4.4 CULTURAL RESOURCES

This section discusses cultural resources, including historical, archaeological, and paleontological resources. For purposes of this analysis, historical resources include buildings, other structures, and surface (above-ground) features and landforms of historical significance. Archaeological resources are buried resources from either historic or prehistoric periods. Two reports have been prepared by the project applicant to assess cultural resources at the project site. The first report, the *Phase I Historical Resources Management Report* (Post/Hazeltine Associates, September 2009), addresses the historical significance of an on-site railroad cut. The other, the *Phase I/Extended Phase I Archaeological Investigation* (Dudek, July 2009), addresses archaeological resources. The analysis in this section relies upon these reports along with a peer review and supplemental research and analysis provided by McKenna et al., in their report entitled *A Peer Review and Assessment of Previously Completed Cultural Resource Investigations Addressing the Westar Mixed-Use Project Area, Goleta, Santa Barbara Co., California* (February 4, 2011). Additionally, GMU Geotechnical Engineering conducted additional geotechnical exploration of the project site to assess possible construction design (e.g., foundation designs) on June 13-15, 2011. The exploration disturbed approximately 450-cubic feet of soil due to boring or trenching activities in various locations on the project site. Additionally, a City-qualified archaeologist and local Native American observer was onsite to monitor all geotechnical exploration work. No cultural resources were discovered through these activities.

Following the McKenna peer review of *Phase I/Extended Phase I Archaeological Investigation* letter and recommendations for further testing, Dudek provided a response to McKenna’a review (February 18, 2011) and a Supplemental Letter Report (March 11, 2011) that document the results of supplemental Phase I subsurface investigations. Subsequently, McKenna et al. provided additional review and response to the Dudek responses and supplemental investigations results in letters dated February 28, 2011 and March 17, 2011, respectively.

Following McKenna et al.’s peer review of the *Phase I Historical Resources Management Report*, in their March 4, 2011 letter, Post Hazeltine provided a response to McKenna et al.’s review, and McKenna et al. subsequently responded to Post Hazeltine in a letter dated March 9, 2011.

The Post/Hazeltine and McKenna et al. reports and review and response letters related to non-archaeological cultural resources are provided in Appendix C, while Dudek and McKenna et al.’s reports and review and response letters related to archaeological cultural resources are on file with the City.

In addition, Senate Bill 18 (Traditional Tribal Cultural Places) consultation procedures with Native American representatives were followed by the City of Goleta.

4.4.1 Existing Conditions

**Historical Resources**

The project site includes two parcels – Parcel A and Parcel B. Parcel A, located in the southeast corner of the site and containing 1.23 acres, is developed with an office building occupied by a television studio company and a drive-thru ATM kiosk. Parcel B, containing the 22.32-acre majority of the project site, is undeveloped. Review of historical aerial photographs, dating from 1938 to present, and a field investigation did not reveal the presence of historical structures on
the developed Parcel A or vacant Parcel B. Structures on Parcel A were originally built in 1967 according to building permits on file at the City. The office building was previously occupied by Bank of America until the 1990s, before it was converted to its current use as offices occupied by television studio companies. The ATM kiosk structure was originally built as part of the Bank of America building and was later converted to an ATM kiosk in 1998. It supports two drive-thru ATM machines. Given the age of these structures, they do not possess historical significance.

In the northeast corner of the project site, there is an engineered grading “cut” that is remnant of an abandoned segment of an 1887 Southern Pacific Railroad (SPRR) line (referred to as the “railroad cut”). The railroad cut is basically an excavation through the project site surface that created a level route where the tracks could be laid flat and trains could more easily navigate through on-site terrain. The cut is a crescent-shaped curve that increases in depth from west to east, reaching down to approximately 12 feet deep at its eastern end. Based on surface visual inspection, there is no surface evidence of remnants of the former rail line’s gravel bed, iron rails, spikes, or wood ties. The railroad cut is shown in the aerial photograph provided in Figure 4.4-1.

**Background of Railroad Cut**

The railroad cut traversing the site was engineered to accommodate a portion of the southern segment of the Coast Line (east of Ellwood) owned at the time by the SPRR. The segment provided a link between Santa Barbara and Los Angeles counties (and later connected with San Francisco, connecting coastal California with the national system of rails). This original SPRR alignment (through the project site) is estimated to have been in use between 1887 and 1902 (some references suggest line usage was terminated in 1900) culminating in approximately 13-15 years of active service (Coombs, 1982). In 1900-1902, this segment was replaced with the current alignment, which was designed to accommodate faster locomotives that could not navigate the sharper turns. This “curved” segment within the project site was then abandoned. Around the time of the realignment, Union Pacific Railroad (UPRR), the current owner, acquired SPRR.

The SPRR, built under the direction of the “Big Four” (Huntington, Hopkins, Stanford, and Crocker) and the Southern Pacific Railroad/Pacific Improvement Company, provided an essential connection for transportation of persons and products throughout California and the nation during its early years of operation. The SPRR was essential to the agricultural industry that became the sustaining force for economic growth in Santa Barbara and Goleta Valley at the turn of the 20th century.

For further discussion as to chain of events that resulted in the original SPRR railroad construction through the area, and the effect it had on the culture of Santa Barbara and the Goleta Valley, please refer to the Post/Hazeltine Phase I Historical Resources Management Report (2009), Section 3.0 Historical Context, provided in Appendix C.

**Historical Resource Designation**

The railroad cut was first officially identified as a historical resource by Dr. Gary Coombs of the South Coast Railroad Museum in the 1980s. He nominated it for a Santa Barbara County Landmark designation. The nomination resulted in a decision made in November 1988 to identify the railroad cut alignment as a County “Place of Historical Merit,” as opposed to a “Landmark.” The application to the County was based on the information provided by Dr. Coombs and the local historical society supporters. A Place of Historical Merit is as an honorary
Historical Railroad Cut

Aerial Photo Source: Ventura County, 2005.
When the City of Goleta was incorporated in 2002, the County’s historical resource designation of the railroad cut was similarly adopted within the City’s General Plan/Coastal Land Use Plan. Therefore, the railroad cut is currently identified as a local Place of Historic Merit and is identified as Historic Resource #45 per General Plan/Coastal Land Use Plan Table 6-1 (List of Historic Resources). The railroad cut has not previously been assessed for its eligibility for listing in the California Register of Historical Resources or the National Register of Historic Places (herein referred to collectively as the State and National registers).

