**U.S. Army Corps of Engineers, Los Angeles District**

**Section 408 and 404 Cultural Resource Assessment Report**

**Guidelines and Template**

### Introduction

This document is intended as a guide for preparing a cultural resource assessment for a

U.S. Army Corp of Engineers (USACE) Los Angeles District Section 408 Permission. Please note that this template is intended as a guide for preparing a “stand-alone” cultural resource assessment. The text in **black** is standard language that we recommend including in the final product. The text in **[red]** should be replaced with project specific information. The text in **[purple]** is explanatory text and should be removed from the final product.

If you have any questions concerning your project with regards to NEPA compliance, or the Cultural Resource Assessment Report Guidelines and Template please contact Mr. Priyo Majumdar, Senior Project Manager, [priyodarshi.majumdar@usace.army.mil.](mailto:priyodarshi.majumdar@usace.army.mil)

The following websites and references provide useful information for preparation of the cultural resource assessment report:

* 36 CFR Part 800. 2004. Protection of Historic Properties. <https://www.achp.gov/sites/default/files/regulations/2017-02/regs-rev04.pdf>
* California Office of Historic Preservation. 2020. Guidance for Section 106 Consultation Submittals.

<https://ohp.parks.ca.gov/pages/1071/files/Section106_Checklist.pdf>

## CULTURAL RESOURCES ASSESSMENT REPORT

**for the**

## [Project name]

## [USACE AUTHORIZED PROJECT NAME]

[Don’t have any text such as Name, Title of Requester]

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## APPENDICES

[The appendices should contain information that support the analyses presented in the main body of the cultural resource assessment. Common appendices include personnel information, records of SCCIC Records Search Results, records of Sacred Lands File Search, Department of Parks and Recreation 523 Forms, and Section 106 National Historic Preservation Act consultation.]

## LIST OF FIGURES

[All cultural resource assessment should include maps showing the vicinity and location of the proposed action. Other common figures include site photographs, habitat type maps, relevant plans and drawings, maps of construction or project elements, maps showing the geographic analysis areas for affected resources (e.g., a map showing the watershed that may be affected by the proposed action), APE maps on a 7.5 minute USGS topographic quad and aerial imagery, etc. Figures should be placed in-text as close to their first citation as possible. The list of figures should be formatted using the same style as the table of contents.]

**1.0 EXECUTIVE SUMMARY**

[In this section, provide a summary of the key points of the Cultural Resource Assessment.]

Description of the Undertaking: The Project requires Section 404 and 408 permits from the United States Army Corps of Engineers (USACE) and is subject to Section 106 of the National Historic Preservation Act (NHPA). The USACE is the lead federal agency responsible for implementation of Section 106. [ENTER DESCRIPTION OF UNDERTAKING]

Description Stockpile Area:

Construction Activities:

An Area of Potential Effects (APE): The APE was delineated pursuant to Section 106 of the NHPA. The APE includes the area where historic properties may be directly or indirectly affected by Project- related activities. The APE encompasses the X.X-acre Project area within [NEIGHBORHOOD NAME] where all ground disturbing and staging activities will occur plus a XXX-hundred foot buffer to account for indirect affects. The APE also encompasses the XX-mile-long extent of the [Federal Name] (constructed between 1956 and 1960) which is the subject of the proposed project.

Steps Taken to identify Historic Properties: A records search for the Project was conducted by [STAFF NAMES] at the California Historical Resources Information System (CHRIS) South Central Coastal Information Center (SCCIC) housed at California State University, Fullerton. The records search included a review of all previously recorded cultural resources and previous cultural resources studies within a ½-mile radius of the Project area. The records search results indicate that no cultural resources have been previously recorded within the ½-mile records search radius. The Cucamonga Channel has not been subject to previous survey or evaluation.

The California Native American Heritage Commission (NAHC) maintains a confidential Sacred Lands File (SLF), which contains sites of traditional, cultural, or religious value to the Native American community. The NAHC was contacted on February 15, 2018, to request a search of the SLF. The NAHC responded to the request in a letter dated February 20, 2018. The results of the SLF search conducted by the NAHC indicate that no sacred land files are known to be located within the Project area. [Summarize any Tribal Coordination conducted as part of CEQA or other public outreach]. As part of Section 106, USACE will consult with Native American groups associated with the Project area and its vicinity.

Historic topographic maps and aerial photographs were examined to provide historic land use information about the Project area and vicinity. [Summarize historical map/aerial photographic analysis]

A cultural resources survey was conducted on [DATE]. [Summarize pedestrian survey results.]

Basis for NHPA Determination**:** The [Federal Channel Name] Channel was evaluated for the National Register of Historic Places (National Register) and is recommended [Describe eligibility].

Example:

The Channel may be a contributing element to a historic district associated with the County Flood Control network, although such a historic district has not yet been formally identified or evaluated for the National Register at this time. Because the Cucamonga creek Channel is not individually eligible for the National Register and because the potential County Flood Control network has not been formally documented and evaluated, no historic properties have been identified within the APE. No archaeological resources have been identified as a result of this assessment. Given the level of ground disturbance associated with the channel’s construction and the construction of its infrastructure (i.e. recycled water turnout pipeline), as well as disturbances associated with the construction of proposed project, it is unlikely that intact subsurface archaeological deposits exist within those areas of the APE subject to Project-related ground disturbing activities.

Therefore, it is unlikely that Project implementation would affect intact subsurface archaeological resources. As such, a finding of **No Historic Properties Affected** is recommended**.**

* 1. **INTRODUCTION**

[In this section, introduce the project and personnel involved.]

Example:

The [Cultural Resources Consultant COMPANY NAME] to prepare a cultural resources assessment for the Proposed Project (Project). [Describe the project and ground disturbing activities] The Project requires Section 404, and 408 permits from the United States Army Corps of Engineers (USACE) and is subject to Section 106 of the National Historic Preservation Act (NHPA). The USACE is the lead federal agency responsible for implementation of Section 106.

[Consultant] personnel involved in the preparation of this report are as follows: [Enter Names, titles]. Resumes of key personnel are included in **Appendix A**.

* 1. Project Location

[In this section, provide a detailed project location description, including Project Location Map depicting where the undertaking is located within the state.]

