

4.4 CULTURAL RESOURCES

This section analyzes the proposed project's potential impacts to cultural resources. The analysis is based in part on a peer review by Rincon Consultants, Inc. of the *Results of a Limited Archaeological Subsurface Testing Program in Conjunction with Future Commercial Development of A.P.N. 73-140-16 on Cortona Drive, Goleta, California* prepared by Wilcoxon Archaeological Consultants (1998). This report is incorporated by reference. The technical report is on file at the City of Goleta. The peer review is included in Appendix D.

4.4.1 Setting

a. Regional Setting. A summary of the prehistory and history of the general project area, excerpted from the Goleta General Plan FEIR, is provided below.

Prehistory. Evidence exists for the presence of humans in the Santa Barbara coastal area for more than ten thousand years. While some researchers (e.g., Orr 1968) suggest that the Santa Barbara Channel area may have been settled as early as 40,000 years ago, only limited evidence for occupation much earlier than 9,500 years has been discovered. Even so, human prehistory along the Santa Barbara channel area coast may extend back as much as 12,000 years (Erlandson et al. 1987; Erlandson et al. 1996). Approximately 7,500 years ago, prehistoric human settlement in the region appears to have increased rapidly with a number of sites dating to approximately this time, and many more dating subsequent to it (Colten 1987, 1991; Erlandson 1988, 1997; Glassow 1997). At that time, people in the area practiced a mostly gathering subsistence economy, focusing mainly on natural vegetal resources, small animals, and marine resources such as shellfish. One of the major tool types evident in their assemblage was the milling stone and muller (also referred to as mano and metate). This two-part tool was used primarily to process (grind) various kinds of seeds, small animals, and vegetal foodstuffs. The large quantities of these tools found by archaeologists in the sites of these people resulted in the designation of this period as the Milling Stone Horizon (Erlandson 1994).

Beginning at sites dating to approximately 5,000 years ago, archaeologists began to notice differences in some archaeological site assemblages. These differences involved changes in the tool inventory with new tool types indicative of new subsistence technologies. Most significant of these differences were projectile points indicative of hunting activities, and the mortar and pestle suggestive of the utilization of a new vegetal foodstuff, the acorn. Another change involved an increase in fishing and the procurement of marine mammals for food. The use of these new technologies increased during the next approximately 3,000 years, until approximately 2,000 to 1,500 years ago. During this period, prehistoric habitation increased considerably in the Goleta area.

The advent of new technologies and subsistence strategies again became evident approximately 2,000 to 1,500 years ago, signaling a distinctive change in the pattern of prehistoric culture in California. Included in these new technologies were the bow and arrow and, in some areas, ceramics. Burial practices also changed in some areas of California with cremation of the dead supplanting inhumation. The period is characterized as a time of cultural elaboration and increased sophistication including artistic, technological, and sociological changes (Erlandson and Torben 2002).

Ethnographic Background. At the time of first European contact in 1542, the Goleta area was occupied by a Native American group speaking a distinct dialect of the Chumash language. Historically, this group became known as the Barbareño Chumash (Landberg 1965); the name deriving from the



Mission Santa Barbara under whose jurisdiction many local Chumash came after its founding in 1776. The Chumash were hunters and gatherers who lived in an area with many useful natural resources and were politically organized into chiefdoms. They had developed a number of technologies and subsistence strategies that allowed them to maximize the exploitation of these natural resources. Consequently, before a drastic change caused by disease and other forms of cultural disruptions introduced by the Spaniards, Chumash settlements were numerous, with some containing large residential areas, semi-subterranean houses, and large cemeteries. At the time of Spanish contact, the Goleta area and immediate vicinity was highly populated with at least ten Chumash villages (Johnson, et al., 1982). A number of these settlements were situated around what was in prehistoric times a much larger Goleta Slough. The slough, which may have resembled a bay in prehistoric times (Grenda, et al., 1994), contained an abundance of marine resources including shellfish, fish, birds, and marine mammals. Early Spanish explorers, missionaries, and administrators characterized the Chumash as having a strong propensity for trade, commerce, and craft specialization, as well as for intervillage warfare (Erlandson, 1994).

History. The first European contact to the Santa Barbara coastal region was by the Portuguese explorer Juan Rodriguez Cabrillo in 1542, whose voyage up the California coast under the flag of Spain was the first expedition to explore what is now the west coast of the United States. It was, however, Spanish explorer Sebastian Vizcaino, sailing though the region in December 1602, retracing Cabrillo's voyage, who christened the channel Santa Barbara in honor of Saint Santa Barbara, whose day in the Catholic calendar is December 4 (Guinn 1907). After 1602, there is no verified documentation of European contact in the region until Portolá's expedition along the coast of California en route to Monterey Bay in 1769. Accompanying Portolá was Sergeant José Francisco Ortega, who would become the first comandante of the Santa Barbara Presidio, constructed in 1781–82 (Whitehead, 1996).