**Evaluation of Historical Significance of the Railroad Cut**

As part of the project application, the Post/Hazeltine *Phase I Historical Resources Management Report* was prepared to assess the historical significance of the former SPRR railroad cut. The Report provides a detailed accounting of the historic context of the railroad at the time it was constructed and a re-evaluation the railroad cut’s merit for listing as a significant historic resource under City guidelines. It also provides an evaluation of its potential eligibility for listing on the State and National registers. According to the City General Plan/Coastal Land Use Plan, any resource that is considered significant at the State or Federal level would automatically be considered a locally significant resource General Plan/Coastal Land Use Plan Policy VH 5.2 (Locally Significant Historic Resources).

The Post/Hazeltine report concluded that the railroad cut does not merit designation as a locally significant resource. Nor does it meet the criteria for listing on the State or National registers. McKenna et al.’s assessment disagrees with these conclusions and asserts that the railroad cut does qualify for designation as a locally significant resource and may also be eligible for listing on the State and National registers. The following “City of Goleta - General Plan/Coastal Land Use Plan Criteria and Environmental Thresholds and Guidelines Manual Evaluation” discussion provides both historian’s professional determinations in separate paragraphs, one dedicated to Post/Hazeltine and one dedicated to and conclusions are based on McKenna et al. If both historian’s professional determinations were in agreement, an additional paragraph has been included.

To be considered a historical resource under the California Environmental Quality Act (CEQA), a resource must be listed in or determined eligible to be listed in the California Register of Historical Resources (Public Resources Code §5024.1; 14 California Code of Regulations CCR § 4850, *et seq.*); included in a local register of historical resources, as defined in § 5020.1(k) of the Public Resources Code; or identified as significant in a historic resource survey meeting the requirements of § 5024.1(g) of the Public Resources Code. The railroad cut is evaluated below for its significance on the local, State, and National levels.

**City of Goleta - General Plan/Coastal Land Use Plan Criteria and Environmental Thresholds and Guidelines Manual Evaluation**

The City’s General Plan/Coastal Land Use Plan (Policy VH 5.2) lists ten eligibility criteria (items a. through j. of Policy VH 5.2) to consider when evaluating whether a site or structure, including landscaping, qualify for designation as a locally significant historic resource. The City’s
4.4 CULTURAL RESOURCES

Policy VH 5.2 does not specify how many of the criteria must be met. It is assumed that meeting any one criterion would suffice for consideration. These criteria and a brief discussion relative to the railroad cut are provided below.

a. **It exemplifies or reflects special elements of the city’s cultural, social, economic, political, aesthetic, architectural, landscape architectural, or natural history.**

Post/Hazeltine concluded that the abandoned railroad cut on Parcel B is ineligible for listing as a locally significant resource under Criterion a. It is Post/Hazeltine’s professional opinion that a link between the railroad cut and 1887 railroad line cannot be established because the railroad line itself was destroyed. In addition, Post/Hazeltine determined the original function of the railroad cut, and any association with this historical event overall, are no longer discernable.

In the McKenna et. al. review, it was determined that the railroad cut, which is representative of the historic railroad alignment, is representative of an important historical event: the arrival of the railroad in the Goleta Valley in 1887. The railroad cut is one of, if not the last, remaining segments of the 1887 rail line alignment, making it of the last remaining recognizable portions of the original railroad line. This railroad cut demonstrates the successful economic progress and economic advancements within the Goleta Valley between 1887 and 1901. The railroad cut representing this alignment is noticeable, recognizable as a railroad cut alignment (to those who are interested in such features), and is a physical element of the City’s (Goleta Valley’s) history. Based on the above, the railroad cut meets the intent of Criterion a, and is a significant resource in consideration of these criteria.

This EIR concludes that the cut does meet Criterion a.

b. **It is identified with persons or events of local, State, or National history.**

Both Post/Hazeltine and McKenna et. al. agree that the railroad cut alignment is associated with the first rail line built through the Goleta Valley. This criterion is based on the non-tangible associations with persons and events, such as the “Big Four” or activities associated with the UPRR and/or E.H. Harriman.

Post/Hazeltine concluded that despite the fact that this segment of rail line has a demonstrable association with a historic event, its current state no longer reveals its original function or association with this historic event. Consequently, Post/Hazeltine concluded the railroad cut is ineligible for listing as a locally significant resource under Criterion b.

McKenna et. al. considered Post/Hazeltine’s opinion but determined that these “Big Four” figures were each significant in local, regional, State and National circles and instrumental in the success of the California rail systems. McKenna et. al. determined that the railroad cut meets Criterion b as it is directly associated with significant in local, regional, State, and Nationally significant persons and events.

This EIR concludes that the cut does meet Criterion b.
c. *It exemplifies distinctive characteristics of a style, type, period, or method of construction or is an example of the use of indigenous materials or craftsmanship.*

Both Post/Hazeltine and McKenna et. al. agree that the railroad line associated with the cut was established in 1887 and functioned for approximately 13 years before being abandoned (via replacement) in 1901-1902. There are no physical materials or material components relating to this alignment of the railroad have been discovered here to date visible. However, the bed for the alignment remains.

Post/Hazeltine concluded that the abandoned railroad cut does not possess the distinguishing characteristics of the style, type, period, or methods of construction that exemplifies distinctive characteristics for use of materials or craftsmanship for the period since the railroad cut can no longer convey its historic appearance or function. Consequently, Post/Hazeltine determined the railroad cut is ineligible for listing as a locally significant resource under Criterion c.

McKenna et. al. determined that there is an element of recognition in the development of the “bends” to the alignment to accommodate the inclines (and engine capacities to move the trains over terrain) and the cut is representative of the period of development. Advances in locomotive speed required the realignment of the tracks in 1900-1902 to the current configuration described as the UPRR ROW. The original SPRR cut was abandoned at that time. Although no actual material components of the railroad have been discovered here to date, whether or not the railroad cut meets Criterion c, is determined to be inconclusive at this time.¹

This EIR concludes without a specific engineering analysis, such as a Historic American Engineering Record (HAER), whether the railroad cut meets Criterion c for significance remains inconclusive.

d. *It represents works of a notable builder, designer, architect, or landscape architect.*

Both Post/Hazeltine and McKenna et. al concur that there is no readily available evidence to suggest the 1887 railroad alignment reflects the works of a notable builder, designer, architect, or landscape architect. The Post/Hazeltine Report references the difficulty in acquiring building materials and labor, acquiring right-of-way, and maintaining local access to other venues (e.g., the shoreline) which illustrates the significant “strength” and “power” of the railroad company(ies) at that time in history. One may argue that the larger SPRR infrastructure meets this requirement. However, at this time, the data needed to apply this criterion is not likely to be found. Both historians determined the railroad cut does not meet Criterion d.

