



HISTORIC RESOURCE ASSOCIATES

HISTORIC ARCHITECTURE • ARCHAEOLOGY • HISTORICAL & GENEALOGICAL RESEARCH
NATIONAL REGISTER NOMINATIONS • PRESERVATION PLANNING • HISTORIC INTERIORS

April 23, 2024

Byron Bethany Irrigation District
Attn: Ed Pattison, General Manager
7995 Bruns Road
Byron, CA 94514

Re: Cultural Resources Records Review of the Cort Property Annexation Project, 5400 Byron
Hot Springs Road, Byron, Contra Costa County, California 94514

Dear Mr. Barraco:

As per your request, Historic Resource Associates (HRA) has completed a Cultural Resources Records Review for the proposed Cort Property Annexation project. The project area, identified as Assessor's Parcel Number (APN) 002-020-021, is located at 5400 Byron Hot Springs Road, Byron, Contra Costa County, California within Section 15, Township 1 South, Range 3 East, MDM, and encompasses 300 acres.

The proposed project area of potential effect (APE) is depicted in Figures 1 and 2. On April 9, 2024, a records review was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) in Rohnert Park, California. The record search entailed a review of cultural resource surveys, archaeological sites, and built environment resources located in the project APE (Figures 1-2).

In addition to the NWIC records review, historical maps and aerial photographs were examined that illustrate the project APE. The only development within the project APE is Byron Hot Springs, which is depicted on historical topographic maps dating to the early-1900s. The project is located between the community of Byron and the Byron Airport in southeastern Contra Costa County and between the Byron Highway and North Vasco Road. The proposed project involves the annexation of 200 acres to the Byron Bethany Irrigation District (BBID) in order to obtain irrigation water for crop production. Irrigation water will be supplied from two turnouts along BBID's Forty-Five Canal, which traverses along the west side of Byron Highway. The Cort property is currently not in agricultural production. The remaining 18 acres of the property is the site of the Byron Hot Springs.

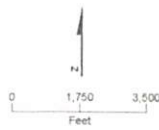
3142 Bird Rock Road
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Office: 831-641-7474
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Email: historic.resource@comcast.net



VICINITY MAP



**Figure 1:
VICINITY MAP**



Byron Bethany Irrigation District, California

Service Layer Credits: Source Esri, Maxar, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and
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Figure 1: Project Boundary and Expanded APE Map.