Mission Santa Barbara was founded on December 4, 1786, and in the first year of commission, 186 Chumash people were baptized, 83 of which were from the Goleta region (Johnson, et al., 1982:20). In 1803, a proportionally large number of baptisms occurred throughout the five missions located within the Chumash territory, putting such a strain on the missions that the newly baptized were allowed to remain in certain native villages which were renamed after saints (Johnson, et al., 1982). In the Goleta area, there were at least two of these communities, San Miguel and San Francisco, the native villages of Mescaltitan (S'axpilil) and Cieniguitas (Kaswa's), respectively (Johnson, et al., 1982:21).

In the time between the establishment of the Santa Barbara Mission and Presidio and the end of Spanish rule in California in 1822, the Goleta area was primarily used by the Franciscan fathers for grazing cattle and sheep (County of Santa Barbara, 1993). In 1806, a measles epidemic took many lives and marked the beginning of the decline of both the Mission Santa Barbara and the native population (Johnson, et al., 1982). In 1822 and 1823, the most severe drought in mission history occurred, resulting in two very poor harvest years. A Chumash revolt occurred in 1824, possibly influenced by the lack in food supply (Johnson et al. 1982:25). Many of the Chumash population dispersed into the mountains and to the southern San Joaquin Valley. After two Mexican expeditions into the interior, many of them were persuaded to return to Santa Barbara (Blakley and Barnette 1985).

Although Mexico had gained independence from Spain in 1822, it was not until 1835 that secularization of the missions occurred, the mission became a parish church, and the Chumash were made free citizens (Johnson, et al., 1982). The policy of the Mexican government was to grant the mission lands and other unclaimed property to prominent citizens who were required to develop the properties and to build homes on them (EIP Associates, 2004). The City of Goleta encompasses parts of two of these land



grants: Los Dos Pueblos Rancho, granted to Nicholas Den in 1842, and La Goleta, granted to Daniel Hill in 1846 (Tompkins, 1960; King, 1982). The ranchos were used by Den and Hill primarily to raise cattle for hide and tallow production (Tompkins, 1960; King, 1982; EIP Associates, 2004).

The American period began in 1848, when Mexico signed a treaty ceding California to the United States. Santa Barbara County was one of the original counties of California, formed in 1850 at the time of statehood. In 1851, a land act was passed that required the confirmation of ownership of Spanish land grants, although the process took many years to complete. Daniel Hill received a patent for La Goleta on March 10, 1865, and Los Dos Pueblos was patented to N. A. Den on February 23, 1877, 15 years after his death (California Secretary of State, 2000).

The 1870s saw the characterization of the Goleta area began to shift from sparsely populated cattle ranches to farmsteads and towns. The area of La Goleta north of Hollister Avenue was subdivided into 38 parcels, ranging from 31 to 258 acres each (King, 1982:51), and a town taking on the name of Goleta was established in the southwestern portion of the old La Goleta land grant. Early pioneers during this time include J. D. Patterson, Richard Sexton, B. A. Hicks, Ira A. Martin, John Edwards, and Isaac Foster (King, 1982). By 1890, the population of Goleta had grown from 200 in 1870 to 700 people (King, 1982:51).

In 1887, the Southern Pacific Railroad connected Santa Barbara County to Los Angeles and in 1901 to San Francisco, bringing with it the expansion and growth of ranching and agriculture in the Goleta Valley (Grenda, et al., 1994). Goleta in the early 1900s was described by J. M. Guinn as “a small village eight miles to the northwest of Santa Barbara. The country around to a considerable extent is devoted to walnut-growing and olive culture” (1907:422). Joseph Sexton, who had developed the softshell walnut, inspired many additional area farmers to plant their land with walnuts and a grower’s association was formed (King 1982). In the early 1870s, Sherman Stow planted lemon, walnut, and almond orchards; the lemon orchards were the first commercial lemon planting in California (Tompkins, 1966; Grenda, et al., 1994). The lemon industry continued to develop, and in the 1930s, a lemon packing plant was constructed. Today agriculture in the Goleta foothills consists mainly of lemons and avocados (King, 1982; Goleta Valley Urban Agriculture Newsletter, 2002).