Example:

The Project area is located within the [City or Community Name] in western County (**Figure [include a figure and provide figure number]**). The Project area is located in the western portion of Sunset Park, bounding the eastern margin of the [Federal Name] Creek Channel south of Valley Street, between South Mills Avenue and Ramona Avenue (**Figure [include a figure and provide figure number]**). Specifically, the Project is located in Section 22 of Township 1 South, Range 8 West on the Ontario, CA USGS 7.5-minute topographic quadrangle (**Figure [include a figure and provide figure number]**).

* 1. Project Description

[In this section, provide a detailed, narrative Project Description, including project schedule if known.

Describe in narrative form all the work that will be undertaken (plans, specifications, environmental documents, etc., are helpful but should be used to supplement, not replace, this description). Be sure to identify the undertaking’s purpose (in brief), acreage, and location. Include any information about building removals, rehabilitation, and landscape alterations such as sidewalk or tree removals. The project description should include enough detail to fully communicate the action, especially with regard to its potential effects on historic properties. Include any known information about the anticipated project schedule. It is acceptable to reference specific pages in attached technical reports that provide additional project details, however the narrative that is submitted must contain sufficient enough information to understand the project and its potential to affect historic properties. If the 408/408 permit areas are smaller than the entire project, split description into two sections: General Project Description and Permit Area Activities.]

Example:

VUA operates and maintains the 24-inch recycled water pipeline that discharges into the [Federal Name] Creek Channel, conveying recycled water to Brooks Basin located one- half mile to the south of the Project. The existing Valley recycled water (RW) turnout is located approximately 10 feet above the existing [Federal Name] Creek Channel bottom.

Pipeline repair is needed, because the grout in the channel has deteriorated and the turnout pipe has the potential to start penetrating soil behind the concrete channel wall, compromising the structural integrity of the pipe and wall. The Project includes the following activities:

* Demolition of the existing 24-inch recycled water pipe and concrete encasement by excavating approximately 100 square feet of soil behind the eastern wall of the [Federal Name] Channel;
* Replacement and lowering of the 24-inch recycled pipe and concrete encasement via trenching;
* Repair of the eastern channel wall;
* Backfilling and compaction of the slope and restoration to original grade, and
* Temporary stockpile and sand bags for water diversion within the channel.

PIPE DEMOLITION AND CHANNEL WALL REPAIR

In order to access the existing 24-inch pipeline, which is located approximately 10 feet above the channel bottom, an approximate 100-square-foot area behind the eastern channel wall will be excavated at a maximum depth of 15 feet below ground surface. Once the concrete encased pipeline is removed, the 24-inch opening will be filled with new concrete to match the existing wall surface. The 100-square foot excavation area will be backfilled with native soils. The removed 24-inch pipeline will be disposed of offsite by the Contractor in accordance with local, state, and federal regulations.

PIPE REPLACEMENT

The new 24-inch, 49-foot-long recycled water pipeline will be placed approximately 2.5 feet above the channel bottom within an estimated 2-foot-wide trench. A portion of the new pipe will need to penetrate the channel wall. The pipe will be cut such that it is flush with the face of the wall. The existing horizontal and vertical wall reinforcement at the wall penetration will be bent and cast into the new concrete encasement for the pipe.

The pipe will be reinforced with galvanized steel bars, non-shrink grout, and a concrete encasement with steel reinforcement. The trench will be backfilled and compacted, and slopes restored to original grade.

ACCESS, STAGING, AND EQUIPMENT

An existing paved access road will be used by construction crews to access the site from Valley Street. Parking, storage and staging will be located in the existing paved parking lot for Sunset Park, south of the work area.

* 1. **AREA OF POTENTIAL EFFECTS**

[In this section, provide a narrative APE Description [36 CFR Part 800.4(a)(1)], an APE Map on a 7.5-minute USGS topographic quad, aerial imagery, or another map showing the APE in appropriate detail and scale. More than one map may be necessary.

Ensure the map(s) clearly outlines the APE and depicts and labels all project elements discussed in the project description. Whatever type of map(s) is submitted, it needs to adequately portray the APE so that the extent of the APE as well as the location of all items discussed in the project description can be clearly understood. Consistency in mapping formats used is highly advisable.

* + 1. If no properties or resources are present, the project’s APE map should simply be of sufficient scale to document the APE.
    2. Or, if properties or resources are present (regardless of their potential significance for the National Register), the project’s APE should be projected on aerial photos and be of sufficient scale (1 inch=200 feet is preferred) and have enough project detail to demonstrate the relationship of historic properties to the APE. This is especially important in order to document a finding of No Historic Properties Affected or a finding of No Adverse Effect. The map(s) should clearly show the APE, the location of all properties discussed, the boundaries of any eligible or listed historic properties, and the boundaries of any protection zones such as Environmentally Sensitive Areas (ESAs), if applicable. If **any part** of a historic property may be affected, the APE should encompass the entire historic property, including the reasonably anticipated or known boundaries of archaeological sites. When dealing with large landscapes, extensive functional systems, large historic districts, or long linear features, please contact the SHPO reviewer for further guidance on level of effort for identification and assessment of effect.

All maps and aerial photographs should include a scale, a North arrow, and clear labels and legend. One APE map on USGS and one map on aerial imagery is required.

If the USGS map that does not clearly show the name of the USGS quadrangle as well as the Township Number, Range, and Section number(s), include this information in the legend. Information can be found on the USGS quadrangle website.

Ensure that lines used are of sufficient weight and color to clearly delineate boundaries of sites from the background map and the APE bound.

If the undertaking involves ground-disturbing work:

1. Provide a map of an appropriate scale to depict the potential historic properties in relationship to all ground-disturbing activity.
2. Like with the APE map, this map needs to be of sufficient scale to allow the extent (horizontal and vertical) and location(s) of proposed ground-disturbing activities to be clearly understood.
3. Describe, in narrative form, the proposed length, width, and maximum depth of ground- disturbing activity.

For example, “The proposed trench line will be 20 feet long, 3 feet wide, 5 feet deep.”

1. Describe the current and previous use(s) of the land and any known previous ground disturbances, including depth of disturbance.

If previous ground disturbance is used to determine an absence of archaeological resources in areas subject to project effects (vertical APE), provide supporting evidence for the determination, such as indicating the area has imported landfill, there was prior grading to below depth of project effects or into strata predating prehistoric occupation, etc.