This EIR concludes that the cut does not meet Criterion d.

e. *It includes a geographically definable area possessing a concentration of historic, prehistoric, or scenic properties that are united aesthetically.*

Both Post/Hazeltine and McKenna et. al. concluded that the railroad cut – as an isolated fragment of the original line – is ineligible for listing as a locally significant resource

¹ Given that the purpose of the McKenna et al. report was a peer review, it did not include the evaluation necessary to confirm this conclusion.
under Criterion e. However, Post/Hazeltine analyzed the resource in the context of its value as a historic resource, i.e., part of a larger concentration of historic features. The alignment is one of two small segments of the original alignment remaining. This alignment is not part of a concentration of properties united aesthetically. Therefore, both historians determined the railroad cut does not meet Criterion e.

This EIR concludes that the cut does not meet Criterion e.

f. It has a location with unique physical characteristics, including landscaping, or is a view or vista representing an established visual feature of a neighborhood or community.

Post/Hazeltine's review concluded that the railroad cut no longer retains its ability to convey its historic appearance, nor does it embody unique physical characteristics that would make it eligible for listing as a locally significant resource under Criterion f.

McKenna et. al determined that the location of the alignment is relatively unique since it was the terrain that dictated the loop of the alignment to meet the needs of the railroad. That terrain can be interpreted as a unique physical characteristic. While landscaping along the current alignment includes eucalyptus trees, it is not known whether the trees were planted as part of the original alignment or the realignment. As a below grade cut, there is no “vista” and no association with a neighborhood or community, other than the Goleta Valley in general. McKenna et. al. determined that The applicability of this Criterion f to the railroad cut is not inconclusive.

This EIR concludes that whether the railroad cut meets Criterion f for significance remains inconclusive.

g. It embodies elements of design, detail, materials, or craftsmanship representing a significant structural, architectural, or landscape architectural achievement.

Post/Hazeltine concluded that the railroad cut does not embody a significant structural achievement in terms of its design or construction. It is therefore ineligible for listing as a locally significant resource under Criterion g.

Similarly, McKenna et. al. determined that there is no evidence that any design, materials, detail, or craftsmanship were used in the development of the railroad cut within the project site. Therefore, this particular portion of the SPRR 1887 alignment does not meet Criterion g.

This EIR concludes that the cut does not meet Criterion g; however, if additional physical elements evidence of the alignment are later discovered is uncovered in the future, the conclusion under Criterion g may change.

h. It reflects significant geographical patterns associated with different eras of settlement and growth.

Though the Post/Hazeltine Report details the history of settlement and growth surrounding the rail line, and states its association with this history, the ability of this resource to convey this connection has been compromised by the destruction of almost all of the original 1887 line. In addition, the report states that the remaining segment does not maintain enough integrity to prove its original function or association with
Goleta Valley history and therefore Post/Hazeltine concludes that the abandoned railroad cut is ineligible for listing as a locally significant resource under Criterion h.

The Post/Hazeltine Report provides that the 1887 SPRR alignment 

“… linked southern Santa Barbara County to the rest of Southern California ... provided the Goleta Valley with its first reliable transportation line with the rest of the nation. It engendered the development of the Goleta Valley’s agricultural industry and spurred settlement and development in the area.”

The new alignment ultimately connected the Goleta Valley to Northern California. The railroad cut represents a pattern associated with different eras of settlement and growth. It was the presence of the railroad that allowed local farmers to successfully transport their produce to market and to bring tourists of settlers to an area that was previously not accessible to the majority of people. As such, McKenna et. al. determined that the railroad cut may meet this Criterion h. However, their determination of the applicability of Criterion h is not conclusive.

This EIR concludes that whether the railroad cut meets Criterion h for significance remains inconclusive.

i. It is one of the few remaining examples possessing distinguishing characteristics of an architectural, landscape architectural, or historical type.

Both Post/Hazeltine and McKenna et. al. agree that this alignment of the 1887 railroad cut is one of only two examples of the original alignment remaining and still reflects the original location of the alignment.

Post/Hazeltine concluded that, despite the fact that this railroad cut is one of the few surviving segments of the 1887 railroad line in the Goleta Valley, it no longer conveys its historic appearance or function nor does it possess the distinguishing characteristics of its type. Post/Hazeltine determined that the abandoned railroad cut is ineligible for listing as a locally significant resource under Criterion i.

McKenna et. al. determined that the railroad cut is a “distinguished” characteristic, as railroad alignments have a unique structure to their development, not indicative of other developments, which demonstrates its navigation of the terrain. The development of the landscape to accommodate the rail alignment is consistent with the intent of this criterion. Therefore, McKenna et. al. determined the railroad cut would meet this Criterion i.

This EIR concludes that the cut does meet Criterion i.

j. It includes rare or specimen plant materials associated with a particular period or style of landscape history.

The property in question is located within an open field with non-native grasses and weeds (and some eucalyptus trees) that are not indicative of the natural vegetation. Both Post/Hazeltine and McKenna et. al concluded that the plantings at this parcel where the railroad cut is located are not rare or specimen plant materials and that the railroad cut is
4.4 CULTURAL RESOURCES

not eligible for listing as a locally significant resource. The flora is not unique, rare, or indicative of any particular period, although one could argue the grasses and trees are associated with a specific period in history (American Period). Therefore, both historians determined the railroad cut does not meet Criterion j.

This EIR concludes that the cut does not meet Criterion j.

Based on the above, Post/Hazeltine determined that the railroad cuts does not meet any of the General Plan/Coastal Land Use Plan’s ten criteria, and therefore, does not qualify as a locally significant historic resource.

Based on the above, McKenna et. al. determined the railroad cut meets at least three of the City General Plan/Coastal Land Use Plan’s ten criteria, and therefore, qualifies as a locally significant historic resource. McKenna et. al determined that retention of the designation as a locally significant historic resource is warranted.

It is the determination of this EIR, in agreement with McKenna et. al, that the retention of the designation as a locally significant historic resource is warranted.

The City’s Environmental Thresholds and Guidelines Manual provides a ranking system for assessing the significance of historic resources for purposes of CEQA analyses. The rankings are:

4 = exceptional
3 = high-very good
2 = good
1 = little

These rankings are made for a variety of criteria as described in the technical reports provided in Appendix C. Assessments with an overall value of 1 have a low potential for listing as a historic resource; values above 1 have a relatively high potential for listing. Post/Hazeltine determined that the railroad cut has an overall value of 2 for Integrity, 3 for Age and 1.1 for Association. Therefore it would not be considered a significant historical resource as per the City’s Environmental Thresholds and Guidelines Manual. McKenna et al. determined that the railroad cut has an overall value of 2.5. Therefore it would be considered a significant historical resource as per the City’s Environmental Thresholds and Guidelines Manual.

