

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDING THE COUNTY'S ENVIRONMENTAL THRESHOLDS AND GUIDELINES MANUAL TO REVISE THE THRESHOLD TO DETERMINE THE SIGNIFICANCE OF IMPACTS TO CULTURAL RESOURCES FROM DISCRETIONARY PROJECTS SUBJECT TO ENVIRONMENTAL REVIEW

RESOLUTION NO.: 18 -

WITH REFERENCE TO THE FOLLOWING:

- A. The *Guidelines for the Implementation of the California Environmental Quality Act* encourage each public agency to develop, publish and adopt thresholds of significance that the agency uses in the determination of the significance of environmental effects (CEQA Guidelines Section 25064.7).
- B. The County's *Guidelines for County Guidelines for the Implementation of CEQA* define a process by which the County's *Environmental Thresholds and Guidelines Manual* is amended, which includes two hearings before the County Planning Commission, one in north county and one in south county, and transmittal of the Commission's recommendation to the Board of Supervisors.
- C. The County Board of Supervisors now finds that it is in the public interest of the County of Santa Barbara to recommend that the Board of Supervisors amend the County's *Environmental Thresholds and Guidelines Manual*, by revising Chapter 8, Cultural Resource Guidelines Archaeological, Historical, and Ethnic Elements, retitle the chapter as "Guidelines for Determining the Significance of and Impacts to Cultural Resources Archaeological, Historic, and Tribal Cultural Resources, as written in Exhibit A to this Resolution.
- D. The proposed amendment is consistent with and implements the policies of the Santa Barbara County Comprehensive Plan (including the Coastal Land Use Plan) and Chapter 35, Zoning, of the Santa Barbara County Code (including the Coastal Zoning Ordinance for coastal areas and the Land Use and Development Codes). See sections 6.3 and 6.4 of the staff report dated November 21, 2017.

E. The County Planning Commission held two duly noticed public hearing at which time the proposed amendment to the aforementioned *Environmental Threshold and Guidelines Manual* was explained and comments were invited from the attendees of these two hearings.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with Santa Barbara County's *Guidelines for the Implementation of the California Environmental Quality Act of 1970*, §F.3.b (Process for thresholds amendment and adoption), the Board of Supervisors of the County of Santa Barbara, State of California, approves and adopts the aforementioned amendment to the County's *Environmental Threshold and Guidelines Manual*.
3. The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution.

PASSED, APPROVED AND ADOPTED this 27th day of February, 2018, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVIORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROIVED AS TO FORM:

MICHAEL GHIZZONI
COUNTY COUNSEL

By 
Deputy County Counsel

EXHIBIT A FOR ATTACHMENT B

EXHIBIT A FOR ATTACHMENT B

8. **GUIDELINES FOR DETERMINING THE SIGNIFICANCE OF AND IMPACTS TO CULTURAL RESOURCES- ARCHAEOLOGICAL, HISTORIC, AND TRIBAL CULTURAL RESOURCES**

SIGNIFICANCE EVALUATION, IMPACT ASSESSMENT, AND MITIGATION

INTRODUCTION

This document provides thresholds and guidance for evaluating potential adverse environmental effects that a proposed project may have on cultural resources. Planning and Development (P&D) staff and County decision makers should use this document in the evaluation of potential impacts to cultural resources as part of the environmental review of discretionary permit project applications required by the California Environmental Quality Act (CEQA). Projects that require a Land Use Permit or Coastal Development Permit, which are usually exempt from CEQA review, are not exempt if the project for which the permit will be issued may have substantial adverse impacts to significant historical resources. This document also provides essential guidance to professional consultants who prepare detailed technical reports addressing cultural resources and sections on cultural resources in CEQA documents, such as Environmental Impact Reports. Finally, this document is an essential reference for stakeholders with interests in the proper treatment of cultural resources, including, but not limited to Native Americans, historical preservation organizations, and other community groups.

The following discussion of Thresholds and Guidelines is divided into three parts. The first part identifies those characteristics or criteria that qualify a resource as a significant archaeological, historic, or tribal cultural resource. The second part addresses how to evaluate the *severity* of potential impacts to those resources. This is key to evaluating if an adverse change to a resource is substantial and significant. The third part of the document provides a discussion of mitigation, including some examples of mitigation measures, which may avoid or lessen a potentially substantial adverse change.