Oil production along the Goleta coast began in the 1920s and boomed in 1928 with the discovery of the Ellwood oil fields. After 1937, oil production began to decline; however, natural gas was also discovered along the coast and is still being tapped today (County of Santa Barbara, 1993). Suggestions that the Goleta slough be turned into a harbor first originated in the early 1920s and persisted into the 1960s, although this plan eventually disintegrated with the infilling of marshlands in 1930s and 1940s in order to accommodate an airport. In 1941, the City of Santa Barbara bought Mescalitan Island and the surrounding tide flats (King, 1982; County of Santa Barbara, 1993). The 1950s and 1960s brought tremendous change to the Goleta area, as the construction of Cachuma dam provided a relief to the area’s problem of a reliable water source and fueled rapid growth and commercial and residential development (Grenda, et al., 1994; County of Santa Barbara, 1993).

b. Project Site Setting. The project site is located on a coastal terrace on the lower edge of the coastal foothills of the Santa Ynez Mountains, part of an east-west trending Transverse Range Province. The origin of these rolling foothills is marine Pleistocene terrace (City of Goleta General Plan FEIR, 2006; Dibblee, 1950). The project site is near Tecolotito Creek, which flows into the Goleta Slough. Soil in the project area is mixed varying from a dark brown silty loam to yellowish-brown sandy silt.



c. Records Search Results. A record search was conducted at the California Archaeological Site Inventory, Central Coast Information Center of the Office of Historic Preservation at the Department of Anthropology, University of California Santa Barbara on April 25, 2013. The records search included the project site and a 0.5-mile radius around it. The results indicated one previously recorded archaeological site exists within the project site. The search identified 13 archaeological sites within a 0.5-mile radius of the project area. Table 4.4-1 describes previously recorded prehistoric archaeological resources in proximity to the project site.

P-42-000054 (CA-SBA-54). This site was originally recorded in the 1920s (Rogers 1929) and was the subject of further archaeological research in the 1950s (Harrison and Harrison 1966). Rogers identified a “small, abrupt-sided mound that lies between the Coast Highway and the Southern Pacific railway,” with “remnants of an ancient oak grove.” He characterized that the site was occupied during the Early Period of Chumash prehistory based on artifacts observed on the ground surface. Subsequent archaeological investigations by Harrison in 1956 included preparing a topographic map of the knoll, located on the edge of the ancestral Goleta Slough. Harrison determined that the depth of the deposit was as deep as 16 inches, though he did not investigate the perimeter of the knoll. Harrison did not systematically screen excavated soils and did not obtain any radiocarbon dates for the site. Site occupation was inferred on the basis of artifacts to the late Early and Middle Period. Therefore, the absolute age of CA-SBA-54 occupation is not presently known.

The majority of the site was destroyed in 1961 when the knoll it was situated upon was removed. Grading removed approximately 26 feet of elevation in anticipation of a housing development.

Subsequent research (Greenwood and Associates 1991, Wilcoxon et al. 1992, Wilcoxon 1998) concentrated on identifying and evaluating the remaining portions of CA-SBA-54. The remaining portions of the site contain high densities of faunal and artifactual material within an intact subsurface deposit that was identified below 0.65 to 1.57 feet of disturbed cultural materials in six Wilcoxon trenches.

d. Native American Scoping. The California Native American Heritage Commission (NAHC) was contacted to request a review of the Sacred Lands File on April 25, 2013. The search was conducted to identify the presence of cultural resources important to Native Americans within the vicinity of the project site. The NAHC faxed a response on April 26, 2013, which stated that the search of the Sacred Lands File “failed to indicate the presence of Native American traditional cultural places in the project site location submitted...” but recommended that a provided list of Native Americans be contacted as they may have knowledge of cultural resources in or near the project site. The City of Goleta extended invitations for consultation to the NAHC-listed Chumash contacts and held a meeting on June 12, 2013. The Chumash representatives in attendance expressed concerns regarding the presence of prehistoric archaeological site CA-SBA-54 and the potential for human remains to be present. Each of the representatives in attendance expressed an interest in continued consultation and Chumash monitoring of any project ground disturbance, including any additional archaeological studies.

e. Field Investigation and Results. In the fieldwork recorded by Schwartz (1957), 25 cubic yards of a shell midden on top of a high knoll on the project site were excavated in August 1956. The results of this excavation indicated the presence of a shell midden, including rock and shell accumulations and scattered human bones. The results of later fieldwork, conducted by Wilcoxon (1998) after removal of the knoll, indicated that CA-SBA-54 is the only archaeological site within the project site. A series of backhoe trenches were excavated throughout the project site and these identified intact deposits