It is the determination of this EIR, in agreement with McKenna et. al, that the railroad cut would be considered a significant historical resource as per the City’s Environmental Thresholds and Guidelines Manual.

California Register of Historical Resources (CRHR)
The criteria for identifying a cultural resource as a historical resource and eligible for listing on the California Register of Historical Resources CRHR (Public Resources Code §5024.1; 14 California Code of Regulations § 4852) are as follows:

A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;

B) Is associated with the lives of persons important in our past;
C) Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a creative individual, or possesses high artistic values; or

D) Has yielded, or has the potential to yield, information important to prehistory or history.

Post/Hazeltine concluded that the railroad cut is not eligible for listing in the CRHR. In summary, they reported that the railroad cut did not qualify as it was not identified as eligible in a previous study; that the information relied upon for its designation as a “Significant Historic Resource” was inadequate under Public Resources Code Section 5024.1; it lacks sufficient integrity to convey its association; that it had no reported connection to persons that made significant contributions to the State, that the engineering work does not embody distinctive characteristics of a type, period or method of construction, artistic values; and is not the work of an important creative person.

McKenna et al. concluded the 1887-1900+ railroad alignment meets the intent and requirements of CRHR Criteria A and B. The alignment can be associated with the development of the extensive California rail system developed by the “Big Four” and resulting in connecting regional areas throughout California and the nation. This alignment represents the first rail system in the Goleta Valley and was instrumental in the success of the agri-business in Santa Barbara County and the immediate area. It also facilitated the population growth in the Goleta Valley and was instrumental in developing area tourism. These are intangible associations and not related to the physical integrity of the property.

Based on information available to date, the railroad cut does not appear to qualify under CRHR Criterion C. However, with additional research, if actual material components of the railroad are discovered during grading, the railroad cut may qualify under CRHR Criterion C if physical evidence is uncovered in a buried context and/or if additional research materials or evidence that associates the construction with specific individuals or designs comes to light that is not known at this time. This assertion can pertain to CRHR Criterion D, as well.

A resource need only meets one of the four criteria presented above to be identified as a historical resource. McKenna et al. concluded this railroad cut meets the requirements for recognition under CRHR Criteria A and B. Therefore, McKenna et al concluded this resource is a historical resource that is eligible for listing on the CRHR.

It is the determination of this EIR, in agreement with McKenna et al, that this resource is a historical resource that is eligible for listing on the CRHR.

National Register of Historic Places (NRHP)
Criteria for eligibility for listing in the NRHP are similar to those for listing on the CRHR. According to these criteria, a resource is eligible if it:

A. Is associated with events that have made a significant contribution to the broad patterns of our history;
B. Is associated with the lives of persons significant in our past;
C. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and

D. Has yielded, or may be likely to yield, information important to the prehistory.

Post/Hazeltine concluded that the railroad cut is not eligible for listing in the NRHP. In summary, they reported that it was not eligible because it lacks sufficient integrity to convey its association; that it does not embody distinctive characteristics of a type, period, or method of construction, nor represent the work of an important creative individual or possess artistic value; and that the potential for the cut to contain further information important to the community is minimal.

McKenna et. al, concluded, as discussed above, the 1887 railroad alignment can be associated with both events and persons important in history (see earlier discussion). This resource connected the coastal California area with the rest of the nation through the connections with the Southern Pacific and Union Pacific Railroad systems.

The historic Goleta railroad station ("depot"), originally built along the historic SPRR alignment (1901) and relocated to the South Coast Railroad Museum on Los Carneros Road, is listed in the National Register of Historic Places and is recognized for its association with the “Big Four,” the events associated with its construction and events within the local, regional, State, and National commercial and transportation improvements. The depot is listed as a Santa Barbara County Historical Landmark (No. 22); listed in the California Register of Historical Resources; and listed in the National Register of Historic Places. At the time of the listing, the depot was in a state of disrepair, in need of serious and costly renovations, and fully abandoned. This demonstrates that historical resources can become “listed” even though their appearance or integrity may be compromised at the time it is considered for listing.

The railroad cut located within the project area is also in a state of disrepair and/or abandonment. Nonetheless, it shares the history of association with persons and events that led to the recognition of the depot. Based on these factors and the data presented above under the local and CEQA evaluations, this resource warrants its current City designation as a locally significant historic resource (a Place of Historic Merit), and would also qualify for listing on the CRHR and NRHP.

It is the determination of this EIR, in agreement with McKenna et. al, that this resource is a historical resource that is eligible for listing on the NRHP.

Archaeological Resources

Archaeological Setting

The local prehistoric chronology is divided into four periods: Paleoindian, Early Period, Middle Period, and late period. It is generally accepted that humans entered the North American Continent during the latter part of the Wisconsin glaciation, between 40,000 and 20,000 years before present (B.P.).

The earliest evidence of human occupation in the southern Santa Barbara County area is considered to be between 10,000 and 8,000 B.P. (Erlandson and Colten 1991). Paleo-indian
groups during his time focused on the hunting of mega-fauna, including mammoth and bison. Plants and smaller animals were also part of the Paleoindian diet and, when large game was reduced near the end of the Pleistocene, the archaeological record shows subsistence strategies shifted to a reliance on these smaller resources.

The Early Period, defined by King (1974, 1979, and 1981), was based on the original definition by Rodger (1929), also known as the Oak Grove Period (8000-3350 B.P.). Diagnostic elements associated with this period include a variety of milling stones (predominantly manos and metates; Glassow et al. 1990).

The Middle Period (3350-800 B.P.) is characterized by larger and more permanent settlements and a greater reliance on marine resources. In addition to manos and metates, mortars and pestles are present, representing a shift in the use of vegetal resources. Toward the end of this period, plank canoes allowed for more substantial marine exploitation (Arnold 1987).

The Late Period (800-150 B.P., approximately A.D. 1150 to 1800) is characterized by increased social and economic complexity, more permanent settlements, and a corresponding increase in population. Trade networks expanded, as evidenced in the archaeological record, and there is evidence of craft specialization. The proto-historic culture of the local Native American populations (Chumash) ended with the arrival of Spanish explorers and the establishment of the Spanish Mission system.

