to the Reservation in 1877.

Bob Hope Drive (formerly Rio del Sol Road) was built in the mid-1920s. The development of the State highway system in the early twentieth century opened the Coachella Valley to further development and became a popular vacation spot for residents in the Los Angeles Basin. I-10 was completed on its current alignment in 1957. During the late twentieth century, development in the Coachella valley expanded rapidly, with country clubs and housing developments appearing along US Highway 111 and I-10.

Modern aerial photographs of the Project Site show little evidence of human activity on site. The Project Site is surrounded housing developments to the north and south and predominantly by country clubs to the east, south and west sides, including the Sunnylands Center and Gardens (Sunnylands) to the immediate west.

Archaeological Resources

Records searches and other archival research were conducted at the California Historical Resources Information System Eastern Information Center (EIC), Department of Anthropology, University of California, Riverside, on April 12, 2018. The records search looked at all reports from archaeological work executed within a 1-mile radius of the Project Site. The records search also consulted the catalog of National Register of Historic Places (NRHP) sites and the California Historical Landmarks (CHL).

One previously recorded cultural resource, an isolated granite metate (P-33-024161), was identified within the Project Site in the records search, slightly northeast of the approximate center point of the Project Site. No other prehistoric or historical-period resources were located within the records-search area. This resource was relocated during the site survey.

Two new archaeological sites were identified during the survey of the Project Site, "SRI-1" and "SRI-4," both located in the southwestern portion of the Project Site. SRI-1 consists of a small historical-period trash scatter consisting of fragments of at least one clear glass bottle or jar neck, one aqua glass bottle neck, three amber glass bottle bases, 15 aqua glass bottle body fragments, 50 amber glass bottle body

3 Blake, William P, *Reports of Explorations in California for Railroad Routes to Connect with Routes near the 35th and 32nd Parallels of North Latitude*, 1857.

fragments, about 20 clear glass bottle body fragments, two church-key-opened beverage cans, and one multi-serve sanitary can. No artifacts were collected in the course of site documentation.

SRI-4 consists of a small historical-period trash scatter predominantly made up of cans, including approximately 23 church-key-opened beverage cans, some of which were fragmented, a tubular metal drum less than two feet in diameter, and a single glass bottle fragment.

None of the identified resources, including the prehistoric isolated artifact nor the two historical-period sites, were determined to be eligible for listing in the California Register of Historic Resources (CRHR).

Historical Resources

The Project Site has never been developed and currently consists of relatively undisturbed desert lands, except for the previously mentioned disturbed areas along the eastern and western edges of the Project Site and two small borrow pits located on the northern side. Additionally, one moderately-used two-track road trends through the Project Site in a northwest–southeast direction, and several lightly used two-track roads, oriented in many directions, cross-cut the Project Site. There are no standing structures within the confines of the Project Site.

The records search indicated that 24 previous survey projects were conducted within the records-search area. A portion of the Project Site has been previously surveyed for cultural resources; confined to the eastern side of the Project Site, 3.5 percent of the site was surveyed for an expansion of Monterey Avenue in 1981. One prehistoric isolated artifact (P-33-024161) was known to be located on the Project Site and was relocated during the survey, as mentioned previously. No other known historical-period isolated artifacts or sites were known to be in the surrounding area, but two previously unknown historical-period sites were identified within the Project Site. Much of the historical-period use of the Project Site is associated with informal dumping practices. A moderate amount of modern debris was located throughout the Project Site.

2. Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) authorized formation of the NRHP and coordinates public and private efforts to identify, evaluate, and protect the Nation’s historic and archaeological resources. The NRHP includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. A Section 106 Review refers to the federal review process designed to ensure that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process, with assistance from State Historic Preservation Offices (SHPOs). If any impacts are identified, the agency undergoing the project must identify the appropriate SHPO to consult with during the process.

