

3.5 CULTURAL RESOURCES (INCLUDES PALEONTOLOGICAL RESOURCES)

This section describes the following within the existing City boundary:

- environmental setting (existing conditions and regulatory setting) for cultural and paleontological resources relating to the proposed project;
- the impacts associated with cultural, historic, and paleontological resources that would result from the proposed project; and
- mitigation measures that would reduce these impacts.

The setting, impacts, and mitigation measures for the future service areas are described in Chapter 4.0, "Future Service Areas." Chapter 5.0, "Alternatives to the Proposed Project," compares the impacts of the alternatives to the proposed project.

3.5.1 Existing Conditions

3.5.1.1 Introduction

Cultural resources include prehistoric and historic archaeological sites, historical structures and buildings, sites of ethnic significance, and paleontological resources. Prehistoric archaeological sites consist of surface and subsurface deposits containing human related artifacts, burial interments, food refuse and/or food preparation features such as hearths, and bedrock associated features containing milling elements, rock art, or living shelters. Historic archaeological sites consist of surface or subsurface trash deposits containing artifacts or food refuse and surface-exposed features such as building foundations, wall footings, and other features associated with former historic dwellings and related structures, as well as commercial or agricultural facilities. Historic archaeological sites are distinguished from historic buildings and structures, which consist of still-intact homes as well as other buildings associated with commercial or agricultural activities. Ethnic resources may consist of locations that hold a particular significance to groups such as Native Americans or Spanish, Mexican, or early Anglo residents who have prehistoric or historic ties to the local area. In some instances, these ethnic locations may also be archaeological or building/structural sites.

Paleontological resources (i.e., fossils) are the remains and/or traces of prehistoric (i.e., older than approximately 10,000 years) plant and animal life. Fossils provide us with direct evidence of ancient organisms and document the pattern of organic evolution and extinction that have characterized the history of life over the past 3.4 billion years. Fossils also provide a means for investigating ancient environments and climates, and for gaining an understanding of the origin and composition of modern ecosystems. Fossil remains such as bones, teeth, shells, and wood are found in the geologic deposits (sedimentary rock formations) within which they were originally buried. In the sense of being buried, paleontological resources are like archaeological resources. Archaeological resources are, however, typically found in shallow surficial soils and colluvium, while paleontological resources are found in older Pleistocene alluvium and deeper bedrock layers of sandstone, mudstone, or shale.

3.5.1.2 Prehistoric Background

Evidence exists for the presence of humans in the Santa Barbara coastal area for thousands of years. While some researchers (e.g., Orr 1968) have proposed that the Santa Barbara Channel area may have been settled as early as 40,000 years ago, only limited evidence for occupation

much earlier than 9,500 years has been discovered. Even so, human prehistory along the Santa Barbara channel area coast may extend back as much as 12,000 years (Erlandson et al. 1987; Erlandson et al. 1996). Beginning approximately 7,500 years ago, prehistoric human settlement in the local area apparently increased rapidly with a number of sites dating to approximately this time, and many more dating subsequent to it (Colten 1987, 1991; Erlandson 1988, 1997; Glassow 1997).

The period in California prehistory, prior to 10,000 years ago, has been labeled by some archaeologists as the Early Man or Paleoindian Horizon (Wallace 1955; Erlandson 1994). Subsequent to the Early Man or Paleoindian Horizon, beginning circa 9,000 to 8,000 years ago, a distinctive artifact assemblage, labeled the Milling Stone Horizon by Wallace (1955), became ubiquitous in California. In the Santa Barbara area, this assemblage was first designated as the Oak Grove People by Rogers (1929). The people who produced this assemblage predominated for nearly 4,000 years, or until approximately 5,000 years ago, in most areas of the state. They practiced a mostly gathering subsistence economy, focusing mainly on natural vegetal resources, small animals, and marine resources such as shellfish. One of the major tool types evident in their assemblage was the milling stone and muller (also referred to as *mano* and *metate*). This two-part tool was used primarily to process (grind) various kinds of seeds, small animals, and vegetal foodstuffs. The large quantities of these tools found by archaeologists in the sites of these people resulted in the designation of their period as the Milling Stone Horizon. The earliest sites attributable to this horizon in the Santa Barbara area date to circa 8,000 years ago (Erlandson 1994). In Santa Barbara coastal areas, Milling Stone sites tend to occur on upper elevation landforms such as bluffs, terraces, or knolls, often at some distance from the current shoreline. These coastal sites are often large with extensive midden deposits, large cemeteries, and possible subterranean house pits. The Milling Stone Horizon people may represent the first inhabitants of the Goleta area.