Previous archaeological resource investigations indicate that 37 cultural resources investigations were completed, revealing at least 11 archaeological sites, within 0.5 mile of the project site. Three known archaeological sites are located within a closer vicinity of the project site. In addition, one archaeological site was identified adjacent to the project site, but was determined to have been “re-deposited” with limited significance or research potential (McKenna et al., 2011). Archaeological sites in the vicinity of the project site (within 0.5 miles) yielded artifacts including evidence of milling stone features, burials, and major occupations.

In July 2009, Stone and Victorino of Dudek Engineering completed a “Phase I/Extended Phase I Archaeological Investigation” of the project site. Stone and Victorino reported the presence of archaeological deposits in the northwestern corner of the property. Further testing of this area was conducted, resulting in a conclusion that these deposits do not retain their integrity or association with their original prehistoric deposition. They suggested these deposits were re-deposited resources (did not originate that location) and could be components of other archaeological sites in the area. The Phase I Report also states a potential for “fragmentary human remains and/or artifacts” to exist in otherwise disturbed deposits.

Archaeological Sensitivity of the Project Site

Based on review of previous archaeological resource investigations at the project site and in the vicinity of the site, the site is considered sensitive for archaeological resources. The entire project site is considered sensitive given the presence of archaeological sites in the vicinity as well as the potential for resources originating from other sites to have been previously excavated during past grading and deposited within the project site. Further, the northwest corner is sensitive for fragmentary human remains and/or artifacts. There is also the potential that one of the archaeological sites in the vicinity of the project site may extend into the northeast corner of the site. This assertion is based on the mapping of sites on file at the UCSB-CCIC and data present in the various reports for studies completed adjacent to this project area. Although additional subsurface investigations were conducted in March 2011 following
recommendations of the Phase I/Extended Phase I peer review, the level of testing has not conclusively established that the potential for subsurface human remains or artifacts does not exist in this area of the site. This same area is considered sensitive for buried railroad-related historic archaeological resources (as discussed above).

The Coastal Band of the Chumash Nation representatives (members of the Chumash Native American Community) were consulted regarding the potential for archaeological impacts on the project site. The Chumash consider the entire Goleta area to be significant to their heritage and do not consider the integrity or lack of integrity of the archaeological deposits relevant to the importance of a site. As part of the EIR preparation process, the City of Goleta consulted the local Coastal Band of the Chumash Nation to identify concerns and appropriate mitigation in accordance with SB 18 procedures.

Paleontological Resources

As provided in Section 4.5 Geologic Resources, the project site is underlain by predominantly Quaternary marine terrace with alluvial deposits above the marine terrace and some man-made fill materials above the alluvial deposits. The uplifted late Pleistocene marine terrace landforms and deposits include two distinct terrace surfaces age-dated at 47,000 years before the present (ybp) and 58,000 to 60,000 ybp. These terrace surfaces represent preserved “paleo-sea level.” Intermediate-age Quaternary (Upper Pleistocene) alluvium Qia underlies the more immediate surface of the project site. Based on regional mapping (Minor, and others, 2009), the material is described as orange-brown, unconsolidated layers of silt, sand, and cobble conglomerate with well-rounded clasts up to about 10-inches long. It is concluded in the geologic studies that the alluvial “unit” is greater than 65-feet thick, locally with a maximum of depth of 100 feet. As such, the younger alluvium at the project site is not considered sensitive for fossil-bearing (paleontological) deposits within the depths that would be affected by development.

Regulatory Framework

Federal

The National Historic Preservation Act (16 U.S.C. §§ 470, et seq.) protects archaeological, cultural, and historic resources of national importance in the United States. The Act established the National Register of Historic Places (NRHP), an official list of resources that are identified as worthy of protection. A resource is eligible for listing in the NRHP if it:

- Is associated with events that have made a significant contribution to the broad patterns of our history;
- Is associated with the lives of persons significant in our past;
- Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and
- Has yielded, or may be likely to yield, information important to the prehistory.

The Joint Resolution American Indian Religious Freedom (codified at 42 U.S.C § 1996) establishes that the policy of the United States is to protect and preserve for Native Americans their inherent right of freedom to believe, express, and exercise their traditional religions. Executive Order No. 13007 (61 Federal Register 26771, May 24, 1996) directs all federal agencies to enact procedures to protect sacred Native American sites.
4.4 CULTURAL RESOURCES

State

CEQA (Public Resources Code §§ 21000, et seq.), and the CEQA Guidelines provide a framework for the analysis of impacts to historical and archaeological resources.

To be considered a historic resource under CEQA, a resource must be listed in or determined eligible to be listed in the California Register of Historical Resources (Pub. Res. Code § 5024.1; 14 CCR §§ 4850, et seq.); included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code; or identified as significant in a historic resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code. The criteria for listing in the California Register are provided above.

Impacts to “unique archaeological resources” and “unique paleontological resources” are also considered under CEQA, as described under Public Resources Code § 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:

a) The archaeological artifact, object, or site contains information needed to answer important scientific questions, and there is a demonstrable public interest in that information.

b) 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.

c) The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.

Section 15064.5 of CEQA also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed under Public Resources Code § 5097.98.

Under Public Resources Code § 15064.5, a project would potentially have significant impacts if it would cause substantial adverse change in the significance of one of the following:

a) A historical resource.

b) An archaeological resource.

c) A unique paleontological resource or unique geologic feature.

d) Human remains.

Local Policies

The City General Plan/Coastal Land Use Plan provides policies that govern the evaluation and protection of historical resources. The evaluation criteria are discussed above. Policies that govern the protection of locally significant historic resources include:

VH 5.4 Preservation of Historic Resources. Historic resources and the heritage they represent shall be protected, preserved, and enhanced to the fullest extent feasible. The City shall recognize, preserve and rehabilitate publicly owned historic resources and provide incentive programs to encourage the designation, protection, and preservation of privately owned historic resources. Various incentives or benefits to the property owner shall be considered, such as direct financial assistance, reduced permitting fees to upgrade structures, flexibility with regard
to allowed uses, compliance with the State Historic Building Code rather than the [California] Building Code, façade conservation easements, identification of grant sources, provision of information regarding rehabilitation loan financing, and tax advantages.

VH 5.5 Alterations to Historic Resources. Any proposed alterations to historic resources shall be subject to a Phase 1 and/or Phase 2 historical study. Any alterations deemed acceptable that may affect the historical integrity of a historic site or structure shall respect the character of the building and its setting and maintain architectural consistency with the original site or structure. Such proposals may require an evaluation from a cultural resources professional or landmarks commission and/or design review prior to approval. To encourage rehabilitation, maintenance, and sensitivity in additions and remodels, the City shall support adaptive reuse of historic sites and structures and may consider allowing for flexibility when applying zoning regulations that retain or promote the historical significance.