National Register of Historic Places

Section 106 of the NRHP requires federal agencies to take into account the effects of an undertaking on historic properties, which are defined as cultural resources included in or eligible for listing in the NRHP. Determination of NRHP eligibility for cultural resources prior to making a finding of effect is made according to the following criteria:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

- a) that are associated with events that have made a significant contribution to the broad patterns of our history; or*
- b) that are associated with the lives of persons significant in our past; or*
- c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- d) that have yielded, or may be likely to yield, information important in prehistory or history.*

If cultural resources do not meet the above criteria, they are not historic properties and are not further considered in the Section 106 process. In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired or significant individuals made their important contributions.

California

State Health and Safety Code

The discovery of human remains is regulated per *California Health and Safety Code*, Section 7050.5, which states that

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation...until the coroner...has determined...that the remains are not subject to...provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible... The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and...has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

California Register of Historical Resources

CRHR is the authoritative guide to the State’s significant archaeological and historical resources. It closely follows the eligibility criteria of the NRHP but deals with State and local-level resources. The CRHR serves to identify, evaluate, register, and protect California’s historical resources. For purposes of CEQA, a historical resource is any building, site, structure, object, or historic district listed in or eligible for listing in the CRHR (Public Resources Code, Section 21084.1). A resource is considered eligible for listing in the CRHR if it meets any of the following criteria:

- a) *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.*
- b) *Is associated with the lives of persons important in our past.*
- c) *Embodies the distinctive characteristics of type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*
- d) *Has yielded, or may be likely to yield, information important in prehistory or history [Public Resources Code Section 5024.1(c)].*

Historical resources meeting one or more of the criteria listed above are eligible for listing in the CRHR. In addition to significance, resources must have integrity for a period of significance—the date or span of time within which significant events transpired or significant individuals made important contributions.

Important archaeological resources are required to be at least 50 years old to be considered. “Integrity is the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” Simply put, resources must “retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

CEQA also requires the lead agency to consider whether there is a significant effect on unique archaeological resources that are not eligible for listing in the California Register. As defined in CEQA, a unique archaeological resource is

“an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- 2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.”*

If an archaeological resource is found eligible for listing in the CRHR, then it is considered under CEQA to be a historic resource that needs to be protected. This may also apply to unique archaeological resources. If a historic resource may be impacted by activity, under CEQA, avoidance and preservation in place is the preferred alternative. If that is not possible, then a data recovery plan will need to be created and enacted to lessen impacts to the environment to a less than significant level. If the archaeological resource is not eligible for listing in the CRHR, and it is not a unique archaeological resource, then no further action is required to protect or mitigate possible impacts to it.

California Public Resources Code

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of State policies and regulations enumerated under the *California Public Resources Code*. In addition, cultural and paleontological resources are recognized as a non-renewable resource and, therefore, receive protection under the *California Public Resources Code* and CEQA.

- *California Public Resources Code* Sections 5020-5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission (SHRC). The SHRC oversees the

administration of the California Register of Historical Resources and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.

- *California Public Resources Code* Sections 5079-5079.65 defined the functions and duties of the Office of Historic Preservation (OHP). OHP is responsible for the administration of federally and State mandated historic preservation programs in California and the California Heritage Fund.
- *California Public Resources Code* Sections 5097.9-5097.998 provide protection to Native American historical and cultural resources and sacred sites, and identify the powers and duties of NAHC. These sections also require notification of discoveries of Native American human remains, descendants and provide for treatment and disposition of human remains and associated grave goods.

Regional and Local

City of Rancho Mirage

Historic Preservation Commission

The Historic Preservation Commission was established in 2003 by Municipal Ordinance No. 831, and modernized in 2017 by Municipal Ordinance No. 1118, to develop a program to provide a way to identify certain structures and sites which represent eras, events or persons important in the City's cultural, archaeological, social, economic, architectural and/or political history for the purpose of encouraging the preservation, improvement and promotion of our City's treasured properties. The Commission designates eligible properties for listing on the Rancho Mirage Register of Historic Places (RMRHP). The local registry includes 66 sites as of April 5, 2019.⁴

B. ENVIRONMENTAL IMPACTS

1. Thresholds of Significance

In order to assist in determining whether a project would have a significant effect on the environment, the City finds a project may be deemed to have a significant impact to cultural resources if it would:

4 Ben Torres, Associate Planner, City of Rancho Mirage, email correspondence, April 5, 2019.

- Threshold 5.4-1:** Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.
- Threshold 5.4-2:** Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.
- Threshold 5.4-3:** Disturb any human remains, including those interred outside of formal cemeteries.