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

The advent of new technologies and subsistence strategies again became evident approximately 2,000 to 1,500 years ago, signaling a distinctive change in the pattern of prehistoric culture in California. Included in these new technologies were the bow and arrow and, in some areas, ceramics. Burial practices also changed in some areas of California with cremation of the dead supplanting inhumation. The period is characterized as a time of cultural elaboration and increased sophistication including artistic, technological, and sociological changes (Erlandson and Torben 2002). In the Santa Barbara area, Rogers designated the culture of the period as Canalino, while Warren (1968) designated this period as the time of the Chumash tradition. Increasing population levels continued from the previous period, as did the level of cultural and social complexity.

3.5.1.3 Ethnographic Background

At the time of first European contact in 1542, the Goleta area was occupied by a Native American group speaking a distinct dialect of the Chumash language. Historically, this group became known as the Barbareno Chumash (Landberg 1965); the name deriving from the Mission Santa Barbara under whose jurisdiction many local Chumash came after its founding in 1776. The Chumash were hunters and gatherers who lived in an area with many potentially useful natural resources. They had developed a number of technologies and subsistence strategies that allowed them to maximize the exploitation of these natural resources. Consequently, prior to a drastic change caused by disease and other forms of cultural disruptions introduced by the Spaniards, Chumash settlements were numerous, with some containing large residential areas, semisubterranean houses, and large cemeteries. At the time of Spanish contact, the Goleta area and immediate vicinity was highly populated with at least 10 Chumash villages (Johnson et al. 1982). A number of these settlements were situated around what was in prehistoric times a much larger Goleta Slough. The slough, which may have resembled a bay in prehistoric times (Grenda et al. 1994), contained an abundance of marine resources including shellfish, fish, birds, and marine mammals. Early Spanish explorers, missionaries, and administrators characterized the Chumash as having a strong propensity for trade, commerce, and craft specialization, as well as for intervillage warfare (Erlandson 1994).

3.5.1.4 Historical Background

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

Although the Santa Barbara region was not initially identified as a recommended site for the establishment of a mission, it was situated along the main route leading from the newly founded missions in the north to the mission in San Diego, and Spanish colonial officials were worried that a Chumash uprising could jeopardize this route. Therefore, it was decided that the establishment of a Presidio and several missions among the Chumash was needed to secure a safe passage (Johnson et al. 1982; Beilharz 1971; Whitehead 1996). Mission Santa Barbara was founded on December 4, 1786, and in the first year of commission, 186 Chumash people were baptized, 83 of which were from the Goleta region (Johnson et al. 1982:20). In 1803, a proportionally large number of baptisms occurred throughout the five missions located within the Chumash territory, putting such a strain on the missions that the newly baptized were allowed to remain in certain native villages which were renamed after saints (Johnson et al. 1982). In the Goleta area, there were at least two of these communities, San Miguel and San Francisco, the native villages of Mescaltitan (S'axpilil) and Cieniguitas (Kaswa's), respectively (Johnson et al. 1982:21).