**Table 4.4-1
 Previously Recorded Prehistoric Archaeological Resources
 in Proximity to the Project Site**

Reference	Description
Within the Project Site	
P-42-000054 (SBA - 54)	Prehistoric habitation site with shell midden and human remains.
Within a ½-Mile Radius of the Project Site	
P-42-000053 (SBA -53)	Habitation site and shell midden on west edge of Goleta Slough.
P-42-000142 (SBA -142)	Habitation site and shell midden.
P-42-000143 (SBA -143)	Habitation site and high density shell midden.
P-42-001093 (SBA -1093)	Historic (pre-1950) remains of ranch buildings and associated midden.
P-42-001203 (SBA -1203)	Shell midden and artifact scatter.
P-42-001653 (SBA -1653)	Small shell midden.
P-42-001656 (SBA-1656)	Large shell midden.
P-42-001657 (SBA-1657)	Low density shell and lithic artifact scatter.
P-42-001745 (SBA-1745)	Small shell midden.
P-42-002433 (SBA-2433)	Shell midden and lithic artifact scatter.
P-42-002568 (SBA-2568)	Shell midden.
P-42-003636 (SBA-3636)	Lithic artifact scatter.
P-42-003935 (SBA-3933)	Remains of San Marcos Dairy, including roads, structure remains, and a water tank.

Source: Central Coast Information Center, April 2013.



associated with CA-SBA-54. A total of 21 backhoe trenches were excavated, ranging in length from approximately 4.1 to 25.6 meters, each approximately 0.70 meters in width. The trenches were distributed throughout the project site for adequate testing coverage to assess the subsurface of the project site to contain buried archaeological deposits. Volumetrically controlled soil samples were collected for screening during the course of the excavation. Materials retained in the screens were sorted, cataloged, and analyzed. An intact layer of archaeological deposit from CA-SBA-54 identified in eight backhoe trenches is present below varying depths of disturbance within the northwestern portion of the project site, at what was the base of the previously removed knoll. The depth of previously disturbed cultural deposits varied from 0.65 to 1.57 feet from the ground surface. Based on the Wilcoxon trenches, underlying intact cultural deposits extended from 0.65 to 5.0 feet below the ground surface. The Wilcoxon trenches identified the deepest zone of previous disturbance on the eastern side of the remaining cultural deposit, while the deepest underlying intact cultural deposits were identified along the northern and southwestern archaeological site boundaries. Artifacts collected during the study included chert flakes and one utilized flake, terrestrial animal and fish bone, shellfish, ground stone tool fragments, and ocher. Results of the study indicated that the inhabitants of CA-SBA-54 made extensive use of the foot of the former knoll. The cultural materials at the base of the knoll are likely the result of downslope erosional movement from the occupation that occurred at the top of the knoll. The project engineer has calculated the total recorded CA-SBA-54 site area as 24,830 s.f. (0.57 acres) (Flowers & Associates, 2014). Wilcoxon made no formal California Register of Historical Resources (CRHR) eligibility assessment of CA-SBA-54, though the deposits were considered significant.

f. Peer Review. The Extended Phase 1 archaeological investigations completed by Wilcoxon (1998) identified a surface layer of disturbed soils between 0.65 to 1.57 feet deep containing cultural resources that were not capable of yielding information important in prehistory because the horizontal and vertical spatial relationship of the artifacts and food remains had been destroyed. In contrast, the underlying cultural soils below the previously disturbed soils extending 0.65 to 5.0 feet below the ground surface retained their spatial relationship and were considered potentially significant cultural resources. Review of the Wilcoxon (1998) report determined that the study was conducted consistent with current professional standards and provides an adequate level of analysis to demonstrate that an intact subsurface component of CA-SBA-54 is present within the project site.

Based on the findings of Wilcoxon (1998), it is likely that the buried, previously undisturbed portions of the site contains significant data potential that could contribute to our understanding of prehistory and the site is therefore eligible for listing on the CRHR. The horizontal and vertical relationship of prehistoric artifacts and food remains within the surface layer of previously disturbed cultural material, by contrast, has been destroyed such that their ability to contribute to reconstructing past lifeways and answer scientific questions about the past has been lost. The disturbed cultural resources therefore are not eligible for listing on the CRHR.

Human remains were identified in salvage archaeological excavations in 1957 (Schwartz 1957) within the central portions on top of the high knoll of the site that have been subsequently graded and removed. Wilcoxon's excavations (1998) did not identify any human remains at the base of the knoll landform. Though not identified within the existing project site, there is the potential for isolated human remains within the remaining previously disturbed and intact CA-SBA-54 deposit. Such human remains are protected by state law (see Codes Governing Human Remains, below).



g. Regulatory Setting.

State of California.

