

4.3 CULTURAL RESOURCES

Note: After the Draft EIR was released, the applicant chose to remove the car wash facilities from the Project site, and use of the car wash area is no longer part of the proposal. All references to future use of the car wash area have been removed from the project description and the impact analysis.

This section focuses on the potential for historic, prehistoric, or paleontological resources to be affected by ground disturbance from Project construction. Repaving the hammerhead turnaround has been completed, and this action would not have had any impacts on cultural resources because no ground disturbance occurred, nor would any ongoing impacts occur. ~~Use of the car wash area also would not affect cultural resources. Thus, these this issues are is not discussed further.~~

The analysis of historic and prehistoric resources is based on the Phase 1 archaeological investigation for the Project (Cardno 2016; refer to Appendix E), which included a record search and field inspection of the Project site by Cardno archaeologists in May 2016.

4.3.1 Existing Conditions

4.3.1.1 Prehistoric Setting

The Chumash occupied much of the southern and central coast from the Topanga Canyon region in the south to Monterey in the north and east towards the San Joaquin Valley (Gamble 2008). Occupation extended beyond the mainland to the northern Santa Barbara Channel Islands, including Santa Cruz, Santa Rosa, San Miguel, and Anacapa islands. The local prehistoric chronology is divided into four major periods: Early Occupation or Paleo-Indian, Early Period, Middle Period, and Late Period.

Early Occupation Period people are surmised to be highly mobile hunter-gatherers exploiting game and ocean resources at a time when a dryer, colder climate extended the California coastline farther west. Direct evidence of Santa Barbara occupation during this time is limited, and tool assemblages for this area are largely extrapolated from better defined areas (Erlandson 1991). Pleistocene megafauna, including mammoth and bison were the hunting focus. Plants and smaller animals were undoubtedly part of the Paleoindian diet as well, and when the availability of large game was reduced by climatic shifts near the end of the Pleistocene, the subsistence strategy changed to a greater reliance on these resources (Dudek 2011). More Pleistocene occupation zones may very well be underwater, flooded after the last glacial-maximum.

The transition into the Early Period was the result of post-Pleistocene changes in climate and the environment and is reflected in the local archaeological record by approximately 8,000 B.P. (King 1981, as cited in Dudek 2011). Climatic changes during this period are generally implicated in altering settlement patterns between coastal and interior dwelling groups. Santa Barbara County's Early Period has also been defined as the Oak Grove Period (Rogers 1929, as cited in Dudek 2011) and is characterized by the strong dependence on terrestrial food sources, especially seeds. Mano and metate milling stones, used to grind hard seeds such as sage for consumption, are the diagnostic tools of this period, which indicate a reliance upon small seeds. Large flake tools are also well represented. Subsistence strategies at the end of the Early Period evolved to a stronger emphasis towards fishing and marine mammal hunting, while acorn gathering and the use of the mortar and pestle also seem to increase after this period (Glassow et al. 1996).

During the Middle Period, the coastal Chumash were hunter-gatherers subsisting on marine resources (fish, marine mammals, shellfish), wild plants, and nuts such as acorns (Gamble 2008). The diagnostic tools, materials, and artifacts from this period reflect this transition. Milling stones decrease in frequency as the increase in acorn gathering results in a shift to stone mortars and pestles. This period's settlement patterns are found near trade routes at low elevations, and larger and more permanent populations are established as sedentism increases. King (1990) identifies the Middle Period's increase in localized specialization as a reflection of the region becoming more economically integrated. He further identifies that there are more types of ornaments (beads, shell pendants) in the Middle Period than the Early Period. There is a stronger reliance on marine resources and fishing as the plank canoe is developed. Further evidence of small, curved fishhooks and a high frequency of net (possible seine) weights support this evolution to ocean fishing and trade.