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

Although Mexico had gained independence from Spain in 1822, it was not until 1835 that secularization of the missions occurred, the mission became a parish church, and the Chumash were made free citizens (Johnson et al. 1982). The 1824 Secularization Proclamation of Governor Jose Figueroa decreed that half of the mission lands were to be divided between the Native Americans and the colonists; however, much of the land became available to private persons, as no provisions were made in how the mission properties were to be disposed (King 1982). The policy of the Mexican government was to grant the mission lands and other unclaimed property to prominent citizens who were required to develop the properties and to build homes on them (EIP Associates 2004). The City of Goleta encompasses parts of two of these land grants: Los Dos Pueblos Rancho, granted to Nicholas Den in 1842, and La Goleta, granted to Daniel Hill in 1846 (Tompkins 1960; King 1982). Nicholas Den, a native of Ireland, and Daniel Hill, a native of Massachusetts, had migrated to the Santa Barbara area in the 1820s and 1830s, respectively, and had become citizens of Mexico and converts to Catholicism (King 1982). The ranchos were used by Den and Hill primarily to raise cattle for hide and tallow production (Tompkins 1960; King 1982; EIP Associates 2004).

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

The 1850s were prosperous for the owners of the ranchos, as the price of beef was inflated greatly due to the gold rush; however, droughts in the early 1860s proved devastating to the cattle ranchers, and the ranchos saw change in ownership for the first time (Tompkins 1960; King 1982). Daniel Hill first sold 400 acres of La Goleta to his son-in-law, T. Wallace More, in 1856 and an additional 1,000 acres in 1864, a year before his death. William Hollister acquired over 5,000 acres of Dos Los Pueblos in 1869 and 1870 (Tompkins 1960; Tompkins 1966; King 1982). The 1870s saw the characterization of the Goleta area began to shift from sparsely populated cattle ranches to farmsteads and towns. The area of La Goleta north of Hollister Avenue was subdivided into 38 parcels, ranging from 31 to 258 acres each (King 1982:51), and a town taking on the name of Goleta was established in the southwestern portion of the old La Goleta land grant. Early pioneers during this time include J. D. Patterson, Richard Sexton, B. A. Hicks, Ira A. Martin, John Edwards, and Isaac Foster (King 1982). By 1890, the population of Goleta had grown from 200 in 1870 to 700 people (King 1982:51).

In a legal battle that began in 1877 and lasted until 1885, the sale of Los Dos Pueblos was deemed illegal based on Nicholas Den's will, and the land was transferred back to Den's

children and the lawyer, Thomas B. Bishop, who had represented them (Tompkins 1960). In the time of Hollister's ownership, however, Dos Los Pueblos had changed dramatically. Hollister established Glen Annie Ranch, and, along with Ellwood Cooper, turned the area into a productive agriculture enterprise that is still seen today (Tompkins 1960).

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

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

Prehistoric and Historic Archaeological Sites

Historic Resources in the City are shown in Figure 3.5-1. Results of a records search indicate that Goleta has an extensive record of human occupation from the prehistoric era to modern times. While early archaeologists such as D.B. Rogers began unofficially locating and compiling lists of archaeological sites during the early 20th century, official recording of archaeological sites has been occurring only over a period of approximately the last 50 years. Over time, sites rarely remain in the same condition as when first recorded. They can be disturbed or even destroyed by natural and/or man-caused actions. While the status of any given site can be updated, such updates do not occur in any systematic or regular way. Consequently, sites, once recorded, remain on the official list, sometimes even if they may have been disturbed or destroyed. The records search results indicated 52 prehistoric and/or historic archaeological sites have been previously recorded that lie within, or partially within, the current City limits. Research also indicated that four sites are listed on the National Register of Historic Places; three are Historic buildings: the Stowe House, the Sexton House, and the Goleta Depot; and one is a prehistoric site, CA-SBA-52. No State Historic Landmarks are present in Goleta.

Thirty-nine of the archaeological sites recorded within, or partially within, the current City limits are strictly prehistoric in origin; seven contain materials from both the prehistoric and historic periods; four are strictly historic in origin; and two records are unavailable and are therefore of unknown temporal identity. Some of the sites have been disturbed, and a few have been indicated to be either largely or completely destroyed. A majority of the sites are prehistoric in

origin. Most of the prehistoric sites present in the City represent either major villages, places of less substantial habitation such as temporary campsites, or resource procurement and/or processing locations. A significant number of the village or larger habitation sites in the Goleta area either contain, or have the potential to contain, human burials. Historic archaeological sites consist mostly of historic trash deposits, some possibly associated with former dwelling or commercial structure locations.