Recommended language is included below.] Example:

According to Section 106 of the NHPA, the Area of Potential Effects (APE) is:

*the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (36 Code of Federal Regulations [CFR] 800.16[d]).*

An APE was delineated pursuant to Section 106 of the NHPA. The APE includes the area where historic properties may be directly or indirectly affected by Project-related activities. The APE encompasses the 0.23-acre permit area within [408 channel name] right-of-way where all ground disturbing and staging activities will occur (**Figure [include a figure and provide figure number]**) and a XXX-foot buffer [Note: the buffer is determined from extent of direct and indirect impacts such as noise, visual, or lighting impacts which have further impacts than direct footprint impact (greater impact/far reaching = larger buffer).]. The Project proposes the replacement of a recycled water pipeline within the [Federal Name] Channel. The [Federal Name] Channel was constructed between 1956 and 1960, therefore meeting the 50-year-old threshold for consideration as a historic property pursuant to Section 106 of the NHPA. Because the Project proposes to replace the recycled water pipeline associated with the [Federal Name] Channel, the entirety of the 10.5-mile-long [Federal Name] Channel is included in the APE (see Figure [include a figure and provide figure number]).

* 1. **ENVIROMENTAL SETTING AND BACKGROUND**

[An evaluation of the channel or river is required under the built environment (structural) or natural environment (soft bottom). An Architectural Historian may be required to evaluate the channel. A pedestrian survey is also required]

* 1. Natural Setting

[In this section, provide a detailed Natural Setting description.]

Example:

Prior to urbanization associated with the development of Los Angeles, the APE’s setting encompassed the prairies of the Valley at the base of the xxxx Mountains. The prairies supported a mosaic of xeric habitats including sage scrub, grassland, and chaparral, with occasional riparian or woodland habitat associated with riverine or other aquatic features. The present-day Project area is located within a suburban area of Montclair and partially encompasses a public park as well as a segment of the concrete-lined [Federal Name] Creek Channel.

* 1. Prehistoric Setting

[In this section, provide a detailed, narrative Prehistoric Setting description.] Example:

The chronology of southern California is typically divided into three general time periods: The Early Holocene (9,600 cal B.C. to 5,600 cal B.C.), the Middle Holocene (5,600 cal B.C. to 1,650 cal B.C.), and the Late Holocene (1,650 cal B.C. to cal A.D. 1769). This chronology is manifested in the archaeological record by particular artifacts and burial practices that indicate specific technologies, economic systems, trade networks, and other aspects of culture.

While it is not certain when humans first came to California, their presence in southern California by about 9,600 cal B.C. has been well documented. At Daisy Cave, on San Miguel Island, cultural remains have been radiocarbon dated to between 9,150 and 9,000 cal B.C. (Byrd and Raab 2007). During the Early Holocene (9,600 cal B.C. to 5,600 cal B.C.), the climate of Southern California became warmer and more arid and the human populations, who were represented by small hunter gathers until this point and resided mainly in coastal or inland desert areas, began exploiting a wider range of plant and animal resources (Byrd and Raab 2007).

During the Middle Holocene (5,600 cal B.C. to 1,650 cal B.C.), there is evidence for the processing of acorns for food and a shift toward a more generalized economy. The first confirmed evidence of human occupation in the Los Angeles area is associated with the Millingstone cultures, which appeared in California around 6,000-5,000 cal B.C. (Byrd and Raab 2007; Wallace 1955; Warren 1968). Millingstone cultures were characterized by the collection and processing of plant foods, particularly acorns, and the hunting of a wider variety of game animals (Byrd and Raab 2007; Wallace 1955). Millingstone cultures also established more permanent settlements that were located primarily on the coast and in the vicinity of estuaries, lagoons, lakes, streams, and marshes where a variety of resources, including seeds, fish, shellfish, small mammals, and birds, were exploited. Early Millingstone occupations are typically identified by the presence of handstones (manos) and millingstones (metates), while those Millingstone occupations dating later than approximately 3,000 B.C. contain a mortar and pestle complex as well, signifying the exploitation of acorns in the region.

During the Late Holocene (1,650 cal B.C. to cal A.D. 1769), many aspects of Millingstone culture persisted, but a number of socioeconomic changes occurred (Erlandson 1994; Wallace 1955; Warren 1968). The native populations of southern California were becoming less mobile and populations began to gather in small sedentary villages with satellite resource-gathering camps. Increasing population size necessitated the intensified use of existing terrestrial and marine resources (Erlandson 1994). Evidence indicates that the overexploitation of larger, high- ranked food resources may have led to a shift in subsistence, towards a focus on acquiring greater amounts of smaller resources, such as shellfish and small-seeded plants (Byrd and Raab 2007).

Between about A.D. 800 and A.D. 1350, there was an episode of sustained drought, known as the Medieval Climatic Anomaly (MCA) (Jones et al. 1999). While this climatic event did not appear to reduce the human population, it did lead to a change in subsistence strategies in order to deal with the substantial stress on resources. The Late Holocene marks a period in which specialization in labor emerged, trading networks became an increasingly important means by which both utilitarian and non- utilitarian materials were acquired, and travel routes were extended. Trade during this period reached its zenith as asphaltum (tar), seashells, and steatite were traded from Catalina Island (*Pimu* or *Pimugna)* and coastal southern California to the Great Basin. The bow and arrow was introduced sometime after cal A.D. 500, largely replacing the dart and atlatl (Byrd and Raab 2007).

* 1. Ethnographic Setting

[In this section, provide a detailed, narrative Ethnographic Setting description.]

Example:

The APE is located in a region traditionally occupied by the Takic-speaking Gabrielino Indians. The term “Gabrielino” is a general term that refers to those Native Americans who were administered by the Spanish at the Mission San Gabriel Arcángel. Prior to European colonization, the Gabrielino occupied a diverse area that included: the watersheds of the Los Angeles, San Gabriel, and Santa Ana rivers; the Los Angeles basin; and the islands of San Clemente, San Nicolas, and Santa Catalina (Kroeber 1925). Their neighbors included the Chumash to the north, the Juañeno to the south, and the Serrano and Cahuilla to the east. The Gabrielino are reported to have been second only to the Chumash in terms of population size and regional influence (Bean and Smith 1978). The Gabrielino language is part of the Takic branch of the Uto- Aztecan language family.