The Late Period is marked by consistent use of the bow and arrow, as well as permanently settled habitations and hierarchical sociopolitical and ceremonial systems. Reliance on trade and maintaining intercultural relationships with groups in different environments is evidenced through a wide variety of food and trade items (King 1981, as cited in Dudek 2011). Common bead and ornament types are present throughout the Santa Barbara region, and shell beads increase and vary due to social status. Grave goods from this period indicate a link of ceremonial belief systems with other coastal peoples. The Late Period overlaps with the protohistoric period, defined as the time period between the first documented Chumash/European interaction in 1542 and the 1769 Portola overland expedition, which severely altered the Chumash lifestyle (Gamble 2008).

4.3.1.2 Historic Setting

Juan Cabrillo's expedition from the coast of Mexico into Santa Barbara in 1542 is the first known European arrival in the area. Subsequent contact was sporadic over the next 200 years. In 1769, the Portola expedition initiated Spanish settlement in the area; historic occupation and development in the Project vicinity is categorized by three settlement periods: Mission Period (ca. A.D. 1769-1830), Rancho Period, (ca. A.D. 1830 to 1865), and American Period (ca. 1848 to 1915).

The Mission Period was established with the construction of Mission Santa Barbara (1786), Mission la Purisima Concepcion (1787), and Mission Santa Ynez (1804), which changed the regional and cultural landscape. During European exploration, priests and soldiers wrote extensive documents about the Chumash, and these ethnographic resources, coupled with archaeological data, provide a significant account on the Chumash during this period (Gamble 2008). During Mission Santa Barbara's first year of commission, 186 Chumash were baptized, 83 of whom were from the Goleta region (Johnson et al. 1982 as cited in City of Goleta 2006). In 1803, a proportionately large number of baptisms occurred at the five missions located in Chumash territory, putting such a strain on the missions that the newly baptized were allowed to remain in certain native villages that were renamed after saints (Johnson et al. 1982). At least two of these communities, originally named Mescaltitan (S'axpilil) and Cieniguitas (Kaswa's) and renamed as San Miguel and San Francisco, respectively, were located in the Goleta area (Johnson et al. 1982 as cited in City of Goleta 2006).

The Mexican government secularized the missions during the 1830s, granting mission lands to soldiers and other citizens to develop cattle ranches. The 1850s were a prosperous time for the ranchos, largely due to the Gold Rush, but prolonged droughts in the 1860s proved to be devastating and resulted in the closure of many cattle ranchos.

The American Period began in 1848 when the United States and Republic of Mexico signed the Treaty of Guadalupe Hidalgo, ending the Mexican-American War (1846 to 1848). Pursuant to that Treaty, Mexico ceded territories in what became the states of California, Arizona, New Mexico, and parts of Nevada, to the United States. Hastened by the influx of population resulting from the Gold Rush, California was soon admitted into the United States as the 31st state. As the Rancho Period was ending due to the challenges presented in the previous section, the area known as Goleta was transitioning as well. Daniel Hill sold over 1,400 acres to his son-in-law, T. Wallace More, between 1856 and 1864. William Hollister acquired over 5,000 acres of Dos Los Pueblos in 1869 and 1870 (King 1982, as cited in City of Goleta 2006). The Goleta area began to shift from sparsely populated cattle ranches to farmsteads and towns during in the 1870s. The area of the old La Goleta land grant north of Hollister Avenue was subdivided into 38 parcels, ranging from 31 to 258 acres each (King 1982:51 as cited in City of Goleta 2006), and a town taking the name of Goleta was established in the southwestern portion of the old La Goleta. By 1890, the population of Goleta had grown from 200 in 1870 to 700 people (King 1982:51, as cited in City of Goleta 2006). Goleta's urban design reflects its transition from a farming region to a post-World War II suburban residential community.