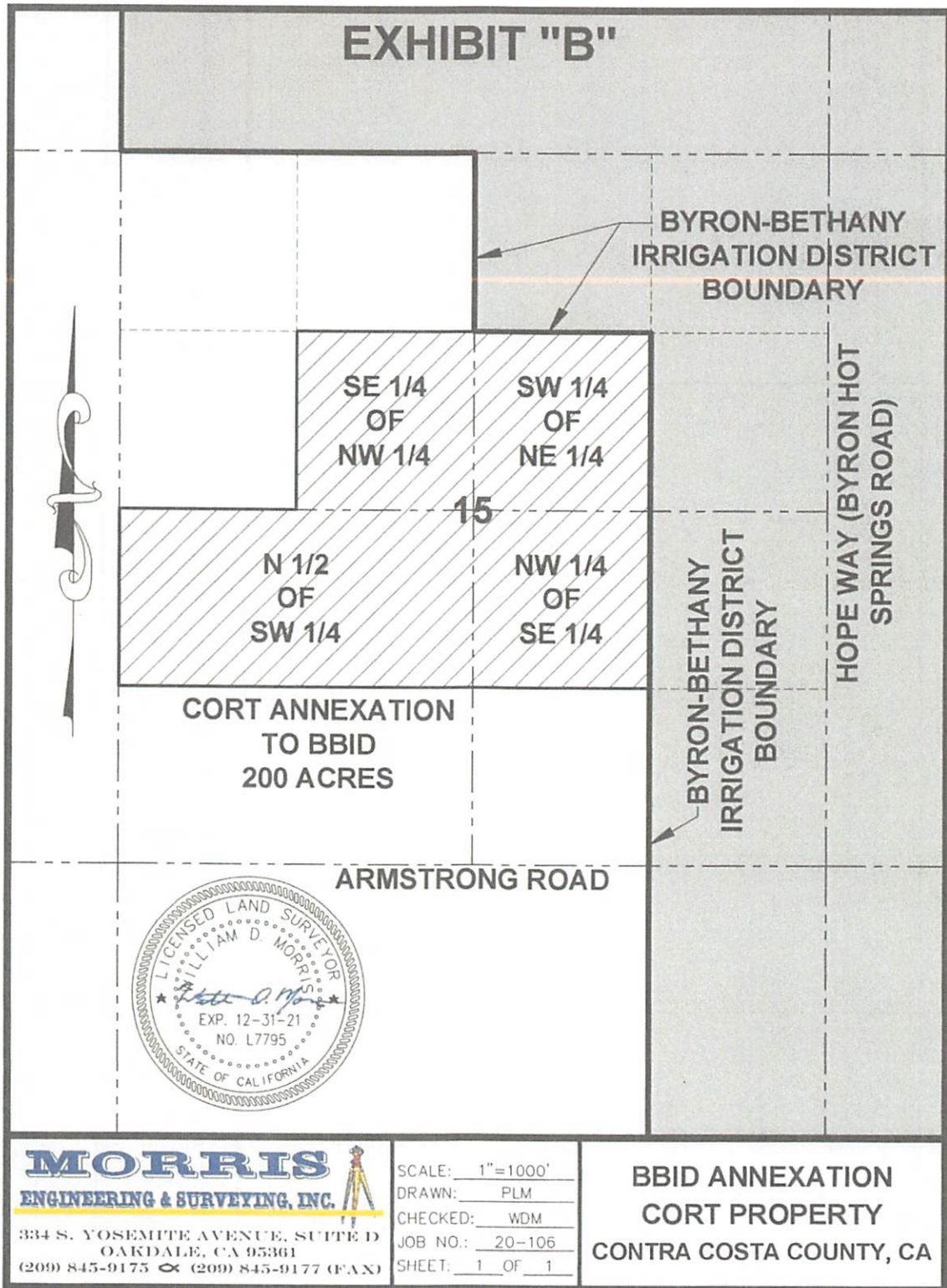


Figure 2: BBID Cort Property Annexation Map.

RECORDS REVIEW RESULTS

On April 9, 2024, a records review (IC File No. 23-1457) was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) in Rohnert Park. According to the NWIC database, there were two cultural resource studies that were conducted within the project boundaries: Theodoratus Cultural Research 1980 (S-011826) and Thomas and Wills 2018 (S-053137). A review of the report prepared by Theodoratus Cultural Research (1980) for the Montezuma I & II project indicates that survey work focused on several electrical transmission corridors that bisected the annexation parcel. There is no documentation to suggest the entirety of the project parcel was covered during the course of the Montezuma I & II cultural resource investigation. The report by Thomas and Wills (2018) was a narrowly focused study for a proposed T-Mobile cellular tower near Byron Hot Springs.

There were five additional cultural resource studies that were conducted within a ¼ radius of the project location: Werner 1983 (S-008864), Baker 1988 (S-010668), Bramlette et al. 1990 (S-012800), Moratto et al. 1994 (S-023674), and Alshuth and Origer 2018 (S-051336).

NWIC data indicated that the Byron Hot Springs Hotel was officially recorded as P-07-000913 on October 2, 1975 by Charles A. Farren. At the time the hot springs were owned by Jon Adams. According to Farren, the Byron Hot Springs were being used by Native Americans when the springs were first developed by John Ridsen of San Francisco. In 1868, a small cabin was built over one of the springs and by 1880 a hotel was constructed. By 1897, Lewis Ridsen Mead, nephew of John Ridsen, planted trees and improved the property. Fire destroyed the hotel in 1901, and in 1912, it was rebuilt. In 1919, John H. Tait, a San Francisco restaurateur, resurrected the springs, formed a company, and began to operate as a health spa. During World War II, the U.S. government used the facilities as a Prisoner of War camp. In 2018, Byron Hot Springs was officially added to the California Built Environment Resource Directory (BERD) #412826, 5400 Byron Hot Springs Road, Contra Costa County. The hot springs were rated in the BERD as 7R meaning that have not been officially evaluated for the National Register of California Register of Historic Resources.