2. Methodology

The Cultural Resources Study involved archaeological archival research and a field survey of the entire Project Site (see **Appendix D**). Records searches and other archival research were conducted at the EIC, Department of Anthropology, University of California, Riverside, on April 12, 2018. The goal of the records search was to review any previous archaeological projects that may have been conducted within the Project Site and identify previously recorded archaeological resources located on the property. The records search looked at all reports from archaeological work executed within a 1-mile radius of the Project Site. The records search was conducted by examining US Geological Survey (USGS) topographic maps held by the EIC that contain the locations of all previous cultural resource surveys and known archaeological sites. Transparencies preprinted with USGS topographic maps and outlines of the Project Site and a 1-mile buffer zone around the Project Site were placed over the EIC maps, and locations of previously recorded sites and the outlines of previous surveys were traced onto the transparencies. Survey reports and site records for previously recorded sites pertaining to the surveys and sites traced to the transparencies were subsequently photocopied. The records search also consulted the catalog of NRHP sites and the CHL.

Further archival research included reviewing primary and secondary sources for information pertinent to historical-period activities in the project area. Historical maps were consulted for information regarding specific historical-period land use in and around the Project Site. USGS Historical Topographic Map Collection, online Bureau of Land Management General Land Office (BLM GLO) Records, and historical maps on file at the EIC were also reviewed. In addition, the records search and literature review also involved contacting the Native American Heritage Commission (NAHC) for a list of traditional-use areas or sacred sites within the Project Site and a list of specific Native American groups or individuals who could provide additional information on cultural resources within the Project Site. The NAHC Sacred Lands File search did not indicate the presence of Native American traditional cultural places within the Project Site. Out of the 31 Native American tribes with potential connection to the Project Site that were contacted, none disclosed the Project Site to possess cultural significance to their tribe. One tribe requested to be

informed of any new developments regarding inadvertent cultural artifact discovery and another tribe requested that Standard Development Conditions be followed during implementation of the Project.

A pedestrian survey of the Project Site was conducted from April 17 to 20, 2018. Although a portion of the survey area had been previously surveyed, SRI archaeologists resurveyed the area to ensure continuity in the methods used throughout the entire survey area. The survey was conducted with a team of four archaeologists spaced at 15-meter intervals. The crew walked in straight-line transects across the survey area. The progress of the survey was monitored using Trimble Geo XT/XH Global Positioning System (GPS) units and high-resolution aerial photographs.

When an artifact was encountered during the survey, a brief examination of the immediate area was conducted to locate any associated features or artifacts. The criteria used to define sites and isolated artifacts followed the guidelines set by the California OHP.⁵ A new site was defined as any three or more artifacts found in association with one another or a single feature recorded over 40 meters from an existing site. One or two artifacts found in association with one another were treated as isolated finds. Once the discovery was determined to be either a site or an isolated artifact, the location of the area was recorded with a Trimble GPS unit and assigned a temporary isolated-artifact or site number. Location information and a brief description were recorded on standard archaeological site forms. One prehistoric resource (P-33-024161) was relocated, and no artifacts were collected during the survey.

Historical Methodology

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

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

5 California Office of Historic Preservation (OHP), *Instructions for Recording Historical Resources* (Sacramento: California Office of Historic Preservation, 1995).

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

3. Project Design Features

The Project does not include any design features specifically related to cultural resources.

4. Project Impacts

Threshold 5.4-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Evaluating a site for inclusion in the NRHP and CRHR requires the use of a research design to provide a framework. Research designs are “explicit statements of the theoretical and methodological approaches to be followed in an archaeological study.”⁶ As a foundation for management decisions, “all types of archaeological studies conducted to satisfy regulatory needs should be directed by research designs.”