4.3.1.3 Project Site

Rancho ~~Goleta Estates~~ is an existing mobile home park that is developed with mobile homes, associated infrastructure, and a small amount of landscape vegetation in the areas where a fire line and hydrants project improvements would be located. Rancho ~~Goleta Estates~~ was initially built during the 1940s, then expanded in 1962 and 1968 through Conditional Use Permits, under the jurisdiction of the County of Santa Barbara. The City-owned parcel where the emergency access road, fire line, and retaining wall would be located is essentially undeveloped and contains an informal trail used by pedestrians and bicyclists. The Goleta West Sanitary District and Santa Barbara County Flood Control District have existing easements for ingress and egress and for maintenance and flood control and drainage purposes, respectively, along the proposed emergency access road corridor. The residential neighborhood adjacent to the emergency access road location was developed in the mid-1960s.

4.3.1.4 Archaeological Investigations

Cardno conducted a cultural resources site records and literature search at the Central Coast Information Center at the University of California, Santa Barbara in March 2016. The search area consisted of the area where ground disturbance would occur (the Area of Potential Effects [APE]) and a ¼-mile search radius that are collectively described as the study area. The records search reviewed the following sources:

- Previously recorded sites
- Reports of previous studies
- California Historical Landmarks
- National Register of Historic Places
- California Register of Historic Resources
- Office of Historic Preservation Historic Properties Directory
- General Land Office plat maps showing the study area
- County historical maps

The records search indicates that no cultural resources have been recorded within the APE. However, 10 cultural resource reports/plans have been prepared that discuss resources within ¼ mile of the APE. These studies resulted in recordation of two small, disturbed scatters of shell and a historic trash dump located within a ¼-mile radius of the Project (Table 4.3-1).

Table 4.3-1 Cultural Resources in the Study Area

Cultural Resource	Significance	Site Description	Reference
SBa-1194	Prehistoric	Low-density surface scatter of Chione and Olivella shell. Scatter covers 660 square meters.	Moore 1984
SBa-1195	Prehistoric	Low-density surface scatter of Tivela and Chione shell fragment, 1 shell per 15 square meter	Moore 1984
SBa-1750	Historic	Disturbed historic trash deposit with brick, glass, can, ceramic pipe fragment, cement, ceramic doorknob, shellfish and animal faunal remains.	Erlandson 1982

Cardno archaeologists conducted a field survey of the APE in May 2016. The survey consisted of a pedestrian survey of the entire APE, with specific focus on the proposed 20-foot-wide all-weather emergency access road along the north side of Devereux Creek from the south terminus of Coronado Drive to the hammerhead turnaround. Since the mobile home park is fully developed, and the areas where the fire line and fire hydrant improvements would be implemented are paved, survey in this area was limited to inspection of small landscaped areas not covered with pavement and structures. Where needed, systematic shovel scrapes were used to further improve surface visibility alongside the trail. Inspection focused on identifying modified landforms, artifacts, cultural features, shell scatter, and other indicators of human behavior. Observations during the survey indicate that the trail and immediately adjacent areas may have been previously graded (cut) and the trail surfaced with gravel. The general slope along the trail is 0 to 2 percent, whereas locally steeper slopes ranging from 5 to 20 percent are present along the cut banks of Devereux Creek and the north side of the trail in the area where the road would be located.

No prehistoric or historic archaeological resources were identified during the survey of the APE and none are expected to occur. In addition, no historic-era structures were noted within the APE.

4.3.1.5 Paleontological Resources

The Project site is located on the Goleta coastal plain within Quaternary bedrock formation. Much of the Project area is covered with alluvial deposits, and Younger Alluvium is common along Devereux Creek near the Project site (City of Goleta 2004). Younger Alluvium is not known to contain fossils (City of Goleta 2006a). The portions of Rancho ~~Goleta Estates~~ where construction would occur are located on Older Alluvium (City of Goleta 2004), which is known to contain scattered occurrences of terrestrial marine mammals (City of Goleta 2006a). A record search conducted through the University of California Museum of Paleontology (UCMP) identified 3,131 specimens located within Santa Barbara County. Of the 3,131 specimens, 6 mollusk specimens were identified as being within the vicinity of the Project site, specifically located at Coal Oil Point, south of Devereux Lagoon. The localities of 34 specimens were only identified as being in Santa Barbara County. The search failed to indicate the presence of paleontological resources within the Project site (UCMP 2015), and no evidence of fossils was found during the Phase 1 cultural resources survey conducted for this Project.