The records search also indicated that approximately 50 percent of the area within the City limits has been previously surveyed for cultural resources. Most of these surveys have been conducted since the inception of CEQA in the mid-1970s. However, these previous surveys may not have all been of the same intensity. Depending on the intended purpose of the survey, different levels of intensity were sometimes employed. Also, over time, methods of archaeological survey have evolved, with methods employed 20 or 30 years ago often being less methodical than those generally practiced today. In general, if archaeological and historical surveys for currently undeveloped parcels or lands are older than ten years, the parcels or lands should be resurveyed.

Forty-six historic buildings and structures are listed in the 1993 Goleta Community Plan (Santa Barbara County, 91-EIR-013) as locally significant historic resources. Some of these have been designated as locally significant historic resources by the County of Santa Barbara and by the City of Goleta upon its incorporation including three National Register sites (the Stowe House, the Sexton House, and the Goleta Depot), the Barnsdale-Rio Grande Gasoline Station, and the Shrode Produce Company Tomato Packing House. Also included in the 46 historic resources identified in the Goleta Community Plan as locally significant historic resources are several designated as a Place of Merit, including the Daniel Hill Adobe, a portion of the Southern Pacific Railroad (Engineered Cut Representing the Former Site of a Portion of the Southern Pacific Railroad), and the Bishop Ranch. The remaining 38 historic buildings or sites listed in the GP/CLUP are also indicated as eligible for listing on one of these registers (See Table 6-1 in the GP/CLUP).

3.5.1.5 Paleontological Background

As will be described below, paleontological resources can be thought of as fossil remains. Knowledge of the geology of a particular area and the paleontological resource sensitivity (i.e., fossil productivity) of particular geologic formations make it possible to predict where fossils will (or will not) be encountered.

Fossils have been collected and subjected to scientific study in the South Coast area and in the central coast region for almost a century. Fossils are found in several isolated localities in the vicinity of the City of Goleta and have contributed to the knowledge of the geologic history of Santa Barbara County. Listed in the table below are the geologic formations exposed within the City limits along the possible paleontological materials that they may contain. A description of the listed units is presented in the Geology, Soils, and Mineral Resources section of this document.

**TABLE 3.5-1
GEOLOGIC FORMATIONS WITH POTENTIAL PALEONTOLOGICAL RESOURCES**

Age	Formation	Fossil Assemblage	Distribution	Exposed at vacant site? ¹
Quaternary	Alluvium	None	Most of the central portion of the City of Goleta, including the floors of Glen Annie and Los Carneros canyons.	15, 30-52, 55
	Older Alluvium	Scattered occurrences of terrestrial mammal fossils.	Most of the western half of the City of Goleta.	1-29, 53,54, 56-119
Plio-Pleistocene	Santa Barbara	Well-preserved marine mollusks including clams, snails, chitons, scaphopods. Sparse remains of vertebrates (sharks, rays, fish, birds, marine mammals also found.	One outcrop approximately 1.5-acre in size located 800-feet east of the Cathedral Oaks/Fairview intersection.	None
Pliocene	Sisquoc	Common microfossils such as diatoms, radiolaria, and foraminifera. Rare invertebrates (mollusks), marine mammals, bony fish.	Exposed only on the seacliff in the Ellwood Mesa area at the western edge of the City.	None
Miocene	Monterey	Common microfossils such as diatoms, radiolaria, and foraminifera. Rare invertebrates (mollusks), marine mammals, bony fish.	Exposed only on the seacliff at Ellwood Mesa and in the foothills just north of the Cathedral Oaks/Fairview intersection.	None
	Rincon	Common microfossils such as foraminifera	Exposed only in the northernmost Future Service Area.	None

¹ Vacant site identification numbers correspond to Figure 3.10-2, Vacant Sites and Proposed Land Uses.

3.5.2 Regulatory Framework

3.5.2.1 Federal and State

Federal Regulatory Requirements and Guidance

Prehistoric and Historic Resources

Federal regulations and policies pertain to those actions that involve federal funding, federal licensing, or federal permitting. Examples may include federal grants or loans from Housing and Urban Development (HUD). Federal Highway Administration (FHWA), Health, Education, and Welfare (HEW) licensing, or Federal Energy Regulatory Commission (FERC) permits associated with vegetation and wetlands (US Army Corps of Engineers 404 permits). Most actions within Goleta do not require federal regulation, although adherence to federal policies is often followed for consistency and as a best business practice.