VH 6.1 Historical and Cultural Landscapes Definition. A cultural landscape is defined as a geographical area including both cultural and natural resources associated with a historic event, activity, or person. A historical landscape is composed of character-defining features that contribute to the physical appearance over time. Such features may include vegetation, topography, water features, circulation features, buildings, and furnishings such as lights, benches, or fences. Historical and cultural landscapes may have been created through specific intent of a designer or by vernacular means.

VH 6.2 Preservation. Historical and cultural landscapes and the heritage they represent shall be protected, preserved, and enhanced to the fullest extent feasible. Particular attention shall be paid to retention of the elements of agricultural areas that provide a historic context for buildings, such as the landscape around the caretaker’s residence on Bishop Ranch. The City may consider acquiring protective easements to maintain such landscapes.

4.4.2 Thresholds of Significance

The City of Goleta’s Environmental Thresholds and Guidelines Manual indicates that a project would result in a significant impact on a cultural resource (historical and archaeological) if:

a. The project 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.

Similarly, Section 15064.5(b) of the CEQA Guidelines provides that a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment and a substantial adverse change in the significance of an historical resource 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. This threshold is the basis from which the project’s impacts to historical archaeological resources are determined below in Section 4.4.3 Project Impacts.

4.4.3 Project Impacts

The project would alter the ground surface of the project site during grading and subsurface construction of commercial and residential structural foundations, utility trenching, stormwater infrastructure, paving, and landscaping. The northeast corner of the project site would involve
excavation of over 10 feet to reach finished grades, while other areas, such as the southern portion, would be excavated and filled. All areas of the site would be subject to several feet of over-excavation and re-compaction before final grades are achieved. Any of these subsurface ground disturbances could potentially result in the discovery and disturbance of historic and prehistoric archaeological resources, including human remains. Associated impacts to historic, archaeological, and paleontological resources are discussed below.

**Historical Resources**

**Impact CR 1: The project would result in the removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource.**

*Significance Before Mitigation: Potentially Significant*

As discussed above, in consideration of the professional opinions of Post/Hazeltine and McKenna et. al, this EIR concludes that the on-site 1887 SPRR railroad cut warrants its current City designation as locally significant historic resource (a Place of Historic Merit), and is eligible for listing in the CRHR and NRHP. The applicable criteria involve the associations of the resource with major events and persons important in history (Criteria A and B). The railroad cut would be completely removed as a result of the project. The area would be fully graded to fill the cut and lower the “walls” so as to create a level surface upon which residential structures and related landscaping and paving would be constructed. The project’s impacts to this resource would be considered potentially significant.

**Archaeological Resources**

**Impact CR 2: The project would result in the potential to degrade archaeological resources.**

*Significance Before Mitigation: Potentially Significant*

The project site is considered sensitive for archaeological resources. Grading and subsurface construction activity associated with the project could result in the destruction or degradation of archaeological resources, if present. This potential impact is considered potentially significant.

**Paleontological Resources**

**Impact CR 3: The project grading could uncover paleontological resources.**

*Significance Before Mitigation: Less Than Significant*

The project grading and subsurface disturbances would occur within fill deposits and alluvium, which are relatively recent geologic units that are not likely to contain paleontological resources. Therefore, the potential for the project to result in an adverse effect on such resources would be considered less than significant.

**4.4.4 Cumulative Impacts**

**Impact CR 4: The project would result in removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource.**

*Significance Before Mitigation: Potentially Significant*
Development in other parts of the Goleta Valley and Santa Barbara resulted in losing much evidence of the historical 1887 SPRR railroad alignment. The railroad cut is one of only two small railroad cuts known to exist providing evidence of the original SPRR rail line. The other small segment is located outside the City’s jurisdiction. Removing the railroad cut would result in a 50% loss of evidence for the 1887 SPPR railroad line overall and a 100% loss of such evidence within the City’s jurisdiction. The project’s impact on the loss of the SPRR historical resources is, accordingly, potentially significant.

**Impact CR 5: The project would result in the potential to degrade archaeological resources.**

*Significance Before Mitigation: Potentially Significant*

Previous development within Santa Barbara County resulted in the loss of much of the evidence of the prehistoric occupation and use of the area. Current development projects within the City include a number of projects ranging from relatively small residential developments to larger residential development, commercial and industrial developments, and mixed-use developments. Of these, the Marriot Residence Inn and Willow Springs II would involve impacts to cultural resources, but all of the project sites are considered to be in areas sensitive for archaeological resources since the entire Goleta Slough area is considered sensitive for such resources. The project, in combination with other currently planned projects, would result in the potential for a significant cumulative impact. The project’s contribution to this impact is considered cumulatively considerable, and therefore, potentially significant.

### 4.4.5 Mitigation Measures

#### Historical Resources

**Impact CR 1: The project would result in the removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource.**

An alternative to the project that would avoid the project’s impact on the railroad cut is examined in Section 6.0 *Alternatives*. The following mitigation measures would be implemented if avoidance is not feasible.

**CR 1-1:** The permittee shall ensure the historical railroad cut is adequately recorded by a qualified historian acceptable to the City of Goleta before any alteration or removal. A Historic American Engineering Record (HAER) shall be prepared. HAER documentation was initiated in 1969 by the National Park Service, in association with the American Society of Civil Engineers and the Library of Congress, to document historic sites and structures related to engineering and industry. The format and data requirements for HAER documentation are presented in the Secretary of the Interior’s Standards and Guidelines for Architectural and Engineering Documentation. They require that the documentation “… captures the significance of the site or structural is accurate and verifiable; has archival stability; and is clear and concise.”

**Plan Requirements and Timing:** Prior to approval Before the City issues any Land Use Permit for any grading and/or excavation, a qualified historian the permittee must prepare and record the appropriate state Department of Parks

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and Recreation 523 forms, acquire a state-issued trinomial, and complete a HAER.

**Monitoring:** The permittee must submit City staff shall be provided copies of recording documents and HAER to the Planning and Environmental Services Director, or designee.

**CR 1-2:**

The permittee shall must ensure recognition of the alignment by placing surveyed markers along the perimeter of the alignment and filling the alignment with contrasting materials (e.g. colored or enhanced paving materials in areas that would contain drive aisles and shrubs or low stone walls in landscaped areas) that visually demonstrate where the 1887 SPRR alignment was located. The permittee must also install a plaque and/or information board explaining the history of the 1887 SPRR railroad cut to commemorate the significance of the alignment.