REGULATORY GUIDELINES

Criteria for Designation of NRHP and CRHR Resources

A property must foremost retain integrity in order to be a significant resource. The seven aspects of integrity include location, setting, feeling, association, design, materials, and workmanship.

The National Register of Historic Places (NRHP) states that 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.

Integrity is defined in NRHP guidance, How to Apply the National Register Criteria for Evaluation, as “the ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the NRHP criteria, but it also must have integrity” (NPS 1990). NRHP guidance further asserts that properties be completed at least 50 years ago to be considered for eligibility. Properties completed fewer than 50 years before evaluation must be proven to be “exceptionally important” (criteria consideration G) to be considered for listing.

Under CEQA, the California Register provides similar guidance for listing properties:

In California, the term “historical resource” includes “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code (PRC), Section 5020.1(j)). In 1992, the California legislature established the CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1(a)). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, enumerated below.

According to PRC Section 5024.1(c) (1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

(1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

(2) Is associated with the lives of persons important in our past.

(3) 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.

(4) Has yielded, or may be likely to yield, information important in prehistory or history.

To properly interpret the historic value of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see 14 California Code of Regulations (CCR) 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR mirror those of the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

The following CEQA statutes (PRC Section 21000 et seq.) and CEQA Guidelines (14 CCR 15000 et seq.) are of relevance to the analysis of archaeological, historic, and tribal cultural resources: PRC Section 21083.2(g) defines “unique archaeological resource.” PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of a historical resource. PRC Sections 21083.2(b) and 21083.2(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for significant archaeological and historic resources, including examples of preservation-in-place mitigation measures. Preservation in place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context and may help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; 14 CCR 15064.5(b)). A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (14 CCR 15064.5(b)(1); PRC Section 5020.1(q)).

In turn, the significance of a historical resource is materially impaired when a project does any of the following (14 CCR 15064.5(b)(2)):

- (1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- (2) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- (3) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

FINDINGS AND CONCLUSIONS

In summary, based upon historic maps, documents, and results of the cultural resources records review, the project parcel identified in Figures 1 and 2 has to date only received a cursory physical inspection by a professional archaeologist. It is also apparent that the Byron Hot Springs, which lies squarely within the project parcel, has a long history that includes use by Native Americans and by the government as a Prisoner of War camp during World War II, and has not been formally evaluated for the National Register or California Register of Historic Resources. If you have any questions regarding the Cultural Resources Records Review, please contact me.

Respectfully,



Dana E. Supernowicz, M.A., RPA

REFERENCES

Alshuth, Taylor and Thomas M. Origer. A Cultural and Paleontological Resources Study for the Maria South Quarry, Byron, Contra Costa County, California. Unpublished report (S-051336) on file at NWIC, Rohnert Park, CA. July 2018.

Baker, Suzanne. Archaeological Reconnaissance of Subdivision MS 52-87, near Byron, Contra Costa County, California. Unpublished report (S-010668) on file at NWIC, Rohnert Park, CA. June 1988.

Bramlette, Allan et al. Archaeological and Historical Resources Inventory for the Vasco Road and Utility Relocation Project, Contra Costa and Alameda Counties. Unpublished report (S-012800) on file at NWIC, Rohnert Park, CA. April 1990.

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Theodoratus Cultural Research. Montezuma I & II: Cultural Resources. Unpublished report (S-011826) on file at NWIC, Rohnert Park, CA. 1980.

Thomas, Katherine D. and Carrie D. Wills. Cultural Resources Record Search and Site Visit for T-Mobile West, LLC Candidate BA01263A (PL263 Byron Hot Springs Hotel), 5400 Byron Hot Springs Road, Byron, Contra Costa County, California. Unpublished report (S-053137) on file at NWIC, Rohnert Park, CA. December 2018.

Werner, Roger H. An Archaeological Reconnaissance of the Baio Lot Split, Byron, Contra Costa County, California. (S-008864) on file at NWIC, Rohnert Park, CA. October 1983.