The Gabrielino Indians were hunter-gatherers and lived in permanent communities located near the presence of a stable water and food supply. Community populations generally ranged from 50 to 100 inhabitants, although larger settlements may have existed. The Gabrielino are estimated to have had a population numbering around 5,000 in the pre-contact period (Kroeber 1925). Villages are reported to have been the most abundant in the San Fernando Valley, the Glendale Narrows area north of downtown Los Angeles, and around the Los Angeles River’s coastal outlets (Gumprecht 2001). The nearest villages to the Project area were *Tooypinga* located at the base of the San Jose Hills approximately 4.5 miles west of the Project area, and *Pashiinonga* located near present day Chino approximately 5 miles south of the Project area (McCawley 1996).

Subsistence consisted of hunting, fishing, and gathering. Small terrestrial game was hunted with deadfalls, rabbit drives, and by burning undergrowth, while larger game such as deer were hunted using bows and arrows. Fish were taken by hook and line, nets, traps, spears, and poison (Bean and Smith 1978). The primary plant resources were the acorn, gathered in the fall and processed in mortars and pestles, and various seeds that were harvested in late spring and summer and ground with manos and metates. The seeds included chia and other sages, various grasses, and islay or holly- leafed cherry.

Gabrielino society was characterized by patrilineal, non-localized clans, each clan consisting of several lineages. The Tribe inhabited large circular, domed houses constructed of willow poles thatched with tule (Bean and Smith 1978). These houses could sometimes hold up to 50 people. Other village structures of varying sizes served as sweathouses, ceremonial enclosures, and granaries.

At the time of Spanish contact, many Gabrielino practiced a religion that was centered around the mythological figure *Chinigchinich* (Bean and Smith 1978). This religion may have been relatively new when the Spanish arrived, and was spreading at that time to other neighboring Takic groups. The Gabrielino practiced both cremation and inhumation of their dead. A wide variety of grave offerings, such as stone tools, baskets, shell beads, projectile points, bone and shell ornaments, and otter skins, were interred with the deceased.

Coming ashore on Santa Catalina Island in October of 1542, settler name was the first European to make contact with the Tribe; the 1769 expedition of Portolá also passed through Gabrielino territory (Bean and Smith 1978). Native Americans suffered severe depopulation and their traditional culture was radically altered after Spanish contact. Nonetheless, Gabrielino descendants still reside in the greater Los Angeles and Orange County areas and maintain an active interest in their heritage.

* 1. Historic Setting

[In this section, provide a detailed, narrative Historic Setting description.] Example:

SPANISH PERIOD (A.D. 1769 – 1821)

Although Spanish explorers made brief visits to the region in 1542 and 1602, sustained European exploration of southern California began in 1769, when Gaspar de Portolá and a small Spanish contingent began their exploratory journey along the California coast from San Diego to Monterey. This was followed in 1776 by the expedition of Father Francisco Garcés (Johnson and Earle 1990). In the late 18th century, the Spanish began establishing missions in California and forcibly relocating and converting native peoples. In 1771, Father Junipero Serra founded the Mission San Gabriel Arcángel, located approximately 28 miles west of the APE (California Missions Resource Center 2003). Disease and hard labor took a toll on the native population in California; by 1900, the Native Californian population had declined by as much as 90 percent (Cook 1978). In addition, native economies were disrupted, trade routes were interrupted, and native ways of life were significantly altered.

In an effort to promote Spanish settlement of Alta California, Spain granted several large land concessions from 1784 to 1821. At this time, unless certain requirements were met, Spain retained title to the land (State Lands Commission 1982).

MEXICAN PERIOD (A.D. 1821-1846)

The Mexican Period began when Mexico won its independence from Spain in 1821. Mexico continued to promote settlement of California with the issuance of land grants. In 1833, Mexico began the process of secularizing the missions, reclaiming the majority of mission lands and redistributing them as land grants. According to the terms of the Secularization Law of 1833 and Regulations of 1834, at least a portion of the lands would be returned to the Native populations, but this did not always occur (Milliken et al. 2009).

Many ranchos continued to be used for cattle grazing by settlers during the Mexican Period. Hides and tallow from cattle became a major export for Californios, many of whom became wealthy and prominent members of society. The Californios led generally easy lives, leaving the hard work to vaqueros and Indian laborers (Pitt 1994; Starr 2007).

AMERICAN PERIOD (A.D. 1846-present)

In 1846, the Mexican American War broke out. Mexican forces were eventually defeated in 1847 and Mexico ceded California to the United States as part of the Treaty of Guadalupe Hidalgo in 1848. California officially became one of the United States in 1850. While the treaty recognized right of Mexican citizens to retain ownership of land granted to them by Spanish or Mexican authorities, the claimant was required to prove their right to the land before a patent was given.

The process was lengthy, and generally resulted in the claimant losing at least a portion of their land to attorney’s fees and other costs associated with proving ownership (Starr 2007).

When the discovery of gold in northern California was announced in 1848, a huge influx of people from other parts of North America flooded into California. The increased population provided an additional outlet for the Californios’ cattle. As demand increased, the price of beef skyrocketed and Californios reaped the benefits. However, a devastating flood in 1861, followed by droughts in 1862 and 1864, led to a rapid decline of the cattle industry; over 70 percent of cattle perished during these droughts (McWilliams 1946; Dinkelspiel 2008). This event, coupled with the burden of proving ownership of their lands, caused many Californios to lose their lands during this period (McWilliams 1946). Former ranchos were subsequently subdivided and sold for agriculture and residential settlement.

The first transcontinental railroad was completed in 1869, connecting San Francisco with the eastern United States. Newcomers poured into northern California. Southern California experienced a trickle-down effect, as many of these newcomers made their way south. The Southern Pacific Railroad extended this line from San Francisco to Los Angeles in 1876. The second transcontinental line, the Santa Fe, was completed in 1886 and caused a fare war, driving fares to an unprecedented low. Settlers flooded into the region and the demand for real estate skyrocketed. As real estate prices soared, land that had been farmed for decades outlived its agricultural value and was sold to become residential communities. The subdivision of the large ranchos took place during this time (Meyer 1981; McWilliams 1946).