4.3.2 Regulatory Framework

4.3.2.1 Federal

No federal regulations relevant to cultural resources apply to this Project.

4.3.2.2 State

At the state level, the most relevant laws and regulations regarding the protection of cultural resources are Public Resources Code (PRC) §§ 5020.1(k) and 5024.1(g) and 14 CCR § 4852. Consideration of the significance of an “important archaeological resource” is regulated by CEQA Guidelines §§ 15064.5 and 15126.4 and the draft criteria regarding resource eligibility to the California Register of Historical Resources. Generally, under CEQA, a historic resource includes the built environment, historic, and prehistoric archaeological resources, which are considered significant if the resource meets the following criteria:

1. The resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. The resource is associated with lives of persons important in our past.
3. The resource 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. The resource has yielded, or may be likely to yield, information important in prehistory or history.

Additionally, Assembly Bill (AB) 52 (which amended Public Resources Code § 5097.94 and added Public Resources Code §§ 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3) requires lead agencies to evaluate a project’s impact on tribal cultural resources, just as they do for other historical and archeological resources. A tribal cultural resource is defined as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, which may include nonunique archeological resources previously subject to limited review under CEQA. “California Native American tribes” are all tribes (federally recognized or not) on the contact list maintained by the Native American Heritage Commission (NAHC).

If substantial evidence demonstrates that a project may cause a substantial adverse change to a tribal cultural resource, AB 52 provides that the Project may have a significant effect on the environment. AB 52 also contains a list of potential mitigation measures, including a preference for preservation in place, which must be considered by a lead agency, unless it determines that the measure is infeasible. AB 52 also requires that, upon request of a California Native American tribe, lead agencies must begin consultation with the tribe before releasing a CEQA document. CEQA Guidelines § 15064.5 assigns special importance to human remains and establishes procedures to be used when Native American remains are discovered. In addition to the mitigation provisions pertaining to the accidental discovery of human remains, the CEQA Guidelines require that a lead agency make general provisions for the accidental discovery of historical or archaeological resources.

Impacts on “unique archaeological resources” and “unique paleontological resources” are also considered under CEQA, as described under PRC § 21083.2. A unique archaeological resource implies 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 one of the following criteria:

1. The archaeological artifact, object, or site contains information needed to answer important scientific questions, and there is a demonstrable public interest in that information.
2. The archaeological artifact, object, or site has a special and particular quality, such as being the oldest of its type or the best available example of its type.
3. The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric event or person.

Potential impacts on 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 to the eligibility criteria as an “important” or “unique archaeological resource.”

A nonunique archaeological resource is an archaeological artifact, object, or site that does not meet the above criteria. Impacts on nonunique archaeological resources and resources that do not qualify for listing on the California Register of Historical Resources (CRHR) receive no further consideration under CEQA. Similarly, a nonunique paleontological resource is given no further consideration other than the simple recording of its existence by the CEQA lead agency.

California Health and Safety Code

Health and Safety Code § 7050.5(b) specifies protocols to be followed when human remains are discovered.

CEQA Guidelines

CEQA Guidelines § 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the County Coroner be called in to assess the remains. If the County Coroner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the NAHC. CEQA Guidelines § 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

For the accidental discovery of historical or archaeological resources, CEQA Guidelines § 15064.5(f) provides that an immediate evaluation of the find is to be conducted by a qualified archaeologist. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place. These procedures are further detailed in PRC § 5097.98.