The Antiquities Act of 1906 (Public Law 59-209) and the Archaeological Resources Protection Act (Public Law 96-9) set forth the basic principle that the federal government, acting for all the people, should work for the protection, preservation, and public availability of the nation's historic and prehistoric resources. The National Historic Preservation Act (NHPA) of 1966, as amended (16 USC 470 et seq.) has increased the responsibilities of the federal government regarding preservation of important and significant cultural resources from federal, federally

assisted, or federally-licensed activities. This mandate to preserve these resources is consistent with other essential considerations of national policy and applies to both public and private lands.

Section 106 of the NHPA, and its amendments, requires that all federal agencies review and evaluate how their actions or undertakings may affect historic properties. Review under Section 106 is designed to ensure that historic properties are considered throughout the various stages of federal project planning and execution. Under Section 106, historic properties are those prehistoric and historic resources that are listed or eligible for listing in the National Register of Historic Places (NRHP).

If a site contains little potential for scientific interpretation because of minimal resources, site impairment or other limitations to research, its ability to provide substantiation for, or testing of, explicit research questions seriously impairs its value to researchers. Conversely, a site may possess data and information that, although not unique, may significantly contribute to the archaeological database of an area or region.

In general then, significance is a value judgment for several reasons, including direction of research, comparative anthropology, management, and administration. Significance is not an inherent property of an archaeological or historical resource; it is ascribed.

According to federal law, pursuant to NHPA, archaeological resources are significant if they are eligible for nomination to the NRHP. To determine site significance through application of NRHP criteria, several levels of potential significance that reflect different (although not necessarily mutually exclusive) values must be considered. As provided in 36 CFR 60.4:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant on our past; or
- (c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history.

Federal Rehabilitation Tax Credits

In addition to implementation of the Section 106 process and the NHPA, the federal government seeks to stimulate private investment in historic buildings and historic districts through a historic structures rehabilitation tax credit program. In general, qualified investors can receive a tax credit commensurate to 20 percent of the qualified rehabilitation expenditures spent for verified historic rehabilitation projects. This measure may be of value in restoring and preserving Goleta's historic structures and buildings.

State Regulatory Requirements and Guidance

Prehistoric and Historic Resources

California Environmental Quality Act (CEQA) Criteria

CEQA, enacted in 1970 (amended in subsequent years), serves as a means of informing city councils, boards of supervisors, and other decision makers as well as the public of the potential significant environmental impacts (effects) that proposed projects could pose. While the term *environment* is somewhat all-encompassing under CEQA, the built environment, which includes prehistoric sites, landscapes, and historic structures, is specifically included.

CEQA mandates that some level of environmental protection be given significant consideration in the decision-making process. While this statute applies to all government agencies that initiate a project including local, regional, and state agencies, the various agencies are left to interpret and implement CEQA at a local level, subject to the courts. As defined by CEQA, agency actions may include issuance of zoning permits. CEQA, as adopted in 1970, was particularly vague when it came to defining the criteria for significant historical and prehistorical resources, believing in large part that local agencies and communities should make such determinations. There is no direct concordance between California CEQA policy and federal mandates for historical preservation (NHPA/Section 106), although in recent years the state and federal policies have grown closer together.

Some of the limitations or lack of direction inherent in the 1970 CEQA were remedied through recent amendments. With the establishment of the California Register of Historical Resources (CRHR) in 1992, CEQA was amended to clarify which historic resources are significant as well as what types of project impacts would be considered to be significantly adverse. A “substantial adverse change” means “demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.” All properties on CRHR that may be affected by development or zoning actions must be considered under CEQA. This consideration is also a part of the overall planning process for a community, including the general plan. The types of developments or land uses proposed or allowed for in a general plan potentially affect the feasibility of preserving and enhancing historic properties. For example, setting a goal of downtown redevelopment without consideration of the potential effects on historic buildings and neighborhoods sets a standard that makes preservation more difficult later at the project-specific level.