Unlike most resource classes that are required to be considered during environmental review pursuant to CEQA, the CEQA Statute and CEQA Guidelines themselves contain detailed regulations and guidance specific to cultural resources. This document mainly relies on that guidance and those regulations. Many of the criteria in CEQA that address the significance and appropriate treatment of cultural resources derive from Federal, State, and Local registers of historical resources, including the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), and local registers of historical resources. This includes the use of the Historic Landmarks

Advisory Commission (HLAC) local registers of County Historic Landmarks and County Places of Historic Merit for significance evaluation in certain circumstances.

Additional guidance and requirements are also provided by the numerous goals, policies, and standards contained in the County's Comprehensive Plan, Community Plans, and Zoning Ordinances that address the treatment of local cultural resources in the context of discretionary land use permit projects. Projects must be designed and/or mitigation measures included such that findings of consistency can be made for those goals, policies and standards. Planners should consult the appropriate documents for these goals, policies, and standards.

Cultural resources are the tangible or intangible remains or traces left by prehistoric or historic peoples who inhabited the Santa Barbara region. These typically include prehistoric and historic archaeological sites. Although most people think of Native Americans when they think about local archaeology, archaeological sites may also be the material remains of past non-native behavior, such as historical ruins, old trash dumps, and even shipwrecks. Another type of cultural resource includes historic resources, the most common form of which is the existing built environment. Historic resources (not to be confused with *historical* resources as used in CEQA, and defined below), include old houses, buildings, structures, roads, walls, and other important historic features. Cultural resources also include areas such as traditional cultural places and landscapes, and may even include objects, records, and manuscripts. A recently defined type of cultural resource that was added to CEQA in 2015 is the tribal cultural resource, resources with cultural value to a California Native American Tribe. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as cultural landscapes or sacred places. The identification and appropriate treatment of tribal cultural resources is determined through consultation with tribes.

Initial Study Questions

Specifically, this document addresses the threshold questions contained in the County's Initial Study section on cultural resources, which are based on CEQA Guidelines Appendix G (Environmental Checklist Form). If the Initial Study determination is that there are only Class III impacts, a CEQA exemption or Negative Declaration may be the appropriate CEQA document from the perspective of cultural resources. If the Initial Study determines that there are Class II impacts, a Mitigated Negative Declaration may be the appropriate CEQA document from the perspective of cultural resources. If after redesign and/or mitigation, it is determined that the impact is a significant Class I impact, preparation of an Environmental Impact Report is required. Please refer to the

County's Initial Study form G:\GROUP\P&D\Digital Library\Protos & Templates\Planning Permit Processing\CEQA Documents\Initial Study) for additional guidance on the discussion of existing setting, impacts, mitigation, Native American Consultation, and the application of these thresholds.

1.0 EVALUATING THE SIGNIFICANCE (i.e., *IMPORTANCE*) OF CULTURAL RESOURCES

As discussed in more detail in Section 1.3.3, below, the first step in determining a project's impacts to cultural resources is to identify whether or not cultural resources are present. Assuming such resources are present, there are a number of different perspectives when evaluating the importance or significance of a cultural resource during CEQA review, all of them equally valid. From the perspective of a historian, for example, the importance of a historical resource, such as a building, structure, object, or historic district, is what it can tell us about history. Such a resource may be associated with important events that contributed significantly to California history, associated with persons who were important in our past, embody distinctive historic characteristics, or represent the work of an important individual, such as a famous architect. To an archaeologist, the significance of a cultural resource most commonly lies in the information that it can provide about the past, which is important for reconstructing past cultures and testing hypotheses and models that seek to understand culture change. And for a Native American, significance includes resources that have cultural significance to a tribe, including but not limited to sacred places and cultural landscapes. Keep in mind that a single resource may be significant from more than one perspective. For example, an archaeological site may be significant both to archaeologists and Native Americans, but for very different reasons.

What follows is a discussion of the significance evaluation for the various kinds of cultural resources, as contained in CEQA Statute and CEQA Guidelines, as well as federal, state, and local codes and guidance. Depending on the nature of the cultural resource that is the subject of environmental review, one or more of these significance evaluation procedures may be appropriate.