**Plan Requirements and Timing:** Before the City issues Prior to approval of any Land Use Permit for any grading and/or excavation, the permittee shall must prepare a surveyed map delineating the precise location of the 1887 SPRR railroad cut. Before the City issues a certificate of occupancy for any residential building, the applicant–permittee must install markers, materials, and a plaque and/or information board shall be installed to the satisfaction of the Planning and Environmental Services Director, or designee. Before the City issues a certificate of occupancy for any residential buildings, the applicant–permittee and the permittee shall must submit documentation from a licensed surveyor that the markers were installed in the correct location.

**Monitoring:** The Planning and Environmental Services Director, or designee, must verify installation of the plaque and/or information board.

**CR 1-3:**

The permittee must submit a street naming application and propose historically appropriate street names in the residential component of the project site. Road names may consist of persons associated with the railroad, such as Huntington, Hopkins, Stanford, Crocker, and Harriman, and, in the residential component of the project site. William B. Story, the Southern Pacific Engineer responsible for the railroad construction in Santa Barbara in 1887 and the 1901 realignment. Additionally, road names may incorporate other historically appropriate railroad related terms and/or equipment.

**Plan Requirements and Timing:** Before recordation of the tract final map, the permittee shall submit a street naming application.

**Monitoring:** The Planning and Environmental Services Director, or designee, must City staff shall process the street naming application and verify installation of the street signs with the approved street names.
Archaeological Resources

Impact CR 2: The project would result in the potential to degrade archaeological resources.

CR 2-1: A City-approved archaeologist and local Native American observer 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. In accordance with local guidelines, the monitor(s) shall have the following authorities:

a. The archaeological monitor(s) and Native American 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 remain on-site until it is determined through consultation with the permittee, the Planning and Environmental Services Director, archaeological consultant, and Native American representative that monitoring is no longer warranted;

b. The monitor(s) have the authority to halt any activities impacting previously unidentified cultural resources and to conduct an initial assessment of the resource(s);

c. 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;

d. If a feature or concentration of artifacts is identified, halt activities in the vicinity of the find, notify the permittee and City, 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 natural of the find(s);

e. Prepare a comprehensive archaeological technical report documenting the results of the monitoring program and include an inventory of recovered artifacts, features, etc.;

f. Prepare the artifact assemblage for curation with an appropriate curation facility (e.g. the University of California Santa Barbara (UCSB) or local Native American facility). Include an inventory with the transfer of the collection; and

g. 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 any LUP, building, grading, or demolition permits. The permittee shall enter into a contract with a City approved archaeologist and Native American representative and shall fund the provision of onsite.

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archaeological/cultural resource monitoring during initial grading, excavation, and/or demolition activities prior to before the City issues any LUP issuance.

Before the City issues any Land Use Permit for any grading and/or excavation, the permittee must prepare a Construction Monitoring Plan. Plan specifications for the monitoring shall be printed on all plans submitted for grading, and building permits. Before the City issues any Land Use Permit for grading, the permittee must enter into a contract with a City approved archaeologist and Native American representative and fund the provision of on-site archaeological/cultural resource monitoring during initial grading, and excavation activities prior to before the City issues a LUP issuance.

**Monitoring:** The Planning and Environmental Services Director, or designee, City staff shall conduct periodic field inspections to verify compliance during ground disturbing activities.

**CR 2-2:**

The permittee shall retain a City-approved archaeologist to specifically monitor grading activities in the area of the railroad cut to ensure adequate identification and recordation of buried components, if present. If subsurface evidence of historical resources are found, grading shall be halted, recovery shall occur, and documentation shall be provided to supplement the documentation provided as per Mitigation Measure CR 1-1. Construction must be halted until proper documentation is complete and monitoring resumes.

**Plan Requirements and Timing:** This requirement shall be printed on all plans submitted for any LUP, building, grading, or demolition permits. The permittee shall enter into a contract with a City approved archaeologist and fund the provision of on-site archaeological resource monitoring during initial grading, excavation, and/or demolition activities prior to before the City issues a LUP for grading issuance.

The historic archaeological consultant shall be involved in a pre-construction meeting and present a brief summary of the tasks and procedures to be implemented during the monitoring program. The extent and duration of the monitoring in the vicinity of the railroad cut depends upon the nature and extent of the site preparation and grading. In consultation with the City and permittee, the details of the monitoring program may be defined by the permittee and Planning and Environmental Services Director, or designee. Requirements for the monitoring procedures must be included on all grading plans. Grading Plans shall be approved by the Planning and Environmental Services Director Department, or designee, prior to before the City issues grading permits grading.

**Monitoring:** The Planning and Environmental Services Director, or designee, must City staff shall conduct periodic field inspections to verify compliance during ground disturbing activities. The permittee shall provide the Planning and Environmental Services Director, or designee City staff, results of all monitoring including findings and documentation.

**CR 2-3:**

Before Prior to initiating any staging areas, vegetation clearing, or grading activity, the permittee and construction crew must meet on-site with the
archaeological consultant and local Native American representative(s) and present the procedures to be followed in the unlikely event human remains are uncovered. If human remains are encountered during earth removal or disturbance activities, all grading activity must cease immediately. The Santa Barbara County Coroner must be contacted, pursuant to Public Resources Code §§ 5097.98 and 5097.99 relative to Native American remains. Should the Coroner determine the human remains are not recent or are of Native American origin, the coroner must notify the Native American Heritage Commission pursuant to Public Resources Code § 5097.98.

These procedures shall include those identified by California Public Resources Code 5097.98 and the City's Archaeological Guidelines, and the County coroner shall be contacted. In addition as satisfactory disposition of the remains shall be agreed upon by the stakeholders so as to limit future disturbance.

**Plan Requirements and Timing:** Before vegetation clearing or grading and/or excavation, the permittee **shall** provide the City with the contact information of the Native American representative and the agreed upon procedures to be followed. If the remains are found to be of Native American origin, the Coroner will notify the Native American Heritage Commission and the Commission will name the Most Likely Descendant (MLD). The MLD, consulting archaeologist, proponent, and City will consult as to the disposition of the remains. If the remains are identified as non-Native American, the coroner will take possession of the remains and comply with all state and local requirements in the treatment of the remains.

**Monitoring:** The archaeological monitor(s) **shall** maintain daily field notes and prepare weekly summaries. Upon completion of the program, a technical report will be prepared. The Planning and Environmental Services Director, or designee, must City staff shall conduct periodic field inspections to verify compliance during ground disturbing activities.