CITY OF MONTCLAIR

Montclair is a small city located northeast of Pomona (incorporated in 1888) and west of Ontario (1891). During the latter part of the 19th century the area featured very little development and much of the land was used for livestock grazing. The first development in the area was undertaken by Edward Fraser in 1887, who built a residence, store buildings, hotel, and livery stable (Reeder Heritage Foundation 2010). Fraser named his town Marquette and attempted to lure investors to the town with train excursions and advertisements, which stated “there was ’an abundant supply of pure water,’”. However, it was not until approximately twenty years later when Emil Firth, a land speculator, purchased a thousand acres for $250,000 did the town become successful (Reeder Heritage Foundation 2010).

Firth began to subdivide the land into large five to ten acre lots. Like many other towns in the foothills of the San Gabriel Mountains, the land was utilized to cultivate citrus (Reeder Heritage Foundation 2010). A 1908 *Los Angeles Times* advertisement stated that one of Firth’s towns, Monte Vista had “two railroad lines, an electric line surveyed, three packing houses in operation,” and that everything had already been done for you including “piped water, road construction, building the neighborhood” (Los Angeles Times 1908). Firth is also accredited with constructing some of the earliest reservoirs for irrigation in the area (Reeder Heritage Foundation 2010).

After World War II, Monte Vista had remained dedicated to citrus production, but with the influx of veterans the town began to grow. In the late 1950s, Interstate 10 was completed and thus connecting Monte Vista with the City of Los Angeles. In 1956, the City of Monte Vista was incorporated, however in 1958, Monte Vista was forced to change its name to Montclair due to confusion with Monte Vista in northern California (Reeder Heritage Foundation 2010). The City of Montclair struggled to develop a strong tax base after incorporation, and in 1964 land developers approached the City of Montclair about developing a shopping center, (Montclair Plaza). After the completion of the new shopping center, tax revenues proved successful to the City of Montclair guaranteeing it success.

XXX COUNTY AND FLOOD CONTROL

The APE encompasses the [Federal Name] Creek Channel, which is located within the larger Santa Ana Basin. The [Federal Name] Creek Channel extends approximately 10.5 miles from Mt. Baldy in the San Gabriel Mountains south through the town of Montclair, and empties into Chino Channel. The first written mention of [Federal Name] Creek was in 1774 when Captain Juan Bautista D’Anza, on his trek to Mission San Gabriel, named the creek, “Arroyo de los Alisos,” or the Stream of Sycamores (City of Montclair 2018). Settlers in the flood plain of the [Federal Name] Wash were exposed to periodic flooding from the [Federal Name] Canyon (recorded floods in 1884, 1894, 1914, 1916, 1921, and 1934). In the late 19th Century, settlers began building small dikes and dams to lessen the destruction of the potential flood waters. These measures spread the water in the gravels below to restore the unground basins. In 1892, the settlers harnessed the stream to generate electric power and irrigate local citrus groves and farms [Federal Name] Dam Dedication Committee 1956). In 1906, a systematic water conservation network was established “with the formation the Pomona Valley Protective Association, a voluntary organization of water companies” ([Federal Name] Dam Dedication Committee 1956). These organizations improved the [Federal Name] Creek below [Federal Name] Canyon and built new holding basins and check dams after 1934 ([Federal Name] Dam Dedication Committee 1956).

The new enlarged network persisted until the Los Angeles Flood and Santa Ana River Flood of 1938. The Los Angeles Flood and the Santa Ana River Flood devastated the region, leaving more than 115 dead in the region and $12 million in damage (Cram 2012). Boulders and other debris littered the town of Montclair and causing widespread destruction and $2 million worth of damage ([Federal Name] Dam Dedication Committee 1956). In 1936, the Federal Government passed the Flood Control Act of 1936 (amended May 15, 1937), which provided federal funding for flood control projects. At this time Los Angeles County was one of the first and largest infrastructure development programs to receive funding. After the devastating1938 flood, Supervisors of county, State and Federal authorities enacted a comprehensive flood control program, known as the Flood Control District.

COUNTY FLOOD CONTROL DISTRICT 1939-1969

In 1939, the newspaper reported on the proposed creation of the " County Flood Control District" (District) after the County’s farm bureau and agricultural interests requested the District after the devastating floods of 1938.

Committee members urged the County Board of Supervisors to form the District which would serve an area encompassed by the Santa Ana River and its tributaries. A county- wide tax of ten cents was levied to finance emergency and conservation work within the District (newspaper 1939). On March 6, 1939 the County approved the District and requested that a bill be prepared for the creation of the District and presented it to Senator Ralph E. Swing for presentation to the State Legislator (newspaper 1939). A few weeks after submittal, the District was approved allowing the County to take advantage of Federal Government funds (Los Angeles Times 1939).

By July 1939, the USACE proposed that a concrete dam and channels be constructed below the Cucamonga Creek Canyon; however, the District proposed an alternative plan that a gravel lined channel, instead of a concrete channel be constructed (Los Angeles Times 1939). Shortly after its creation, the District along with the Works Progress Administration (WPA) began improvements across the County including the Mill Creek flood wall (newspaper 1939.) The WPA and the District continued working on projects together, and by 1940, $651,903 was expended on construction and maintenance, with $543,712 coming from the WPA. Projects includedthe construction of storm control works in Waterman Canyon, Twin Creek, Rialto-Base Line storm drain, and the Urbita storm drain (newspaper 1940). New projects undertaken by the WPA and the District in 1941 included: blanket flood control projects, construction of check dams, sinking basins, bank protection, channel clearing (newspaper 1941). After the entrance of the United States in World War II, project development was curtailed due to the stress on the United States Government’s budget and manpower (newspaper 1945). During this time, towns within the floodplain were once again hit by floods in 1941 and 1943.