California Environmental Quality Act (CEQA). Section 15064.5 of the *CEQA Guidelines* states that a resource shall be considered “historically significant” if it meets one of the criteria for listing in the California Register of Historical Resources (CRHR) (Pub. Res. Code §§5024.1; 14 CCR § 4852). A resource may qualify for CRHR listing if it:

- (A) *Is associated with events that have made a significant contribution to the broad patterns of California’s history of cultural heritage;*
- (B) *Is associated with the lives of persons important in our past;*
- (C) *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; or*
- (D) *Has yielded, or may be likely to yield, information important in prehistory or history.*

Cultural resources meeting one or more of these criteria are defined as “historical resources” under CEQA. Included in the definition of historical resources are prehistoric archaeological sites, historic archaeological sites, historic buildings and structures, traditional cultural properties important to a tribe or other ethnic group, cultural districts and landscapes, and a variety of other property types.

Impacts to “unique archaeological resources” are also considered under CEQA as described under Public Resources Code § 21083.2. This section defines a “unique archaeological resource” as:

“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 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 (Pub. Res. Code § 21083.2(g)).*

Potential impacts to identified cultural resources need only be considered if the resource is an “important” or “unique archaeological resource” under the provisions of CEQA Guidelines 15064.5 and 15126.4 and the eligibility criteria. If a resource cannot be avoided, then the resource must be examined pursuant to CEQA Guidelines 15064.5 and 15126.4 and pursuant to the eligibility criteria as an “important” or “unique archaeological resource.”

A non-unique archaeological resource is an archaeological artifact, object, or site that does not meet the above criteria. Impacts to non-unique archaeological resources and resources that do not qualify for listing on the CRHR receive no further consideration under CEQA.

Codes Governing Human Remains. Section 15064.5 of the *CEQA Guidelines* also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code § 7050.5 and



Public Resources Code §§ 5097.94 and 5097.98, and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the County Coroner to be Native American, the County Coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to Public Resource Code § 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

City of Goleta. Cultural resources information and policies applicable to the project are found in the Open Space Element (Chapter 3) and the Visual and Historic Resources Element (Chapter 6) of the Goleta General Plan. The following selected policies would apply:

- **Open Space Element Policy 8.1:** *Cultural resources include Native American archaeological sites and areas of the natural landscape that have traditional cultural significance. Archaeological sites include prehistoric sites that represent the material remains of Native American societies and their activities and ethnohistoric sites that are Native American settlements occupied after the arrival of European settlers in California. Such archaeological sites may include villages, seasonal campsites, burial sites, stone tool quarry sites, hunting sites, traditional trails, and sites with rock carvings or paintings. Areas of traditional cultural significance include Native American sacred areas where religious ceremonies are practiced or which are central to their origins as a people, as well as areas traditionally used to gather plants for food, medicinal, or economic purposes.*
- **Open Space Element Policy 8.2:** *The City shall coordinate with UCSB's Central Coast Information Center to identify archaeologically sensitive areas within city boundaries. To prevent artifact gathering and other forms of destruction, the exact location of sensitive sites may remain confidential.*
- **Open Space Element Policy 8.3:** *The City shall protect and preserve cultural resources from destruction. The preferred method for preserving a recorded archaeological site shall be by preservation in place to maintain the relationship between the artifacts and the archaeological context. Preservation in place may be accomplished by deed restriction as a permanent conservation easement, avoidance through site planning and design, or incorporation of sites into other open spaces to prevent any future development or use that might otherwise adversely impact these resources.*
- **Open Space Element Policy 8.4:** *For any development proposal identified as being located in an area of archaeological sensitivity, a Phase I cultural resources inventory shall be conducted by a professional archaeologist or other qualified expert. All sites determined through a Phase 1 investigation to potentially include cultural resources must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where Native American artifacts have been found or where oral traditions indicate the site was used by Native Americans in the past, research shall be conducted to determine the extent of the archaeological significance of the site.*
- **Open Space Element Policy 8.5:** *If research and surface reconnaissance shows that the project area contains a resource of cultural significance that would be adversely*



impacted by proposed development and avoidance is infeasible, mitigation measures sensitive to the cultural beliefs of the affected population shall be required. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to development shall be required. If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation or most-likely descendants, as well as agencies charged with the responsibility of preserving these resources and organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.

- **Open Space Element Policy 8.6:** *On-site monitoring by a qualified archaeologist and appropriate Native American observer shall be required for all grading, excavation, and site preparation that involves earth moving operations on sites identified as archaeologically sensitive. If cultural resources of potential importance are uncovered during construction, the following shall occur:*
 - a. *The grading or excavation shall cease and the City shall be notified.*
 - b. *A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.*
 - c. *Disposition will be determined by the City in conjunction with the affected Native American nation.*
- **Visual and Historic Resources Element Policy 5 Objective:** *To identify, protect, and encourage preservation of significant architectural, historic, and prehistoric sites, structures, and properties that comprise Goleta's heritage.*

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds. The significance of a cultural resource and impacts to the resource is determined by whether or not that resource can increase our knowledge of the past. The primary determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *CEQA Guidelines* and the City's *Environmental Thresholds and Guidelines Manual*. According to the City Guidelines, a project would have a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired.

b. Project Impacts and Mitigation Measures.