The fact that a resource or property is not listed on the CRHR does not preclude it from being significant and does not make it exempt from CEQA evaluation. Specific to the City of Goleta GP/CLUP, this includes the sites locally owned by the County of Santa Barbara and by the City of Goleta upon its incorporation. These sites are locally designated properties evaluated as significant by the community and may or may not meet CRHR criteria and California Office of Historic Preservation standards. Native American sites and areas of cultural sensitivity or sacred value may also be found to be significant in spite of not being listed or of perceived value to the community as a whole. Consideration of these resources in the GP/CLUP is important because it sets the stage for later studies and provides a general background when considering project specific actions. This would allow planners and reviewers of later specific projects to have a gauge for potential cumulative impacts and to place a project containing historic properties in a wider context.

To summarize, projects having an effect on cultural resource sites fall under the provisions of CEQA. The site is then evaluated to determine if it meets the criteria for listing on the California Register of Historical Resources. If a site qualifies as a unique archaeological resource, then it

must be determined if the proposed project might cause a substantial adverse change in the significance of the resource, i.e., a significant effect on the environment. When a significant effect has been identified, then the lead agency shall propose feasible mitigation measures and shall ensure that all adopted measures are fully enforceable.

General Plan Law

California Government Code Section 65302 describes the open space element of general plans. One category of an open space element is open space that is designated for the protection of Native American sites and areas of cultural sensitivity. The passage of Senate Bill 18 requires that lead agencies consult with local Native American groups when open space areas will be set aside for the protection Native American resources.

California Coastal Act of 1976

The California Coastal Act of 1976, as amended in 2006, makes provisions for protecting scenic and visual resources within the Coastal Zone. As defined in Section 30116(d), sensitive coastal resource areas include archaeological sites referenced in the California Coastline and Recreation Plan and/or sites designated by the State Historic Preservation Officer (SHPO). Section 30244 requires that reasonable mitigation measures shall be developed when development would adversely impact archaeological or paleontological resources.

State Historical Building Code

In California, the State Historical Building Code (SHBC) provides some degree of flexibility to owners of historic structures towards meeting building code requirements. The SHBC standards and regulations are performance-oriented rather than prescriptive, as most building codes are. Jurisdictions must use the SHBC when dealing with qualified historical buildings, structures, sites, or resources (in the case of Goleta Designated Historical Landmarks [DHLs] or National Register properties) in permitting repairs, alterations, and additions necessary for the preservation, rehabilitation, relocation, related reconstruction, change of use, or continued use of a DHL. The State Historical Building Safety Board has adopted the following definition for a qualified historical house or resource:

A qualified historical building or structure is any structure, collection of structures, and their associates sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state, or Federal governmental jurisdiction. This should include designated structures declared eligible or listed on official national, state, or local historic registers or official inventories such as the National Register of Historic Places, State Historic Landmarks, State Points of Historical Interest, and officially adopted city or county registers or inventories of historical or architecturally significant sites, places, or landmarks.

Once approved by the Goleta City Council, a DHL is eligible to apply the SHBC. Under the provisions of the SHBC, new construction or modifications must conform to prevailing codes, although the elements of the existing structure are given the flexibility of reasonable and sensitive alternatives. The alternative building standards and regulations encompassed by the SHBC are intended to facilitate the renovation in a manner that assists in the preservation of original or restored architectural elements and features, encourages energy conservation, provides a cost-effective approach to preservation, and ensures the safety of occupants. Application of the SHBC can greatly assist a community in preserving the overall integrity of a given structure or an entire neighborhood or district and should be considered in the context of planning efforts. Consideration of the SHBC in the planning process may make preservation

and enhancement of historic structures more feasible and encourage renovation and restoration rather than demolition.

Mills Act

Within the context of the General Plan, the Mills Act is not directly applicable. However, because the General Plan is a guiding document for future actions and implementations of plans, the Act is presented so that the City and the public understands the potential benefits of applying the Act to future projects.