The Agua Caliente Band of Cahuilla Indians has also developed a research design for prehistoric and historical-period resources on tribal land. This research design can also be applied to the wider Coachella Valley, including the Project Site. The research design identifies five research themes: historical-period settlement, historical-period mining, railroad activities, tribal recognition, and the desert tourism/health-spa industries. The eligibility for a site to be included the RMRHP requires evaluation of its potential to represent eras, events or persons important in the City’s cultural, archaeological, social, economic, architectural and/or political history.

The results of the records search indicate that 24 previous survey projects were conducted within the records-search area. Of these, one survey included land within the Project Site. The one previously recorded resource in the records-search area, an isolated granite metate (P-33-024161) is located within the Project Site and was relocated during the site survey. However, isolated artifacts such as P-33-024161 are generally considered not eligible for listing in either the NRHP or CRHR and thus should not be considered further in the planning process.

Two new archaeological sites, SRI-1 and SRI-4, were identified during the survey of the Project Site, both located in the southwestern portion of the site. SRI-1 is a historical-period site that consists of a small trash scatter consisting of fragments of at least one clear glass bottle or jar neck, one aqua glass bottle neck, three amber glass bottle bases, 15 aqua glass bottle body fragments, 50 amber glass bottle body

6 California Office of Historical Preservation (OHP) (1995).

fragments, about 20 clear glass bottle body fragments, two church-key-opened beverage cans, and one multi-serve sanitary can. No artifacts were collected in the course of site documentation.

SRI-4 is a historical-period site that consists of a small trash scatter predominantly made up of approximately 23 church-key-opened beverage cans, some of which were fragmented, a tubular metal drum less than two feet in diameter, and a single glass bottle fragment. A moderate amount of other modern refuse was found scattered throughout the Project Site.

In general, sites such as SRI-1 and SRI-4 (sites) that are small secondary refuse dumps that are not associated with larger sites or activity areas, are not eligible for listing in the NRHP or CRHR because of the lack information that they provide. SRI-1 and SRI-4 are not eligible under Criteria a, b, or c of the NRHP or Criteria 1, 2, or 3 of the CRHR, as they cannot be associated with particular people or events, nor do they represent distinctive workmanship. The age and character of the sites also made it difficult to address any of the research themes under Criterion d of the NRHP or Criteria 4 of the CRHR. Further, the historical-period research (see section Historical-Period Background above) did not identify any homesteads in the area around the Project Site; the artifacts from SRI-1 and SRI-4 date to a later time period and, thus, are not associated with the period of significance for the homesteads. Likewise, there are no known mines or prospects in the area, and the artifacts postdate the construction of the railroad by nearly 80 years. The sites contain only bottles and cans that once contained alcoholic beverages, which represent a very limited set of activities that cannot be tied directly to either the development of tourism industries. Moreover, the artifacts from SRI-1 and SRI-4 are broken and scattered, and the sites lack integrity. Based on these findings, none of the identified on-site resources, including the prehistoric isolated artifact nor the two historical-period sites, were determined to be eligible for listing in the NRHP, CRHR, or RMRHP. Impacts would be less than significant.

Additionally, no properties in the records-search area of one-mile radius are listed in the NRHP or the catalog of CHL. However, as mentioned previously, the City maintains a local registry of historic properties in the RMRHP. Three locally designated historic residences are located within one mile of the Project Site, listed as follows:

- Annenberg Estate (71-800 Frank Sinatra Drive), approximately 0.25 miles west of the Project Site;
- El Rancho Harpo (71-111 La Paz Road), approximately 0.8 miles west; and
- unnamed residence (71-051 Tamarisk Lane), approximately 0.9 miles west.

The closest property listed in the RMRHP to the Project Site is the Annenberg Estate (71-800 Frank Sinatra Drive), approximately 0.25 miles west of the Project Site across Bob Hope Drive. Construction of the

Project would involve the use and staging of construction trucks and equipment on site. Further, surrounding major roadways may be used for construction worker commute routes or truck haul routes. While construction activities are anticipated to increase the levels of visual impacts, noise and vibration, and traffic in the vicinity of the Project Site, all related potential significant impacts would be mitigated to less than significant levels, as discussed in **Section 5.1: Aesthetics**, **Section 5.11: Noise**, and **5.15: Traffic and Transportation** of this Draft EIR.