In 1948, the District began planning a location for the [Federal Name] Dam and the construction of two channels to control flood waters in the Upland areas with water control remaining within the District. The project was held up for several years by the Orange County flood group, which disapproved of the plans due to their interest in water rights (newspaper 1948; Los Angeles Times 1951). Following the dispute, the [Federal Name] Dam project began with more than $3.5 million in appropriations by President Eisenhower’s administration (newspaper 1953). In 1952, work began with the construction of the [Federal Name] Dam under the Flood Control Act of June 22, 1936 (PL 74-738) and the Flood Control Act of June 28, 1938 (PL 75-761). With the construction of the dam ending in May of 1956, work commenced on the construction of the [Federal Name] and Chino Creek channels, which cost more than $40 million to complete (newspaper 1956). This work was completed in 1960 (U.S. Army Corps of Engineers 2018).

The [Federal Name] Channel project was just one of many projects planned by the District. According to the District’s Flood Control Engineer, Martin A. Nicholas, there were more than “126 miles of flood channels following natural water courses” in the County, and 15 miles more of federally built channels would be constructed” (newspaper 1956). In 1956, 51 miles of channels were being planned by District engineers, with an additional 25 miles of federal channels that had been authorized by the USACE. Also during this time, thirteen more dams and basins were being planned (newspaper 1956).

In 1966, one of the largest flood control projects in the west was developed by the USACE in coordination with the District. This project was the [Federal Name] Creek Channel that would extend 14 miles from the town to the Reservoir (Los Angeles Times 1966). In 1969, two major floods hit Name County, and the current flood infrastructure failed as repairs and maintenance were not performed prior to the event. The January 1969 flood caused $23 million in damages, and the February flood caused $31 million in damages (newspaper 2018). After the 1969 Floods, repairs were made to the infrastructure which held through the 1970s, with little damage resulting from a 1978 storm, which only caused $11.4 million in damage (newspaper 2018). Today, the District continues to function to provide flood protection on major streams, water conservation, and storm drain construction.

* 1. **REGULATORY FRAMEWORK**
  2. Federal

NATIONAL HISTORIC PRESERVATION ACT

[Section 106 of the NHPA requires federal agencies to take into account the effects of their actions on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such actions (54 U.S.C. 306108). Recommended language is included below.]

The principal federal law addressing historic properties is the NHPA, as amended (54 United States Code of Laws [USC] 300101 et seq.), and its implementing regulations (36 CFR Part 800). Section 106 requires a federal agency with jurisdiction over a proposed federal action (referred to as an “undertaking” under the NHPA) to take into account the effects of the undertaking on historic properties, and to provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on the undertaking. The term “historic properties” refers to “any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register” (36 CFR Part 800.16(*l*)(1)). The implementing regulations (36 CFR Part 800) describe the process for identifying and evaluating historic properties, for assessing the potential adverse effects of federal undertakings on historic properties, and seeking to develop measures to avoid, minimize, or mitigate adverse effects. The Section 106 process does not require the preservation of historic properties; instead, it is a procedural requirement mandating that federal agencies take into account effects to historic properties from an undertaking prior to approval.

The steps of the Section 106 process are accomplished through consultation with the State Historic Preservation Officer (SHPO), federally recognized Indian tribes, local governments, and other interested parties. The goal of consultation is to identify potentially affected historic properties, assess effects to such properties, and seek ways to avoid, minimize, or mitigate any adverse effects on such properties. The agency also must provide an opportunity for public involvement (36 CFR 800.1(a)). Consultation with Indian tribes regarding issues related to Section 106 and other authorities (such as NEPA and Executive Order No. 13007) must recognize the government-to-government relationship between the Federal government and Indian tribes, as set forth in Executive Order 13175, 65 FR 87249 (Nov. 9, 2000), and Presidential Memorandum of Nov. 5,

2009.

NATIONAL REGISTER OF HISTORIC PLACES

The National Register of Historic Places (National Register) was established by the NHPA of 1966, as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment” (36 CFR 60.2) (U.S. Department of the Interior, 2002). The National Register recognizes a broad range of cultural resources that are significant at the national, state, and local levels and can include districts, buildings, structures, objects, prehistoric archaeological sites, historic-period archaeological sites, traditional cultural properties, and cultural landscapes. As noted above, a resource that is listed in or eligible for listing in the National Register is considered “historic property” under Section 106 of the NHPA.

To be eligible for listing in the National Register, a property must be significant in American history, architecture, archaeology, engineering, or culture. Properties of potential significance must meet one or more of the following four established criteria:

* + 1. Are associated with events that have made a significant contribution to the broad patterns of our history;
    2. Are associated with the lives of persons significant in our past;
    3. 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
    4. Have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the criteria of significance, a property must have integrity. Integrity is defined as “the ability of a property to convey its significance” (U.S. Department of the Interior, 2002). The National Register recognizes seven qualities that, in various combinations, define integrity. The seven factors that define integrity are location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

Ordinarily religious properties, moved properties, birthplaces or graves, cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register unless they meet one of the Criteria Considerations (A-G), in addition to meeting at least one of the four significance criteria and possessing integrity (U.S. Department of the Interior, 2002).

* 1. **ARCHIVAL RESEARCH**
  2. SCCIC Records Search

[Describe the archival research conducted in order to identify historic properties. [36 CFR 800.4(a)(2)] Attach evidence of having completed a records search at the appropriate Regional Information Center(s) and provide a summary and analysis of the results of that search that informed the methods used during the identification process. Please note it is not necessary to attach copies of all results of the records search except when relying upon those reports to support specific conclusions.]

Example:

A records search for the Project was conducted by our cultural resource specialist, Amber Marie Madrid, B.A., on January 31, 2018 at the California Historical Resources Information System (CHRIS) South Central Coastal Information Center (SCCIC) housed at California State University, Fullerton. The records search included a review of all recorded cultural resources and previous studies within a ½-mile radius of the Project area. The SCCIC records search results are included as **Appendix B**.

The records search results indicate that one cultural resources study (XX-00500) has been conducted within a ½-mile radius of the Project area. Approximately 5 percent of the ½-mile records search radius has been included in previous cultural resources surveys. The Project area has not been included in previous cultural resource studies.

The records search results indicate that no cultural resources have been previously recorded within the ½-mile records search radius.