1.1 California Register of Historical Resources

During environmental review, one of the most commonly encountered cultural resource types is the *historical resource*. Historical resources are broadly defined as those cultural resources that are considered significant under CEQA and may include sites, objects, structures, buildings, etc. Historical resources may be prehistoric or historic in age and may be archaeological resources, part of the existing built environment, other important historic resources, or a tribal cultural resource, such as a sacred place. The CEQA Guidelines contain specific direction as to what qualifies as a significant historical resource. CEQA Guidelines Section 15064.5(a) of the State CEQA Guidelines provides a definition of "historical resources." Resources that meet this definition are significant. Public Resources Code Sections 5020-5029.5 also contain many important definitions

of terms used in the code section below, including historical resources, the California Register of Historical Resources, the State Historical Resources Commission, the State Office of Historic Preservation, and others.

Historical Resources (CEQA Guidelines Section 15064.5 (a))

(a) For purposes of this section, the term “historical resources” shall include the following:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR. Section 4850 et seq.).
- (2) A resource 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 an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14, Section 4852) including the following:
 - (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 an important creative individual, or possesses high artistic values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in, or determined eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resource Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Section 5020.1(j) or 5024.1.

1.2 National Register of Historic Places Criteria as Referenced in CEQA

National Register eligibility is also relevant to listing in the California Register. National Register criteria may also be applied to determine if a resource may be listed in the California Register of Historical Resources, and therefore significant pursuant to CEQA. Public Resources Code Section 5024.1(c) lists the National Register of Historic Places criteria that would also qualify a resource to be listed in the California Register of Historical Resources. Normally, most evaluations are done with the California Register criteria themselves, which are similar; but if a resource has already been formally evaluated as meeting National Register criteria, it may simplify the significance evaluation process. Please note that the following section of the CEQA Guidelines references the National Register criteria, but the specific wording of the criteria has been altered in order to apply specifically to resources from California. For the exact wording of the National Register criteria, go to National Register Bulletin 15 (<https://www.nps.gov/nr/publications/bulletins/nrb15/>).

National Register of Historic Places Criteria (CEQA Guidelines Section 5024.1(c))

- (c) A resource may be listed as an historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

1.3 Archaeological Sites

Archaeological sites may be historic or prehistoric in age. As treated by CEQA, archaeological sites may qualify as historical resources or tribal cultural resources, or both. CEQA provides additional guidance specific to archaeological sites. The determination as to whether an archaeological site qualifies as an historical resource or a unique archaeological resource should be based on the evidence gathered and presented for each specific site and should be made by a trained professional archaeologist. CEQA Guidelines Section 15064.5(c)(2) makes it clear that if an archaeological site is determined to be an historical resource, the limitations on mitigation contained in CEQA Statute Section 21083.2 do not apply, and instead mitigation should be guided by CEQA Guidelines Section 15126.4. Additionally, CEQA Guidelines Section 15064.5 (c)(3) clarifies that if an archaeological site is not an historical resource, but does meet the definition of a unique archaeological resource, it should be treated according to CEQA Statute Section 21083.2 , but that the time and cost limitations for survey and evaluation activities contained in CEQA Statute Section 21083.2 (c-f) do not apply to surveys and site evaluation activities. If an archaeological site is neither an historical resource nor a unique archaeological site, the effects of the project on that site shall not be considered a significant effect on the environment.

1.3.1 Archaeological Sites (CEQA Guidelines Section 15064.5 (c))

- (c) CEQA applies to effects on archaeological sites.
 - (1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).

- (2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- (3) If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

1.3.2 Unique and Non-Unique Archaeological Sites

Prior to the adoption of CEQA Guidelines Section 15064.5 in 1998 that defined and addressed the definition and treatment of historical resources, archaeological resources were primarily addressed in Appendix K to the Guidelines, which no longer exists. Appendix K was developed partly in response to CEQA Section 21083.2 that defined "unique" and "non-unique" archaeological resources. It placed significant time and cost limitations on the evaluation and mitigation of unique archaeological resources, and required no mitigation for a non-unique archaeological resource (see Section 3.6 of this document). You will see references to the old Appendix K related to archaeological resources in old reports and publications, but it no longer exists and has been replaced by CEQA Section 15064.5 that addresses historical resources.