Section 5.1: Aesthetics of this Draft EIR describes the Project's integration with surrounding properties in greater detail. The distance of this property from the Project Site, as well as substantial separation through physical features such as walls and landscaping, ensures any potential impacts to its physical and historical integrity during operation of the Project would be less than significant. Specifically, Mitigation Measure **MM 5.1-3** is identified to ensure the incorporation of a solid wall at the perimeter of the Project Site, at height of 6 feet in height, to screen views of ongoing vertical construction and operational activities from surrounding uses. Implementation of Mitigation Measure **MM 5.11-1**, as identified in **Section 5.11** of this Draft EIR, requires the utilization of construction best management practices (BMPs) to reduce construction noise levels below the City's established thresholds, including the use of noise attenuation measures such as solid walls and berms to function as temporary noise barriers. Lastly, as identified in **Section 5.15** of this Draft EIR, implementation of Mitigation Measure **MM 5.15-1** requires the preparation and approval of detailed construction traffic management plan(s) to minimize potential traffic flow impacts during construction.

Nevertheless, construction activities would have the potential to intrude on operational activities associated with the nearby Annenberg Estate along Bob Hope Drive, which help to convey the local historic significance of the property. Thus, with implementation of Mitigation Measure **MM 5.4-1**, BMPs would be implemented to avoid intrusion of the property, such as, but not limited to, prohibiting construction traffic access along Bob Hope Drive and installing the perimeter wall prior to the commencement of construction activities.

Potential impacts to the other historic properties would be comparatively lessened due to their increased distance from the Project Site. Therefore, the Project would result in less than significant impacts on historical resources.

Threshold 5.4-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

No known ethnographic villages associated with the Project Site were identified. Much of the prehistoric occupation of the Coachella Valley appears to be correlated with the presence of Lake Cahuilla, with most

of the earliest known sites in the valley located at or near the ancient lakeshore. The project area is located approximately 7.5 miles northwest of the maximum shoreline of Lake Cahuilla. The likelihood of ethnographic resource discovery would decrease as distance from the presence of the ancient lakeshore increases. However, because of the site's predominant coverage by sand dunes, a previously identified archaeological artifact on the Project Site (P-33-024161), and SRI-1 and SRI-4 identified during the survey, the area is deemed moderately sensitive for buried archaeological resources.

The isolated artifact identified during the records search was relocated during the site survey, but it is generally considered not eligible for listing in either the NRHP, CRHR, or NRHP. Implementation of Mitigation Measures **MM 5.4-2** and **MM 5.4-3** would ensure that an archeological monitoring plan is drafted prior to earth moving activities within the Project Site and would ensure that a qualified archaeologist is present to monitor disturbance activities and that construction activities cease within 300 feet in the event of a find. With mitigation incorporated, archaeological impacts would be less than significant.

Threshold 5.4-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?

No human remains were found in the Project Site during the surveys. Much of the prehistoric occupation of the Coachella Valley appears to be correlated with the presence of Lake Cahuilla, with most of the earliest known sites in the valley located at or near the ancient lakeshore. The project area is located approximately 7.5 miles northwest of the maximum shoreline of Lake Cahuilla. The likelihood of ethnographic resource discovery would decrease as distance from the presence of the ancient lakeshore increases. However, based on the cultural sensitivity of the area there is the potential to find human remains during subsurface grading activities. As previously discussed, Project construction would require ground-disturbing activities, including grading and excavation, which could result in the discovery of previously unrecorded human remains, including Native American burials.