* 1. Sacred Lands File and Tribal Coordination

[Describe Native American consultation conducted and efforts to identify Native American resources. [36 CFR Part 800.4(a)(4)]]

Example:

The California Native American Heritage Commission (NAHC) maintains a confidential Sacred Lands File (SLF), which contains sites of traditional, cultural, or religious value to the Native American community. The NAHC was contacted on February 15, 2018, to request a search of the SLF. The NAHC responded to the request in a letter dated February 20, 2018. The results of the SLF search conducted by the NAHC indicate that no Native American cultural resources are known to be located within the Project area (**Appendix C**). [Describe any comments/consultation efforts with tribes conducted under CEQA.] As part of Section 106, USACE will consult with Native American groups associated with the Project area and its vicinity.

* 1. Historic Maps and Aerial Photographs

[In this section, describe the historic maps and aerial photographs used.] Example:

Historic topographic maps and aerial photographs were examined to provide historical information about the Project area and to contribute to an assessment of the Project area and vicinity. Available maps include the 1903 Ontario 15-minute topographic quadrangle, and the 1933, 1942, and 1954 Ontario 7.5-minute topographic quadrangles (historicaerials.com 2018). Historic aerial photographs of the Project area were available for the years 1938, 1952, 1960, and 1968 (University of California 2018).

The 1903 topographic map depicts the Project area located on the east side of [Federal Name] Creek, and a number of north-south oriented roads with a small number of structures shown in the vicinity of the Project area. The 1933 and 1942 maps show very little change within the vicinity of the Project area. The 1954 topographic map depicts Valleys in the vicinity of the Project area on both the eastern and western sides of [Federal Name] Creek.

The 1928 aerial imagery shows the natural flow of [Federal Name] Creek in the vicinity of the Project area and the region around the Project area is developed with farms and Valleys. Wind breaks and Valleys are depicted west of the Project area and open fields are east of the Project area. The 1938 aerial imagery shows the aftermath of the 1938 flood with the eastern bank of the creek in the vicinity of the Project area widened by flood waters which destroyed the open field east of the Project area. The 1952 imagery shows that the [Federal Name] Creek bed had widened north and south of the Project area. The 1952 aerial also shows the development of Montclair as residential developments appears to the west of North Mills Avenue. The 1960 image depicts the Project area with the newly constructed [Federal Name] Creek Channel and bridge over Valley Street.

Directly to the east and west, the trees depicted in previous years have been removed and the Lehigh School has been constructed. The 1960 aerial also shows the mass commercial and residential development in Montclair. The 1968 imagery shows further development in Montclair and the enlargement of School.

In sum, the map and aerial photograph review indicates the Project area remained largely unchanged through the first quarter of the 20th century. However, during the latter half of the century the Project area underwent dramatic changes associated with agricultural development from the 1930s through the 1950s, and with residential development from the 1950s onward.

* 1. **CULTURAL RESOURCES SURVEY**
  2. Survey Methods

[Describe the pedestrian survey work and any other testing completed to identify historic properties. [36 CFR Part 800.4(b)(1)] Discuss, for example, any field surveys, excavation, building surveys, etc. Monitoring is not a substitute for making a reasonable level of effort in identification.]

Example:

A cultural resources survey was conducted on February 14, 2018 by cultural resources specialists, Amber Marie Madrid, B.A. and Max Loder, M.A. Due to the developed and paved nature of the Project area, it was subject to a reconnaissance archaeological resources survey, wherein areas with visible ground surface were intensively inspected for the presence of archaeological resources. To characterize the [Federal Name] Channel, two 1,000-foot-long segments, one on either side of the Project area where the proposed recycled water turnout would be replaced, were surveyed and documented (**Figure [include a figure and provide figure number]**). The approximately 2,000-foot-long segment of the [Federal Name] Channel examined as part of the survey was photographed and documented on California Department of Parks and Recreation (DPR) 523 forms (**Appendix D**).

* 1. Survey Results

[In this section, provide a detailed, narrative Survey Results description.] Example:

The Project area is comprised of paved and landscaped surfaces with no visibly undisturbed areas where surficial archaeological resources would be preserved (**Figure [include a figure and provide figure number]**). Landscaping associated with Sunset Park containing visible ground surface is located along the eastern perimeter of the Project area and was subject to intensive investigation to identify the presence of archaeological resources. No archaeological resources were observed as a result of the survey.

The 2,000-foot-long segment of the [Federal Name] Channel (Channel) examined as part of the survey is bordered by residential development to the west, Valley Street Bridge and the Channel to the north, Sunset Park to the east, and the Channel to the south.

The 2,000-foot-long segment of the [Federal Name] Channel is characterized by a square- bottomed concrete encasement, the recycled water turnout, openings in the east and west encasements, chain-link fencing and gates, dirt walkways east and west of the channel, and the Valley Street overpass. The existing 24-inch recycled water turnout is located on the east side of the concrete encasement within the Project area on the western margin of Sunset Park (Figure [include a figure and provide figure number]).

The northern 1,000-foot segment of the channel includes several openings in the encasement where smaller channels appear to intersect the [Federal Name] Channel (**Figure [include a figure and provide figure number]**). Rusted chain-link fencing runs along both the east and west sides of the top of the channel (Figure [include a figure and provide figure number]). The fencing delineates the boundaries between the channel and dirt landscape walkways separating the channel from the adjacent residential areas on either side (**Figure [include a figure and provide figure number]**). The northern 1,000-foot segment also features the Valley Street overpass.

The north and south sides of the overpass include guardrails and metal fencing (Figure [include a figure and provide figure number]).

**8.0 SIGNIFICANCE EVALUATION**

[In this section provide a detailed, narrative Significance Evaluation description.] Example:

The APE encompasses both the Project area as well as the entirety of the 10.5-mile- long [Federal Name] Creek Channel, which is part of the larger County Flood Control District’s network. The District’s network includes multiple dams, channels, levees, and basins. The 2,000- foot segment of the [Federal Name] Creek Channel subject to survey is characterized by a square-shaped concrete encasement, the recycled water turnout, openings in the east and west encasements, a chain-link fencing and gates, the dirt walkways east and west of the channel, and the Valley Street overpass. This evaluation considers the eligibility of the [Federal Name] Creek Channel for individual listing in the National Register in the context of its association with the Flood Control District (1939-1968). Because the [Federal Name] Channel was constructed during the larger effort to address the flooding issues in San Bernardino County and the southern California region’s major rivers and tributaries, its eligibility to a larger flood control-related district was cursorily considered but not formerly addressed.