As discussed above, the time and cost limitations for significance evaluation and mitigation for unique and non-unique archaeological resources (i.e., sites) have largely been obviated by the statute and guideline sections that address historical resources,

archaeological sites, and tribal cultural resources. So if that is the case, why even discuss them in this document? CEQA recognizes the possibility that an archaeological site may not meet the definition of an historical resource but may meet the definition of a unique archaeological resource. In that case, the site shall be treated in accordance with the provisions of Section 21083.2. It is also necessary to discuss unique archaeological resource because unique archaeological resources may qualify as either tribal cultural resources or historical resources, so the definitions for unique and non-unique archaeological sites are presented here.

Unique and Non-Unique Archaeological Sites (CEQA Statute Section 21083.2 (g))

(g) As used in this section, "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

(h) As used in this section, "nonunique archaeological resource" means an archaeological artifact, object, or site which does not meet the criteria in subdivision (g). A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.

1.3.3 Significance Determination Process for Archaeological and Historic Sites

A detailed discussion of the requirements for archaeological and historic resource investigations and the format and content of technical documents that are to be submitted to the County as part of the CEQA review process is included as attachment A of this document. A brief summary of the archaeological and historic fieldwork and analysis process is included here. These activities are carried out by professional consultants and the results incorporated into CEQA documents, including Initial Studies, Exemptions, Negative Declarations, Mitigated Negative Declarations, and

Environmental Impact Reports. The County maintains a list of qualified professional consultants from which applicants may choose should a technical study be required. All reports, including those produced for Phase 1, 2, and 3 investigations, must be submitted to the Central Coast Information Center at UCSB as well as the County. An additional requirement for archaeological investigations involves the curation (See CEQA Guidelines Section 15126.4(b)(3)(C)) in perpetuity of excavated materials and associated documents from Extended Phase 1, Phase 2, and Phase 3 excavations, at a County-approved curation facility, at the applicant's cost. Please refer to Appendix B of the Environmental Thresholds and Guidelines Manual- Fieldwork and Reporting Guidelines for Cultural Resources (attached) and the discussion below of mitigation and design considerations for guidance and information on other requirements and possible mitigation measures. Note that all archaeological reports that disclose site locations will remain confidential (not distributed to the public).

Phase 1

Archaeological Resources

The first phase of the process, Phase 1, is an inventory to determine whether or not any archaeological sites exist within the project area. This most often begins with records search requests. One request is made to the Central Coast Information Center at UCSB, which maintains maps and records of all recorded sites, both historic and archaeological, as well as locations of past archaeological surveys. In addition, a Sacred Lands Search Request is submitted to the Native American Heritage Commission (NAHC) to find out if any sacred lands within or near the project site have been registered with the NAHC.¹ Once records have been obtained, a pedestrian survey of the project site is conducted by a qualified archaeologist who examines the ground surface to check for cultural materials such as chipped stone, shellfish remains, bone, groundstone, dark organic-rich midden soil, or other tell-tale signs of the presence of an archaeological site.

Sometimes, an Extended Phase 1 is conducted if there is limited visibility due to dense vegetation cover, or the project is in an area likely to have buried remains due to the post-occupation deposition of soils by alluvial or other process. An Extended Phase 1 essentially extends the examination to beneath the ground surface, and usually involves the use of shovel test pits or, on occasion, controlled backhoe trenching, with screening of soils to make sure cultural materials are not missed. If no archaeological materials are discovered, the conclusion is that no archaeological sites exist within the project area. In that case, the Initial Study question on archaeological sites would indicate that

¹ Note that in many cases, recorded cultural resources that have not been registered with the NAHC exist in any given area.

there is no impact and would be identified as a Class III impact in the CEQA document for the project.

If an archaeological site is determined to be present, then a Phase 2 significance evaluation is usually conducted, unless project redesign can avoid the site, in which case Phase 2 test excavations would not be necessary. If a site is avoided through project redesign, there would be no impact (Class III). In rare cases an Extended Phase 1 investigation may generate enough information to establish that a site is significant and preclude the need for a Phase 2 investigation. If a site is determined not to be significant based on the results of an Extended Phase 1 investigation, the Initial Study question on archaeological sites would indicate that there is a less than significant impact and would be identified as a Class III impact in the CEQA document for the project. In some cases, monitoring of ground disturbance in or near to a less than significant site may be made a condition of project approval in order to ensure that undiscovered significant deposits are properly treated if found.