Should archaeological resources be encountered during subsurface excavation activities, implementation of **MM 5.4-2** requires the completion of an archaeological monitoring plan prior to earth moving activities and **MM 5.4-3** would require a qualified archaeologist to implement procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the resources, as appropriate. Furthermore, if human remains are uncovered during subsurface excavation activities, implementation of **MM 5.4-4** would require notification of the County coroner within 24 hours of the discovery to handle and identify the human remains. If the remains are determined to be those of a Native American, the County coroner shall notify the NAHC, who would ensure compliance with Public Resources Code (PRC) Section 5097.98.

5. Cumulative Impacts

Similar to the Project, ground-disturbing activities would have the potential to uncover previously unknown archeological resources, fossils of paleontological importance, and human remains. The Project, in combination with cumulative development, could contribute to the loss of undeveloped land, which could potentially contain archaeological or paleontological resources. Determinations regarding the significance of impacts of the related projects on archaeological or paleontological resources would be made on a case-by-case basis and, if necessary, the applicants of the related projects would be required to implement appropriate mitigation measures. Furthermore, the Project's potential impacts to archaeological and human remains would be less than significant with the implementation of the recommended mitigation measures. Therefore, the Project would not contribute to any potential cumulative impacts on archaeological resources or human remains.

The analysis of cumulative impacts to historic resources is based on whether impacts of the Project and related projects, when taken as a whole, substantially diminish the number of historic resources within the same or similar context or property type. As discussed previously, the Project would not significantly impact any historic resources. Thus, the Project would not contribute to cumulative impacts to historic resources and would result in a less than significant impact.

C. MITIGATION MEASURES

Implementation of **MM 5.11-1**, provided in **Section 5.11** of this Draft EIR, would require the utilization of construction BMPs to reduce construction noise levels below the City's established thresholds. Adherence to **MM 5.15-1**, provided in **Section 5.15**, requires the preparation and approval of a detailed construction traffic management plan(s) to minimize potential traffic flow impacts during construction. The following mitigation measures would further reduce cultural resource impacts during construction of the Project:

MM 5.4-1 Construction of the Project shall consider local operations of the adjacent Annenberg Estate along Bob Hope Drive by requiring construction best management practices (BMPs) to avoid intrusion of the property, including but not limited to the prohibition of construction traffic access along Bob Hope Drive and the installation of the perimeter wall along Bob Hope Drive prior to the commencement of vertical construction activities.

MM 5.4-2 Prior to the start of any ground disturbing activities within the Project Site, a qualified archaeologist shall draft an archaeological monitoring plan and determine the timing of when monitoring is no longer necessary. During earth moving disturbances that involve excavation activities, if there is any evidence of Native American resources (significant or

otherwise), construction activities will be modified in accordance with the archaeological monitoring plan.

MM 5.4-3 If prehistoric or historical-period artifacts or features are found during the course of construction and no archaeological or cultural resource monitor is present, work within 300 feet of the discovery shall cease, and a qualified archaeologist shall be brought in to examine the find to determine if it contains any historical or unique archaeological resources that require further mitigation. Additional fieldwork may be required to evaluate the sites for their eligibility for listing in the California Register of Historic Resources. If the archaeologist determines that the resources are unique, the Project Applicant shall cease any disturbance of the soil within 300 feet of the find to allow sufficient time for mitigation by avoidance measures and/or other mitigation options as specified in PRC Section 211083.2.

MM 5.4-4 If human remains are identified during construction, all construction near the find must cease immediately and the area must be secured. The Riverside County Coroner's office must be contacted immediately, in accordance with the State Health and Safety Code (HSC) Section 7050.5(b). If the determination is made by the coroner that the remains are those of a Native American, HSC, Section 7050.5(c) requires that the coroner contact the NAHC by telephone within 24 hours. The NAHC would select the Most Likely Descendant and coordinate the treatment and final disposition (repatriation) of human remains with that individual, according to the provisions of PRC Section 5097.98, and any other legal requirements.

D. LEVEL OF SIGNIFICANCE OF MITIGATION

With implementation of existing regulations and standards identified above, **MM 5.11-1**, **MM 5.15-1**, and **MM 5.4-1** through **MM 5.4-4**, impacts associated with cultural resources would be less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified. Cumulative impacts would also result in less than significant impacts to cultural resources.