4.3.2.3 Local

The Open Space Element of the City of Goleta General Plan (City of Goleta 2006b) includes a number of policies (OS 8.3 through 8.6) intended to protect cultural resources and requires that a Phase I cultural resources inventory will be conducted by a professional archaeologist or other qualified expert. Onsite monitoring by a qualified archaeologist and appropriate Native American observer is 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 will occur:

1. Grading or excavation will cease and the City will be notified.
2. A qualified archeologist will prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.
3. Disposition will be determined by the City in conjunction with the affected Native American nation.

Policy OS 8.7 protects paleontological resources. Should substantial paleontological resources be encountered during construction activities, all work that could further disturb the find must be stopped and the City of Goleta must be notified within 24 hours. The applicant must retain a qualified consultant to prepare a report to the City that evaluates the significance of the find and, if warranted, identifies recovery measures. Upon review and approval of the report by the City, construction may continue after implementation of any identified recovery measures.

4.3.3 Project Impacts

4.3.3.1 Thresholds of Significance

Based on both the City's Initial Study Checklist (CEQA Guidelines Appendix G: Environmental Checklist Form) and the City's Thresholds Manual (City of Goleta 2008), a significant impact on cultural resources could occur if the Project would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5.
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5.
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
4. Disturb any human remains, including those interred outside of formal cemeteries.
5. Result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

Items 1 through 4 are from the Initial Study Checklist and Item 5 is from the Thresholds Manual.

The City's Thresholds Manual defines an important archaeological resource by any of the following criteria:

1. Is associated with an event or person of recognized significance in California or American history; or of recognized scientific importance in prehistory.
2. Can provide information that is of both demonstrable public interest and useful in addressing scientifically consequential and reasonable or archaeological research questions.
3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
4. Is at least 100 years old and possesses substantial stratigraphic integrity.

5. Involves important research questions that historical research has shown can be answered only with archaeological methods.

The Thresholds Manual defines a significant historical resource as one that:

1. Possesses integrity of location, design, workmanship, material, and/or setting;
2. Is at least 50 years old (can be less than 50 years old if it is unique or possesses extraordinary elements of integrity, design, construction, or association); and
3. Demonstrates one or more of the following:
 - a. Is associated with an event, movement, organization, or person that/who has made an important contribution to the community, state, or nation.
 - b. Was designed or built by an architect, engineer, builder, artist, or other designer who has made an important contribution to the community, state, or nation.
 - c. Is associated with a particular architectural style or building type important to the community, state, or nation.
 - d. Embodies elements demonstrating outstanding attention to design, detail, craftsmanship; or outstanding use of a particular structural material, surface material, or method of construction or technology.
 - e. Is associated with a traditional way of life important to an ethnic, national, racial, or social group, or to the community at large.
 - f. Illustrates broad patterns of cultural, social, political, economic, or industrial history.
 - g. Is a feature or cluster of features (structure, building, structural element, object, tree, garden, etc.) which convey a sense of time and place that is important to the community, state, or nation.
 - h. Is able to yield information important to the community or is relevant to the scholarly study of history, historical archaeology, ethnography, folklore, or cultural geography.

Significance criteria associated impacts on tribal cultural resources per AB 52 have yet to be added to the CEQA Guidelines. In compliance with AB 52, the City of Goleta sent letters to tribal representatives on February 29, 2016, notifying them of the Project and offering them the opportunity to consult with the City within 30 days of receipt of the letter. The tribal representatives were associated with the Santa Ynez Tribal Elders Council, Santa Ynez Band of Mission Indians, Coastal Band of the Chumash Nation, Owl Clan, Barbareno/Ventureno Band of Mission Indians, and San Luis Obispo County Chumash Council. No responses have been received. Thus, it is assumed that the Project would not affect tribal cultural resources, and this issue is not discussed further.