Historic Resources

Phase 1 investigations of historic resources (i.e., the built environment) include both an inventory and significance evaluation of the resources. The purpose of this investigation is to analyze and present the data relevant for determining if the resource is a significant historical resource based on the relevant criteria (e.g., CEQA Guidelines Section 15064.5 (a)(3)(A-D)), including a careful evaluation of the seven aspects of integrity. Phase 1 investigations of historic resources include historical research, an inspection of the property, and a preliminary evaluation of the potential presence of significant historic resources. Historical research includes review of all appropriate documents, including site records, maps, and other appropriate archival materials. Institutions that may have pertinent maps and information include the Central Coast Information Center at UCSB, the Historical Resources Clearinghouse at the UCSB Department of History, the UCSB Map and Imagery Laboratory, the Santa Barbara Historical Society, the Santa Barbara County Hall of Records, the Santa Barbara Trust for Historic Preservation, and others. Institutions that may have pertinent archival materials, including written documents and photographs, include the UCSB Library Special Collections Department, the Santa Barbara Historical Society, the Santa Barbara County Hall of Records, Mission Santa Barbara, other local historical society archives, and others. If no significant historic resources are present, a report of that determination, supported by appropriate evidence, is prepared and submitted (Phase 1 report). If the Phase 1 work results in the identification of potentially significant historic resources, then a Phase 2 investigation is conducted to assess the impacts of the proposed project and formulate appropriate mitigation measures. It is sometimes appropriate to conduct a combined Phase 1/Phase 2 investigation and prepare a single report that presents the results of both phases.

If no significant historic resources are identified, the Initial Study question on historic resources would indicate that there is no impact and would be identified as a Class III impact in the CEQA document for the project.

Phase 2

Archaeological Resources

The purpose of Phase 2 is twofold: (1) to evaluate the significance of any discovered archaeological resources that cannot be avoided by project design or redesign, and (2) to assess project impacts and formulate mitigation measures for resources that are evaluated as significant under CEQA (i.e., historical resources). Fieldwork usually includes controlled and limited archaeological excavation by a qualified archaeologist, referred to as site testing. There are however some circumstances where significance determination may be made without excavation, such as a deflated archaeological site. Site testing follows a plan reviewed and approved by the County to gather and analyze data as necessary to evaluate the significance of the site pursuant to CEQA. Although significance evaluation is generally made for the site as a whole, in some cases there may be specific areas of a significant site that may lack the characteristics that impart importance or confer significance to the site due to the loss of integrity from prior disturbance, extremely low density of deposits, or other reasons. For archaeological sites determined to be significant by Phase 2 test excavations and analysis, mitigation is likely required. Avoidance of significant sites through project redesign is always the first choice, and is required by County policy if avoidance is possible. Most archaeological sites which retain their integrity can be placed within a temporal framework, and have sufficient density of material to answer research questions, are considered significant, and as such the preferred mitigation is avoidance and preservation in place. In some cases, in addition to avoidance, capping the site with sterile chemically neutral soil, geofabric, and some form of shallow-rooted landscaping may also be appropriate mitigation. A sample of the archaeological deposit should be recovered prior to capping. Additional mitigation should include analysis of the recovered materials in an analytical report. In rare cases a Phase 2 investigation may generate enough information to qualify as adequate mitigation and preclude the need for a Phase 3 investigation.

If a significant archaeological site is avoided through project redesign, and possibly capped, based on the results of a Phase 2 investigation, the Initial Study question on archaeological sites would indicate that there is a less than significant impact with mitigation and would be identified as a Class II impact in the CEQA document for the project. Please note that if a project will affect a significant site (e.g., one that is eligible for inclusion on a federal, state or local list or register), then the project is not exempt from CEQA (CEQA Guidelines Section 15300.2(f); the "exception to the exemption"). This is the case even if the project only requires a Land Use Permit or Coastal

Development Permit for construction or grading. In such instances, an Initial Study should be prepared.

Historic Resources

If a potentially significant historic resource is identified in Phase 1, a Phase 2 investigation is conducted to assess project impacts and formulate appropriate mitigation measures. Avoidance and preservation in place is always the preferred mitigation. CEQA (CEQA Guidelines Section 15064.5(b)(3)) recognizes that a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource. In addition, Historic American Buildings Survey /Historic American Engineering Record (HABS/HAER) documentation, or documentation similar to HABS/HAER may also be appropriate mitigation. See also the discussion of mitigation of impacts to significant historic structures in Section 2.3.3 of Appendix B.