Impact CR-1 **Based on subsurface archaeological investigations conducted for the project site, there is evidence that an intact subsurface archaeological deposit (CA-SBA-54) is present. Activities associated with construction of onsite development could potentially have a significant impact on CA-SBA-54. This would be a Class II, *significant but mitigable*, impact.**

As discussed in the *Setting*, CA-SBA-54 is present within the project site and is eligible for listing in the CRHR. Therefore, it is a historical resource for the purposes of CEQA, as well as a unique archaeological resource. No buildings are proposed to be constructed over the intact portions of CA-SBA-54. However, the carports, driveways, a sound wall, utilities, and other infrastructure could be built directly over areas where intact portions of CA-SBA-54 remain. Grading and installation associated with these features



could involve disturbance of CA-SBA-54. Therefore, the project has the potential to disturb areas of prehistoric archaeological significance.

As mentioned, buildings associated with the proposed project were configured to avoid disturbance of CA-SBA-54. Further, up to approximately three feet of sterile fill material would be added to an area where intact portions of CA-SBA-54 remain. This would bury, or cap, the majority of intact portions of the resource. Although no buildings would be built over the intact portions of the resource, and fill material would sufficiently bury and protect most intact portions, grading associated with underground utilities, roadways, a sound wall, or other infrastructure may impact some intact portions of CA-SBA-54. Therefore, , potential impacts to CA-SBA-54 would be significant.

Mitigation Measures. The following measures would mitigate potentially significant impacts relating to the archaeological resources during site grading.

- CR-1(a) Capping and Limited Data Recovery Collection.** In order to cap identified portions of CA-SBA-54, placement of fill soils within the project site must include the following surface preparation and fill placement measures:
- 1) Remove all organic material from the archaeological site surface by hand (including brushing, raking, or use of power blower). Use of motorized vehicles for vegetation removal is prohibited. All vegetation must be removed at ground surface such that no soil disturbance results;
 - 2) Remaining root balls and masses in the ground after hand removal of vegetation stems/trunks must be sprayed with topical pesticide per the pesticide manufacturer's specifications to ensure no further growth. The resulting dead vegetation masses must be left in place. Complete surface vegetation removal and die-off of root massing must be achieved before geotextile placement;
 - 3) No remedial grading, sub-grade preparation or scarification may occur before placement of the geotextile fabric;
 - 4) A bioaxial geogrid (Tensar BX1200, TX 160, or equivalent) must be laid over the ground surface throughout CA-SBA-54 site boundaries and a minimum buffer area to be determined by the City through consultation with the applicant's archaeologist and Chumash consultants as the final grading plans are prepared. The geogrid type and verification of its technological capability shall be provided by a qualified geotechnical engineer during plan check of final grading plans;
 - 5) Placement of fill soils on top of the geotextile fabric must be done in no greater than 8-inch lifts with rubber-tired equipment;
 - 6) The first six inches of fill must be yellow sand that signals to any future subsurface activity (e.g. landscaping activity) that excavation may not extend deeper;
 - 7) Geotextile fabric must be capable of preventing compaction and load impacts on underlying archaeological resources;
 - 8) Fill soils must have a pH ranging from 5.5 to 7.5 only;
 - 9) Fill soils must be free of archaeological resources;
 - 10) Fill soils must be spread from the outside with rubber track heavy equipment, such that the equipment would only be working on top of

the fill soils. The fill soils must be placed ahead of the loading equipment so that the machine does not have contact with the archaeological site surface;

- 11) The fill soils must be sufficiently moist so that they are cohesive under the weight of the heavy equipment as the material is spread out over the archaeological site and buffer area.

Plan Requirements and Timing: The permittee must provide the Planning and Environmental Review Director or designee with a grading plan for review and approval. Planning and Environmental Review must provide a meeting with interested local Chumash individuals and tribal representatives to review and provide comment on the revised grading plan before submittal to the City for plan check. A fill program must be designed so that intrusions or recompaction made into these deposits is limited to previously disturbed topsoil. Site deposits on which fill would be placed would no longer be accessible to research and a data collection program would be required. The program must include, but not be limited to, the following:

- 1) Mapping the location of surface artifacts within the proposed areas of fill;
- 2) Surface collection of artifacts;
- 3) The excavation of a small sample of deposit to characterize the nature of the buried portions of the site;
- 4) All material used as fill must be culturally sterile and chemically neutral;
- 5) And curation of the excavated sample must occur as specified by the City-approved archaeologist.