CRITERION A: EVENTS

The [Federal Name] Creek Channel was built between 1956 and 1960 as part of the flood control infrastructure in San Bernardino County, which was put forth by the County Flood Control District with support from the USACE. Flood control measures were first undertaken by early settlers of Montclair beginning in the late 19th Century and early part of 20th Century who built dikes and dams along the [Name] Creek, and later by the Pomona Valley Protective Association and other voluntary organization of water companies who built a new holding basin and check dams after 1934. In 1938, a flood devastated the region, leaving more than 115 dead, which later pushed the state and federal leaders to pass the Flood Control Act of 1938. This act led to the formation of the County Flood Control District in 1939, and with the assistance of the WPA, larger flood control projects were undertaken. However, it wasn’t until thirteen years later that construction on the [Federal Name] Dam began and was completed in 1956. Following the completion of the dam, the [Federal Name] Channel construction began in 1956 and was completed in 1960. Following the completion of the [Federal Name] Creek Channel the USACE in coordination with the District completed a myriad of projects in San Bernardino County including the construction of [Federal Name] Creek and other infrastructure along the tributaries of the Santa Ana and Mojave Rivers.

While the [Federal Name] Creek Channel is associated with these larger events of the San Bernardino County flood control infrastructure, it is one of multiple channels and features associated with the District, which includes multiple dams, more than 56 channels, levees, and basins that have been constructed since 1938, with a large influx of projects in the Post-World War II period through the 1960s. The [Federal Name] Creek Channel does not appear to have played a significant individual role in local, state, or national history because it is representative of flood control measures constructed throughout California during the 20th century, as it was not the first, but one of many in California after the Federal Government passed the Flood Control Act of 1936 (amended May 15, 1937), which provided federal funding for flood control projects. The [Federal Name] Creek Channel was designed to relieve potential flood waters during heavy rainstorms and is part of a larger network of more than 56 channels in San Bernardino County. Furthermore, the [Federal Name] Creek Channel did not contribute to the settlement patterns of the surrounding community. The area surrounding the [Federal Name] Creek Channel was previously developed by residential, institutional, and commercial development prior to construction. Therefore, the [Federal Name] Creek Channel does not appear eligible for listing under National Register Criterion A.

While the [Federal Name] Creek Channel does not appear individually eligible under Criterion A, it is associated with the broader historical development of the County Flood Control District. The larger [Federal Name] Creek Channel may be a contributing element to a historic district associated with the County Flood Control District, although such a historic district has not been identified or evaluated for the National Register at this time. The County Flood Control District is composed of dams, spillways, reservoirs, and channels associated with the Santa Ana and Mojave Rivers and their tributaries, most of which were constructed between 1939 and 1969. Collectively the features associated with the County Flood Control District could be historically significant under Criterion A for their association with the flood control methods across the county.

CRITERION B: SIGNIFICANT PERSONS

The [Federal Name] Creek Channel was constructed in 1956 and was a project undertaken by the Flood Control District and USACE. Following the channel’s construction, the property continued to serve as flood control channel associated with the flood control infrastructure throughout the region and has not been associated with any significant personages related to national, state, or local history. Therefore, the [Federal Name] Creek Channel does not appear eligible for listing under National Register Criterion B.

CRITERION C: DESIGN/CONSTRUCTION

The [Federal Name] Creek Channel’s construction was undertaken by the District and the USACE in 1956 and represents one aspect of County’s flood control infrastructure, which is composed of dams, spillways, reservoirs, and channels associated with the Santa Ana and Mojave River and its tributaries. The [Federal Name] Creek Channel is one of more than 56 similar channels constructed in County and was not the first of its type and did not serve as a prototype for channel engineering (County Public Works 2018). The [Federal Name] Creek Channel is not associated with a significant architect or engineer and does not possess high artistic values because it is a basic flood control channel designed for function and utility and not for aesthetic quality. Therefore, the [Federal Name] Creek Channel does not appear eligible for listing under National Register Criterion C.

CRITERION D: DATA POTENTIAL

While most often applied to archaeological districts and sites, Criterion D can also apply to buildings, structures, and objects that contain important information. In order for these types of properties to be eligible under Criterion D, they themselves must be, or must have been, the principal source of the important information. The [Federal Name] creek Channel does not appear to yield significant information adding to our current knowledge or theories of design, methods of construction, operation, or other information that is not already known regarding the construction of flood control channels or other elements of flood control infrastructure is already prevalent across the region and state. Therefore, the [Federal Name] Creek Channel and its associated features, do not appear eligible for listing under National Register Criterion D.

* 1. **CONCLUSIONS AND RECOMMENDATIONS**
  2. Historic Architectural Resources

[In this section, provide a detailed, narrative Historic Architectural Resources description.]

Example:

This National Register evaluation of the [Federal Name] Creek Channel found that the resource lacks distinction for consideration as an individual historic property. The Channel is associated with the larger County Flood Control District flood control infrastructure, which includes the [Federal Name] Creek Channel and the [Federal Name] Dam. As a result of the current evaluation, the [Federal Name] Creek Channel is recommended ineligible for listing in the National Register as an individual resource. However, while the larger portion of the [Federal Name] Creek Channel is recommended ineligible for individual listing, it is associated with the broader historical development of the County Flood Control network. The [Federal Name] Creek Channel may be a contributing element to a historic district associated with the County Flood Control network, although such a historic district has not yet been formally identified or evaluated for the National Register at this time. Because the [Federal Name] Creek Channel is not individually eligible for listing in the National Register and because the potential County Flood Control network has not been formally documented and evaluated, no historic properties have been identified within the APE. As such, we recommend a finding of **No Historic Properties Affected.**

* 1. Archaeological Resources

[In this section, provide a detailed, narrative Archaeological Resources description.] Example:

No archaeological resources have been identified within the Project as a result of the SCCIC records search and the cultural resources survey. [Describe potential to encounter archaeological resources and provide justification/analysis.]

**10.0 REFERENCES**

[Pick a citation format and stick with it. Please use in-text parenthetical references throughout the document, do not use footnotes.]

### Appendix A: Personnel Qualifications

### Appendix B: SCCIC Records Search Results

### Appendix C: Sacred Lands File Search and Tribal Coordination Correspondence

### Appendix D: DPR 523 Forms

**\* Required Information**