If impacts to a significant historic resource are avoided through project redesign and preservation in place based on the results of a Phase 2 investigation, the Initial Study question on historic sites would indicate that there is a less than significant impact with mitigation and would be identified as a Class II impact in the CEQA document for the project. Please note that if a project will affect a significant historical (e.g., one that is eligible for inclusion on a federal, state or local list or register), then the project is not exempt from CEQA (CEQA Guidelines Section 15300.2(f); the "exception to the exemption"). This is the case even if the project only requires a ministerial permit, e.g. a Land Use Permit or Coastal Development Permit for demolition of a structure. In such instances, an Initial Study should be prepared.

Phase 3

Archaeological Resources

The purpose of a Phase 3 archaeological investigation is to carry out mitigation measures, including such measures as temporary fencing during construction, capping, or even dedication of a conservation easement over the site. The avoidance of significant archaeological sites is always the preferred mitigation and is required by County policy whenever possible (see Land Use Element, Historical and Archaeological Site Policy 2). For significant sites that cannot be avoided through redesign, additional excavations may be appropriate mitigation. This type of mitigation is often referred to as data recovery. While information is obtained from a data recovery project, the excavated

portion of the site, as well as the entire area impacted by the project, is destroyed. The purpose of Phase 3 is to recover, analyze, interpret, report, curate, and preserve archaeological data that would otherwise be lost due to unavoidable impacts to a significant resource. The method usually involves an archaeologist excavating in a controlled manner part of the site that will be impacted using a County-approved data recovery plan that is informed by the results of the Phase 2 test excavations. The recovered materials are analyzed pursuant to specific research issues or questions and the results are included in an analytical report. If Phase 3 data recovery excavations are proposed, the Initial Study question on archaeological sites should indicate that there is a less than significant impact after mitigation and would be identified as a Class II impact in the CEQA document for the project, or that there is a potentially significant impact resulting in a Class I impact. Conducting Phase 3 data recovery excavations may not reduce the impact to the resource to less than significant. The determination whether the impact is Class II or remains Class I after data recovery depends on the nature of the site and the amount that is being destroyed. This determination should be based on careful consideration by professional archaeologists and consultation with the Native American community.

Historic Resources

Phase 3 work for historic resources which are not completely avoided involves carrying out the mitigation proposed in the Phase 2 report. Mitigation measures may include, but are not limited to, preservation in place, restoration, rehabilitation, reconstruction, relocation, and documentation through drawings, plans, and photographs. Phase 3 historic resource reports document the mitigation measures that were carried out and include the documentation produced.

If Phase 3 mitigation is proposed, the Initial Study question on historic resources should indicate that there is a less than significant impact after mitigation and would be identified as a Class II impact in the CEQA document for the project, or that there is a potentially significant impact resulting in a Class I impact. The determination whether the impact is Class II or Class I depends on the condition of the resource after mitigation. For example, a historic house that is relocated offsite may or may not constitute a Class I impact due to loss of integrity even though it is being preserved. Also, HABS/HAER documentation as mitigation may not fully mitigate the impact to a historic resource if, after such documentation, the resource is not preserved in place. This determination should be based on careful consideration by and consultation with professional historians and historical architects.

1.4 Tribal Cultural Resources (AB52)

A resource type recently added to CEQA is the *tribal cultural resource*. This resource type was added to CEQA as a result of the passage of Assembly Bill 52 (Gato) in 2014 that took effect in July 2015. CEQA Statute Section 21074 contains guidance for determining what constitutes a tribal cultural resource. If a resource meets the definition of a tribal cultural resource, then it is a significant historical resource pursuant to CEQA. In addition, the statute contains direction concerning meaningful consultation regarding tribal cultural resources that must take place with California Native American tribes, should they request such consultation, on a project-by-project basis (CEQA Statute Section 21080.3.1). It is the obligation of the County, not a professional consultant, to carry out the consultation process. Professional consultants may be involved in the process, but the County is obligated to take the lead. A County P&D staff person will be identified as having the responsibility to conduct consultation with tribes. This consultation, which is confidential, recognizes that the tribes have expertise in determining if a tribal cultural resource is present within a project area, as well as proposing and determining the adequacy of mitigation measures proposed to avoid or substantially lessen potential significant impacts to a tribal cultural resource (CEQA Statute Section 21080.3.2). Required AB 52 consultation is carried out with tribes, not individuals, that have been recognized by the Native American Heritage Commission and who have requested to have such consultation with the County.