**CR 2-4:**

If archaeological resources are encountered during grading, work must be immediately stopped or redirected until the City-approved archaeologist and local Native American observer can evaluate the significance of the find pursuant to Phase 2 investigation standards set forth in the City Archaeological Guidelines.

**Plan Requirements:** This requirement **shall** be printed on all plans submitted for any LUP, building, grading, or demolition permits.

This requirement is designed to assess archaeological resources consistent with the City’s Archaeological Guidelines and includes, but not be limited to, the following:

a. controlled hand excavation and surface collection of a representative sample of the site deposit;

b. a detailed analysis of the material recovered;

c. an assessment of cultural resources integrity; and
4.4 CULTURAL RESOURCES

d. the preparation of a final report with recommendations for impact mitigation if necessary.

Should the Phase 2 determine that the archaeological resources are significant, a Phase 3 mitigation program in the form of Data Recovery Excavation may be required consistent with the City’s Archaeological Guidelines.

**Timing:** The Phase 2 report shall must be prepared by a City-approved archaeologist, be funded by the permittee, and be submitted to the Planning and Environmental Services Director, or designee, before the City issues a LUP prior to LUP issuance.

**Monitoring:** The Planning and Environmental Services Director, or designee, must City staff shall site inspect to ensure that recommendations are carried out in the field and/or that the Phase 3 mitigation program is prepared.

**CR 2-5:** If a Phase 2 investigation is required and significant resources occur on-site, a Phase 3 Data Recovery Excavation Program must be conducted.

The permittee shall must develop a Phase 3 Data Recovery Excavation Program to document resources at the project site in a comprehensive manner. The Phase 3 Data Recovery Excavation Program must be prepared by a qualified archaeologist. In preparing the Phase 3 Data Recovery Program, the archaeological consultant 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 Native American or representative(s) of the Chumash Nation. A Phase 3 Data Recovery Excavation Program involving additional soil surveys (excavations) must be completed in accordance with the following:

a. It is recommended that a “to be” determined number of controlled excavation units be excavated to obtain supplemental data. The placement of these units should be determined to avoid previously disturbed areas. The units should be placed in areas being, or to be, directly impacted by the current development area and where the most information may be obtained.

b. All excavations must be conducted under the supervision of a qualified archaeological consultant with a trained archaeological field crew. All field work should be undertaken in the presence of a local Native American representative of the Coastal Band of the Chumash Nation.

If it is necessary to complete a Phase 3 investigation, impacts to archaeological resources could occur as a result of greater soil disturbances. While it is preferred that these additional potential impacts be avoided, with monitoring and limiting the number of test pits, and given the fact that the Phase 3 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 3 excavations would be considered less than significant.
**Plan Requirements and Timing:** Prior to continuing any grading and/or excavation after resource discovery, the Phase 3 Data Recovery Excavation Program must be submitted to the Planning and Environmental Services Director, or designee, City staff for review and approval.

**Monitoring:** The permittee shall obtain the Planning and Environmental Services Director's City staff approval of any Phase 2 or Phase 3 archaeological reports.

**CR 2-6:** If, following the Phase 3 data recovery effort, significant archaeological resources cannot be avoided, impacts must be addressed by filling on top of the sites rather than cutting into the cultural deposits. The permittee must revise the project grading plan to include a capping in place method of resource preservation. Placement of fill soils within the project site must include the following surface preparation and fill placement measures:

a. 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 shall be removed at ground surface such that no soil disturbance results.

b. Remaining root balls and masses in the ground after hand removal of vegetation stems/trunks shall be sprayed with topical pesticide per manufacturers specifications to ensure no further growth. The resulting dead vegetation masses shall be left in place. Complete surface vegetation removal and die-off of root massing must be achieved prior to geotextile placement.

c. No remedial grading, sub-grade preparation or scarification can occur prior to placement of the geotextile fabric.

d. A bioaxialgeogrid (Tensar BX1200 or equivalent) must be laid over the ground surface throughout cultural deposit site boundaries and a 50 foot buffer area.

e. Placement of fill soils on top of the geotextile fabric must be done in no greater than 8-inch lifts with rubber-tired equipment.

f. The first six inches of fill shall be yellow sand that signals to any future sub-surface activity (e.g. landscaping activity) that excavation cannot extend deeper.

g. Geotextile fabric must be capable of preventing compaction and load impacts on underlying archaeological resources.

h. Fill soils must have a pH ranging from 5.5 to 7.5 only.

i. Fill soils must be free of archaeological resources.

j. Fill soils must be spread from the outside with rubber track heavy equipment so that the equipment is only 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.

k. 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: The permittee must provide the Planning and Environmental Services Director, or designee, City staff a revised grading plan for review and approval. 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:

a. mapping the location of surface artifacts within the proposed areas of fill;
b. surface collection of artifacts;
c. the excavation of a small sample of deposit to characterize the nature of the buried portions of the site;
d. all material used as fill shall be culturally sterile and chemically neutral; and

e. curation of the excavated sample must occur as specified by the City-approved archaeologist.

Timing: The program shall must be prepared and conducted by a City-approved archaeologist and be funded by the permittee. The fill/data collection program report must be reviewed and approved by the Planning and Environmental Services Director, or designee, before the City issues a LUP prior to LUP issuance.

Monitoring: The revised grading plan shall must be approved before continuing grading activities. The Planning and Environmental Services Director, or designee must City shall inspect the project site to ensure compliance with these requirements that recommendations are carried out in the field.

Paleontological Resources

Impact CR 3: The project grading could uncover paleontological resources. These impacts are less than significant and therefore mitigation measures are not required.

Cumulative Impacts

Impact CR 4: The project would result in removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource. Mitigation Measures CR 1-1, 1-2, and 1-3 would also reduce the project’s contribution to this cumulative impact.

Impact CR 5: The project would result in the potential to degrade archaeological resources. Mitigation Measures CR 2-1 through 2-6 would also reduce the project’s contribution to this cumulative impact.
4.4.6 Residual Impacts

With implementation of mitigation measures, the project’s impacts (and its contribution to cumulative impacts) related to archaeological resources would be reduced to less than significant (Class II).

The project’s impacts to historic resources (i.e. the removal of the historical railroad cut) would be reduced by the mitigation measures identified above but not to a less than significant level (Class II). Therefore, as its significance and lasting residual effect is a product of the historical resource being permanently removed due to the project, this impact would be significant and unavoidable (Class I).