The Mills Act is a California state law that enables owners of a historic property to voluntarily enter into a historic property contract with a local government agency, city, or county, pursuant to Sections 50280-90 of the California Government Code. Under the Mills Act, these properties then qualify for the property tax incentives contained in Section 439.2 of the California Revenue and Taxation Code. The incentive is the reduction of the property's assessed value resulting in a reduced property tax. Owners of both commercial and residential historic buildings may enter into an historic property contract. A property may qualify as an historical property if it is privately owned, is not exempt from property taxation, and is: (a) listed in the National Register of Historic Places; (b) located in a National Register historic district; or (c) listed in any state, city, or county official register of historical or architecturally significant sites, places, or landmarks, i.e., as a Goleta DHL.

Paleontological Resources

Paleontological resources, like archaeological resources, represent a limited, nonrenewable, and sensitive scientific and educational resource. In California, negative impacts to such resources are addressed under regulations of CEQA.

Guidelines for the implementation of CEQA, as amended January 1, 2006, include the following question as one to be answered in the Environmental Checklist (Section 15023, Appendix G, Section XIV, Part a): "Will the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?"

3.5.2.2 Local

City of Goleta Ordinances

Development in the City is subject to the City's Inland Zoning Ordinance for those portions of the City outside of the Coastal Zone and the Coastal Zoning Ordinance for those portions of the City within the Coastal Zone. Following the adoption of the GP/CLUP, the existing Inland and Coastal Zoning Ordinances will be replaced by a single, unified zoning code that includes zoning regulations applicable to inland areas and the coastal zone. Existing City ordinances are not applicable in the context of this EIR because they will be replaced upon the adoption of the GP/CLUP.

3.5.3 Project Impacts and Mitigation

3.5.3.1 Thresholds of Significance

City of Goleta Environmental Thresholds and Guidelines Manual

The City's adopted Environmental Thresholds and Guidelines Manual (Thresholds Manual) (City of Goleta 2003) provides specific thresholds for conducting CEQA analysis. Section 8 of the Thresholds Manual, "Cultural Resources Guidelines: Archaeological, Historical, and Ethnic Elements Thresholds," provides guidance for assessing the significance of cultural,

archaeological, and historical impacts associated with a proposed project. The City's adopted thresholds indicate that a project would result in a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired.

CEQA Thresholds

The following thresholds are based on Appendix G of the CEQA Guidelines, which identifies the following circumstances that can lead to a determination of significant cultural, archaeological, paleontological, or historical impact:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 or disrupt or adversely affect a prehistoric or historic cultural site or affect a property of historic or cultural significance to the community or an ethnic or social group;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- Disturb any human remains, including those interred outside of formal cemeteries.

If, based on research, field surveys, and evaluation, a building, structure, site, or feature is determined to not be significant (i.e., not listed or eligible for listing on local, state, or federal register or landmarks list), then a project would not adversely or significantly affect the resource.

3.5.3.2 Discussion of Relevant GP/CLUP Policies

The following policies in the Open Space and Visual and Historic Resources Elements of the GP/CLUP seek to identify, protect, and preserve important cultural and historical sites:

- Policy OS 8: Protection of Native American and Paleontological Resources
- Policy VH 5: Historic Resources
- Policy VH 6: Historical and Cultural Landscapes

3.5.3.3 Project Impacts

Class I Impacts

Implementation of the GP/CLUP would not result in any short- or long-term significant and unavoidable (Class I) impacts to cultural resources.

Class II Impacts

Short-Term Impacts

Impact 3.5-1. Damage to Sites of Cultural, Historical, or Paleontological Significance

The damage to an archeological site, Native American site, paleontological site, or historic building is, by definition, long term. Exceptions to this might include a temporary impact to the setting, aesthetics, and integrity of a building or structure as the result of adjacent construction. In this instance, projects contiguous to historic buildings or structures could cause short-term, potentially significant but mitigable impacts (Class II). In the event of these exceptions the same the same GP/CLUP policies that reduce Impact 3.5-2 would apply.