1.4.1 Tribal Cultural Resource Definition

Tribal cultural resources may be sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe (CEQA Statute Section 21074). While CEQA contains guidance regarding the identification and determination of the significance of some of these resource types (e.g., CEQA Guidelines Sections 15064.5), CEQA contains little to no guidance regarding cultural landscapes or sacred places. CEQA recognizes the expertise of tribes in identifying all tribal cultural resources, but additional guidance may be provided by the Native American Heritage Commission, which keeps an inventory of sacred lands, to the extent that tribes wish such lands to be included in that inventory. Additional guidance may also be found in National Register Bulletin 38, Guidelines for Evaluating and Documenting Traditional Cultural Properties. Although the National Register process uses evaluation criteria that are somewhat different than those used in CEQA, the general guidance provided in this bulletin is quite useful in the determination of significance of tribal cultural resources such as cultural landscapes.

Tribal Cultural Resources (CEQA Statute Section 21074)

(a) "Tribal cultural resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

1.4.2 Consultation with Tribes Regarding Tribal Cultural Resources

A critically important aspect of the evaluation and treatment of tribal cultural resources is consultation with tribes, who are recognized as experts for this type of resource. Once formally requested by a tribe, the County must offer that tribe the opportunity for consultation on any project for which a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report will constitute the CEQA document. Additional guidance documents, including a tribal consultation process timeline that details how and when a tribe must be given the opportunity to consult, and the Governor's Office of Planning and Research Tribal Consultation Guidelines (2005), can be accessed at the following link: <G:\GROUP\P&D\Digital Library\Protos & Templates\Planning Permit Processing\CEQA Documents\CEQA Thresholds\Cultural>

Resources Thresholds and Guidelines. Three sections of the Public Resource Code discuss the requirements for consultation.

Tribal Consultation (CEQA Statute Section 21080.3.1)

- (a) The Legislature finds and declares that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources.
- (b) Prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. When responding to the lead agency, the California Native American tribe shall designate a lead contact person. If the California Native American tribe does not designate a lead contact person, or designates multiple lead contact people, the lead agency shall defer to the individual listed on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004. For purposes of this section and Section 21080.3.2, "consultation" shall have the same meaning as provided in Section 65352.4 of the Government Code.
- (c) To expedite the requirements of this section, the Native American Heritage Commission shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated with the project area.
- (d) Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

- (e) The lead agency shall begin the consultation process within 30 days of receiving a California Native American tribe's request for consultation.

Tribal Consultation (CEQA Statute Section 21080.3.2.)

- (a) As a part of the consultation pursuant to Section 21080.3.1, the parties may propose mitigation measures, including, but not limited to, those recommended in Section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. If the California Native American tribe requests consultation regarding alternatives to the project, recommended mitigation measures, or significant effects, the consultation shall include those topics. The consultation may include discussion concerning the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the California Native American tribe may recommended to the lead agency.
- (b) The consultation shall be considered concluded when either of the following occurs:
- (1) The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource.
 - (2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.
- (c) (1) This section does not limit the ability of a California Native American tribe or the public to submit information to the lead agency regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural resources, or any appropriate measures to mitigate the impact.
- (2) This section does not limit the ability of the lead agency or project proponent to incorporate changes and additions to the project as a result of the consultation, even if not legally required.
- (d) If the project proponent or its consultants participate in the consultation, those parties shall respect the principles set forth in this section.

Tribal Consultation (CEQA Statute Section 21082.3.)