The program must be prepared and conducted by a City-approved archaeologist and must be funded by the permittee. The fill/data collection program proposal must be reviewed and approved by the Planning and Environmental Review Director or designee before the City issues a permit for grading.

Monitoring: The grading plan must be approved by City staff prior to issuance of a grading permit. The Planning and Environmental Review Director or designee must site inspect to ensure that recommendations are carried out in the field.

- CR-1(b) Phase III Data Recovery Excavation.** For any excavation required for utilities or infrastructure disturbs areas of potentially intact resources, the project permittee must complete a Phase III Data Recovery Excavation Program to document resources at the project site in a comprehensive manner. The Phase III Data Recovery Excavation Program must be conducted in accordance with Open Space Element Policy 8.5, the California Office of Historic Preservation's (1990) *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*, and CEQA Statutes section 21083.2 and Guidelines section 15126.4(b). The Phase III Data

Recovery Excavation Program must be prepared by a City-approved archaeologist. In preparing the Phase III Data Recovery Program, the City-approved archaeologist will prepare a research design that includes a preliminary assessment of available artifacts recovered from the project site and nearby archaeological sites, and any corresponding field notes, graphics, lab analysis and results. It is anticipated that the artifacts would be curated at UCSB, the Natural History Museum, or other location in consultation with the local Chumash consultant(s). A Phase III Data Recovery Excavation Program involving additional soil surveys (excavations) must be completed in accordance with the following:

- 1) A “to be” determined number of controlled excavation units be excavated to obtain supplemental data. The placement of these units must be determined to avoid previously disturbed areas. The units must be placed in areas being, or to be, directly impacted by the current development area and where the most information may be obtained.
- 2) All excavations must be conducted under the supervision of a City-approved archaeologist with a trained archaeological field crew. All field work must be undertaken in the presence of a local Chumash consultant(s).

If it is necessary to complete a Phase III investigation, impacts to archaeological resources could occur as a result of greater soil disturbances. It is preferred that these additional potential impacts be avoided. However, with monitoring and limiting the number of test pits, and given the fact that the Phase III analysis would retrieve archaeological information before future access to the resources is prevented as a result of the project, potential impacts associated with conducting the Phase III excavations would be considered less than significant.

Plan Requirements and Timing: A Phase III Data Recovery Evacuation Program report must be submitted to the City Planning and Environmental Review staff within 90 days of completion of the archaeological investigation and before project-related ground disturbance.

Monitoring: The City of Goleta Planning and Environmental Review Director or designee must confirm that the report is submitted within 90 days of completion of the archaeological investigation. The permittee must obtain City Planning and Environmental Review approval of any Phase III archaeological report before ground-disturbing activities can occur.

- CR-1(c) Monitoring.** A City-approved archaeologist and local Chumash consultant must monitor project implementation during the initial grading and excavation activities until such time as sufficient subsurface soil has been uncovered/excavated to ascertain that no prehistoric archaeological/cultural resources are located on the project site. The monitor(s) must have the following authority:

- 1) The archaeological monitor(s) and Chumash monitor(s) must be on-site on a full-time basis during any earthmoving activities, including preparation of the area for capping, grading, trenching, vegetation removal, or other excavation activities. The monitors will continue their duties until it is determined through consultation with the permittee, City Planning and Environmental Review staff, archaeological consultant, and Chumash consultant that monitoring is no longer warranted;
- 2) The monitor(s) must halt any activities impacting previously unidentified cultural resources and conduct an initial assessment of the resource(s);
- 3) If an artifact is identified as an isolated find, the monitor(s) must recover the artifact(s) with the appropriate locational data and include the item in the overall inventory for the site;
- 4) If a feature or concentration of artifacts is identified, the monitor must halt activities in the vicinity of the find, notify the permittee and City Planning and Environmental Review staff and prepare a proposal for the assessment and treatment of the find(s). This treatment may range from additional study to avoidance, depending on the nature of the find(s);
- 5) The monitor must prepare a comprehensive archaeological technical report documenting the results of the monitoring program and include an inventory of recovered artifacts, features, etc.;
- 6) The monitor must prepare the artifact assemblage for curation with an appropriate curation facility (e.g., UCSB or local Chumash facility) and include an inventory with the transfer of the collection; and
- 7) The monitor must file an updated archaeological site survey record with the UCSB Central Coastal Information Center.

Plan Requirements and Timing: This requirement must be printed on all plans submitted for-building or grading permits. The permittee must enter into a contract with a City-approved archaeologist and Chumash consultant and must fund the provision of onsite archaeological/cultural resource monitoring during initial grading, excavation, and/or demolition activities before issuance of a grading permit. Plan specifications for the monitoring must be printed on all plans submitted for grading, and building permits.