4.3.3.2 Project Impacts

Impact CUL-1. Historic and Prehistoric Resources

No historic or prehistoric resources were identified in the APE. Therefore, no impacts on a known historic or prehistoric resource would occur. Several archaeological sites have been identified within ¼ mile of the Project site, however. Although these previously identified resources do not appear to have the potential to yield important information in prehistory or history, their presence near the APE suggests that unknown cultural resources could have been obscured or buried by previous development activities. Therefore, subsurface ground disturbance during construction of

the Project has a low potential of encountering unrecorded cultural resources, and if this occurred, the impact could be **significant but mitigable to less than significant (Class II)** through implementation of MM CUL-1. This measure requires that construction be monitored by a City-approved archaeologist and Chumash Native American observer, along with preparation of an archaeological monitoring plan to ensure that any unexpected discoveries of cultural resources are treated adequately and efficiently.

Impact CUL-2. Paleontological Resources/Geologic Features

Grading could extend to a depth of 4 feet below the current ground surface. Construction of the emergency access road, fire line, and retaining wall at the City-owned parcel north of Devereux Creek would occur on the boundary between Younger Alluvium, which does not contain fossils, and Older Alluvium, which may contain significant fossils. Construction in the mobile home park would occur in Older Alluvium. There is a low potential to encounter fossils of unique value at the Project site due to the limited size of the parcel, the shallow grading required, but should one be encountered during Project development, the Project could result in a **significant but mitigable to less than significant (Class II)** impact on paleontological resources. This impact would be mitigated by MM CUL-2, which requires that all site preparation, ground disturbance, and grading associated with the Rancho ~~Goleta~~ Estates Project must be spot-monitored on a part-time basis by a qualified paleontologist. The measure also outlines procedures to be followed in case fossils are encountered. There are no unique geologic features at this location.

4.3.4 Cumulative Impacts

Prehistoric archaeological sites are nonrenewable resources that have been destroyed at a high rate statewide and locally. Significant sites in Santa Barbara County have been destroyed by development. Because there is a potential for a significant impact on archaeological resources at the Project site, although unlikely, the cumulative impact of the Project in combination with other adverse impacts on cultural resources in the region is considered **significant but mitigable to less than significant (Class II)**. The Project-specific mitigation measure MM CUL-1 would reduce the Project's contribution to less than cumulatively considerable by requiring that construction be monitored by a City-approved archaeologist and Chumash Native American observer, along with preparation of an archaeological monitoring plan to ensure that any unexpected discoveries of cultural resources are treated adequately and efficiently.

Paleontological sites are nonrenewable resources that have been destroyed by development statewide and locally. Although fossil resources are rare, should any be encountered during Project development, the Project could result in a **significant but mitigable to less than significant (Class II)** cumulative impact on paleontological resources in combination with other development. The Project-specific mitigation measure MM CUL-2 would reduce the Project's contribution to less than cumulatively considerable by requiring that construction within Rancho ~~Estates~~ Goleta must be spot-monitored on a part-time basis by a qualified paleontologist and specifying procedures to be followed in case fossils are encountered.

4.3.5 Mitigation Measures

The following measures have been identified to mitigate impacts on archaeological resources identified in Impact CUL-1.

MM CUL-1. Construction Monitoring

All site preparation (pavement and vegetation removal) and subsurface ground-disturbing activities (e.g., grading, trenching) of the fire lines, hydrants, and road construction along the corridor north of Devereux Creek and in the mobile home park must be monitored by a City-

approved archaeologist and Chumash Native American observer (with selection to be reviewed and approved by the City). Before construction, a brief archaeological monitoring plan will be prepared and approved by the Planning and Environmental Review Director (or designee) to ensure that any unexpected discoveries of cultural resources are treated adequately and efficiently. The plan must include, without limitation, the following requirements:

1. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. The City of Goleta will be immediately notified. If resources are discovered that are considered potentially eligible for listing in the California Register of Historic Resources, then they must be addressed under the procedures set forth in CEQA Guidelines §15064.5. If significant resources are encountered and impacts are unavoidable, then data recovery through excavation will be conducted. If the cultural materials are of Native American origin, the Planning and Environmental Review Director (or designee) will confer with the Chumash Native American observer, and a data recovery plan will be prepared and implemented.
2. Provisions for the curation of recovered artifacts, per CEQA Guidelines § 15126.4, in consultation with culturally affiliated Native Americans.
3. If human remains are discovered, Health and Safety Code § 7050.5 requires that further disturbances and activities must cease in any area or nearby area suspected to overlie remains, and the County Coroner must be contacted. Pursuant to PRC § 5097.98, if the remains are thought to be Native American, the coroner must notify the Native American Heritage Commission, who must then notify the Most Likely Descendent. At this time, the project archaeologist must contact the Planning and Environmental Review Director (or designee) so that the agencies may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of PRC § 5097.98 are to be followed as applicable.

Plan Requirements and Timing: The archaeological monitoring plan will be submitted for review and approval to the Planning and Environmental Review Director (or designee) before construction. The plan will include the names and resumes for both the qualified archaeologist and Chumash Native American observer. In addition, the following note will be placed on all grading plans:

1. "If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area must be stopped until a qualified archaeologist can assess the nature and significance of the find. The City of Goleta will be immediately notified."
2. "If human remains are discovered, Health and Safety Code § 7050.5 requires that further disturbances and activities must cease in any area or nearby area suspected to overlie remains, and the County Coroner must be contacted. Pursuant to Public Resources Code § 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. At this time, the person who discovered the remains will contact the Planning and Environmental Services Director (or designee) so that they may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code § 5097.98 are to be followed as applicable."

Monitoring: A final written monitoring report will be prepared by the archaeological monitors and submitted to the Planning and Environmental Services Director (or designee) at completion of the project.

MM CUL-2. Discovery of Paleontological Resources

This mitigation measure has been identified to mitigate impacts on paleontological resources identified in Impact CUL-2. All site preparation, ground disturbance, and grading associated with the Rancho ~~Estates~~ Goleta Project must be spot-monitored on a part-time basis by a qualified paleontologist (with selection to be reviewed and approved by the City). The Planning and Environmental Review Director (or designee) and the project paleontologist must develop a schedule of regular part-time monitoring. This schedule can be increased, reduced, or eliminated as warranted by observed field conditions during construction. If fossils are exposed during grading and excavation, and found by the Project paleontologist or construction personnel, the following actions must be taken:

1. Follow appropriate notification procedures;
2. Assess the find, usually in the field by the project paleontologist, and determination of recovery procedures;
3. Provide for construction avoidance until a find is assessed and, if recovery is called for, scientifically recovered, construction-related excavations could continue in other areas away from the discovery;
4. Provide for continued monitoring of construction in all appropriate areas while the find is being recovered; and
5. Post-field initial study and curation preparation and subsequent curation.

Plan Requirements and Timing: Fossils that may be discovered during construction must first be assessed by a qualified paleontologist to determine whether they are scientifically significant and whether recovery measures are warranted. If recovery is recommended, it must be completed in a manner reflecting scientific standards currently applied to paleontological excavations. Within those limits, all appropriate measures must be taken to expedite recovery and to minimize interference with construction scheduling. The Planning and Environmental Review Director (or designee) must be notified within 12 hours of a paleontological resources discovery assessed by the project paleontologist to be significant and warranting recovery. The project paleontologist must periodically update the Planning and Environmental Review Director (or designee) during the recovery, and notify them upon completion of recovery. This measure must be in effect throughout all construction phases.

Monitoring: The Planning and Environmental Review Director (or designee) must ensure that this measure is implemented through regular contact with the project paleontologist and site visits as appropriate.

4.3.6 Residual Impacts

With implementation of measures required by regulatory agencies and the Project-specific mitigation measures included above (MM CUL-1 and MM CUL-2), residual Project-specific and cumulative impacts on cultural and paleontological resources would be reduced to less-than-significant levels because appropriate procedures would be followed in the unlikely event that cultural resources were encountered during construction.

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