Policies That Would Reduce Impact 3.5-1 to a Level of Insignificance. Impact 3.5-1 would be reduced to a less-than-significant level by the same GP/CLUP policies that reduce Impact 3.5-2.

Long-Term Impacts

Impact 3.5-2. Loss or Destruction of an Important Historical Building, Archaeological Site, or Paleontological Site

It is possible that future development proposed under the GP/CLUP could involve the loss or destruction of an important historical building, archaeological site, or historical site that could result in adverse impacts that cannot be mitigated to below the level of significance. Examples might include National Register or California Register buildings that require demolition, destruction, or damage to burial grounds. The only potential impact to paleontological resources resulting from buildout of the GP/CLUP would involve the loss of a rare find of terrestrial mammal fossils during excavation of a key site for development as noted under Table 3.5-1 above.

Policies That Would Reduce Impact 3.5-2 to a Level of Insignificance. The following policies would typically serve to reduce the potential impacts of implementing the GP/CLUP on cultural, historic, or historic landscape resources to Class III or IV Impacts:

- Policy OS 8: Protection of Native American and Paleontological Resources
- Policy VH 5: Historic Resources
- Policy VH 6: Historical and Cultural Landscapes

Some projects within the GP/CLUP may require a mixed strategy to include inventory, excavation, and avoidance/preservation. Elements of the built environment, such as buildings and structures, would typically require onsite preservation; archaeological sites may require data recovery excavation and/or preservation.

Impact 3.5-3. Loss or Destruction of Significant Cultural Resource

The loss or destruction of significant cultural, historical, or paleontological resources within the City as a whole would constitute a long-term impact because such resources are nonrenewable and unique. However, for all but the most significant and unique sites, it would be possible to implement mitigation measures that can reduce the level of impacts to less-than-significant levels (Class II).

Policies That Would Reduce Impact 3.5-3. Overall, the standards and requirements identified in the following policies would serve to reduce the potential impacts to cultural, historic, and paleontologic resources resulting from implementation of the GP/CLUP to less-than-significant levels:

- Policy OS 8: Protection of Native American and Paleontological Resources
- Policy VH 5: Historic Resources
- Policy VH 6: Historical and Cultural Landscapes

In general, the mitigation measures within the policies noted above would serve to reduce the potential impacts of implementing the GP/CLUP to Class III or IV. Some projects may require a mixed strategy to include inventory, excavation, and avoidance/preservation. Elements of the built environment, such as buildings and structures, would typically require onsite preservation; archaeological sites may require data recovery excavation and/or preservation.

Class III ImpactsShort-Term Impacts

Implementation of the GP/CLUP would not lead to any Class III short-term impacts.

Long-Term Impacts

Approval and implementation of the GP/CLUP will not result in any Class III long-term impacts.

Class IV ImpactsShort-Term Impacts

Approval and implementation of the GP/CLUP will not result in any Class IV short-term impacts.

Long-Term Impacts

Approval and implementation of the GP/CLUP could result in Class IV Impacts if future projects and land uses are designed to preserve important cultural resources, to develop cultural landscapes, or to use the discovery and recordation resources in an educational manner that serves the community as a whole.

3.5.3.4 Cumulative Impacts

Cumulative impacts to cultural, historic, or paleontological resource sites are difficult to quantify and assess because of the incomplete database that exists for a large portion of Goleta and the surrounding undeveloped lands. In general, cumulative impacts to cultural, historic, or paleontological resource sites would occur when a series of actions leads to the loss of a substantial type of site, building, or resource. For example, while the loss of single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such resources on a project-by-project basis could constitute a significant cumulative effect. However, with implementation of the policies identified above and the following mitigation measure, such project contributions to cumulative impacts on cultural, historic, archaeological, and paleontological resources would be considered less than significant.

3.5.3.5 Mitigation***Modifications to Proposed GP/CLUP Policies***

No modifications are required.

Other Mitigation

No additional mitigation is identified.

3.5.3.6 Residual Impacts

Following implementation of the GP/CLUP policies and the mitigation measure identified above, Impact 3.5-1, Impact 3.5-2, and Impact 3.5-3 would be reduced to less-than-significant levels.

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