Monitoring: City Planning and Environmental Review staff must conduct periodic field inspections to verify compliance during ground disturbing activities.

CR-1(d) Continued Chumash Consultation. Initial Chumash consultation with the City of Goleta and project applicant has indicated that archaeological site CA-SBA-54 is important to the Chumash community. Continued Chumash consultation should occur throughout the remainder of the project including any design changes, alternatives analysis, or mitigation measure implementation to ensure that impacts to CA-SBA-54 are mitigated in a manner that would be respectful of the site's Chumash heritage.



Plan Requirements and Timing: This condition must be printed on all building and grading plans.

Monitoring: The City Planning and Environmental Review Director or designee must check plans before issuance of a grading and/or building permit and must spot check in the field throughout grading and construction.

- CR-1(e) Human Remains.** Before initiating any staging areas, vegetation clearing, or grading activity, the permittee and construction crew must meet on-site with a City-approved archaeologist and appropriate local Chumash consultant(s) and present the procedures to be followed in the unlikely event human remains are uncovered. These procedures must include those identified by California Public Resources Code § 5097.98. In addition, a satisfactory disposition of the remains must be agreed upon by the City-approved archaeologist and appropriate local Chumash consultant(s) so as to limit future disturbance. If the remains are determined to be of Chumash descent, the County Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Chumash, who will then help determine what course of action should be taken in dealing with the remains.

Plan Requirements and Timing: Before the City issues grading permits, the permittee must provide the City Planning and Environmental Review staff the contact information of the Chumash consultant and the agreed upon procedures to be followed. In the event that remains are found and if the remains are found to be of Chumash origin, the County Coroner will notify the Native American Heritage Commission and the Commission will name the Most Likely Descendant (MLD). The MLD, consulting archaeologist, permittee, and City Planning and Environmental Review staff will consult as to the disposition of the remains. If the remains are identified as non-Chumash, the County Coroner will take possession of the remains and comply with all state and local requirements in the treatment of the remains.

Monitoring: The City of Goleta Planning and Environmental Review Director or designee must confirm that the County Coroner is notified in the event human remains are found, and that the Native American Heritage Commission is contacted if the remains are of Chumash origin.

- CR-1(f) Archaeological Reporting.** The results of all archaeological investigations must be reported by the permittee to the City of Goleta Planning and Environmental Review Director or designee as an addendum to the Phase III data recovery excavation described in Mitigation Measure CR-1(c) (if completed) or as a formal technical report.



Plan Requirements and Timing: This report by the permittee must be submitted to the City within 180 days of completion of the archaeological monitoring described in Mitigation Measure CR-1(c).

Monitoring: The City of Goleta Planning and Environmental Review Director or designee must confirm that the Archaeological Report is submitted within 180 days of completion of archaeological monitoring described in Mitigation Measure CR-1(c).

CR-1(g) Undiscovered Resources. In the event that previously undiscovered archaeological resources are encountered during grading, work must be stopped immediately or redirected until a City-approved archaeologist and appropriate local Chumash consultant(s) observer can evaluate the significance of the find pursuant to Phase II investigation standards set forth in the City Archaeological Guidelines.

Plan Requirements and Timing: During construction if undiscovered archaeological resources are found as appropriate.

Monitoring: The City Planning and Environmental Review staff must inspect the project site to ensure that recommendations are carried out in the field.

Residual Impact. With implementation of the above mitigation measures, potential impacts to known and as-yet undetected archaeological resources would be reduced to a less than significant level.

c. Cumulative Impacts. Cumulative development in the Goleta Valley would continue to disturb areas that may potentially contain cultural resources, including archaeological resources. Two pending projects, the Marriot Residence Inn and Willow Springs II, are known to involve impacts to cultural resources. However, all potential development sites in the City are considered sensitive for archaeological resources due to their location in the Goleta Slough watershed. Existing City policies and regulations would protect any unknown resources that might be uncovered in the course of project development. As discussed in the *Setting*, City policies require protection of cultural resources through, among other techniques, appropriate site design, monitoring of grading activities in archaeologically sensitive areas, avoidance or/ or capping of identified resources, and coordination with Chumash representatives. Therefore, while there is the potential for significant cumulative impacts to cultural resources within the Goleta Slough area, it is anticipated that potential impacts associated with individual development projects will be addressed on a case-by-case basis in accordance with City requirements. In addition, as discussed above, the proposed project's impacts can be reduced to below a level of significance with the proposed mitigation measures. Therefore, significant cumulative cultural resource impacts are not anticipated.

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