- (a) Any mitigation measures agreed upon in the consultation conducted pursuant to Section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to paragraph (2) of subdivision (b), and shall be fully enforceable.
- (b) If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - (3) Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - (4) Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.
- (c) (1) Any Information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with subdivision (r) of Section 6254 of, and Section 6254.10 of, the Government Code, and subdivision (d) of Section 15120 of Title 14 of the California Code of Regulations, without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. This subdivision does not prohibit the confidential exchange of the submitted information between public agencies that have lawful jurisdiction over the preparation of the environmental document.
 - (2) (A) This subdivision does not prohibit the confidential exchange of information regarding tribal cultural resources submitted by a California Native American tribe during the consultation or environmental review process among the lead agency, the California Native American tribe, the project applicant, or the project applicant's agent. Except as provided in subparagraph (B) or unless the California Native American tribe providing the information consents, in writing, to public disclosure, the project

applicant or the project applicant's legal advisers, using a reasonable degree of care, shall maintain the confidentiality of the information exchanged for the purposes of preventing looting, vandalism, or damage to tribal cultural resources and shall not disclose to a third party confidential information regarding tribal cultural resources.

(B) This paragraph does not apply to data or information that are or become publicly available, are already in the lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the project applicant or the project applicant's agents, or are lawfully obtained by the project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency.

- (3) This subdivision does not affect or alter the application of subdivision (r) of Section 6254 of the Government Code, Section 6254.10 of the Government Code, or subdivision (d) of Section 15120 of Title 14 of the California Code of Regulations.
 - (4) This subdivision does not prevent a lead agency or other public agency from describing the information in general terms in the environmental document so as to inform the public of the basis of the lead agency's or other public agency's decision without breaching the confidentiality required by this subdivision.
- (d) In addition to other provisions of this division, the lead agency may certify an environmental impact report or adopt a mitigated negative declaration for a project with a significant impact on an identified tribal cultural resource only if one of the following occurs:
- (1) The consultation process between the California Native American tribe and the lead agency has occurred as provided in Sections 21080.3.1 and 21080.3.2 and concluded pursuant to subdivision (b) of Section 21080.3.2.
 - (2) The California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage, in the consultation process.
 - (3) The lead agency has complied with subdivision (d) of Section 21080.3.1 and the California Native American tribe has failed to request consultation within 30 days.

- (e) If the mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of the consultation or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to subdivision (b) of Section 21084.3.
- (f) Consistent with subdivision (c), the lead agency shall publish confidential information obtained from a California Native American tribe during the consultation process in a confidential appendix to the environmental document and shall include a general description of the information, as provided in paragraph (4) of subdivision (c) in the environmental document for public review during the public comment period provided pursuant to this division.
- (g) This section is not intended, and may not be construed, to limit consultation between the state and tribal governments, existing confidentiality provisions, or the protection of religious exercise to the fullest extent permitted under state and federal law.

1.5 Historic Resources

Historic resources are typically structures and properties that make up the historically built environment. Most frequently, these include buildings constructed during the historic period, but historic resources may also include cultural landscapes, objects, places, linear features such as roads or walls, records, or even manuscripts that are historically significant. In general, a property or site must be at least 50 years of age to be considered for an assessment of significance. There are exceptions for properties that are less than 50 years of age that are of exceptional significance.

Significant historic resources qualify as historical resources. In order for a resource to be a significant historical resource pursuant to CEQA, it must meet one of the four significance criteria listed in CEQA Guidelines Section 15064.5(a)(3)(A-D) and retain integrity. Integrity is the authenticity of the resource's physical identity and usually applies to historic resources. Resources must retain enough of their historic character or appearance to be recognizable as historical resources and convey the reasons for their significance. Districts, sites, buildings, structures and objects that retain integrity of location, design, setting, materials, workmanship, feeling, and association, and meet the one or more of the four significance criteria qualify as significant historical resources. Historic properties either retain integrity or they do not. To retain integrity, a historic

property should have several of the seven elements of integrity listed above. Guidance for evaluating integrity may be found in National Register Bulletin 15 (<https://www.nps.gov/nr/publications/bulletins/nrb15/>).

Generally, a historic resource is significant if it meets the significance criteria for listing in the California Register of Historical Resources, whether the resource is formally listed or not. Additionally, historic resources are considered significant if they are listed in or eligible for listing in a local register of historical resources (CEQA Guidelines Section 15064.5(a)(2)). Also, please refer to Appendix B, Fieldwork and Reporting Guidelines for Cultural Resources for additional information.

1.5.1 Local Register of Historical Resources

In addition to the California Register of Historical Resources, a resource listed in or eligible for listing in a local register also qualifies as a significant historical resource. CEQA Statute Section 21074(a)(1)(B) and CEQA Guidelines Section 15064.5(a)(2) indicate that resources included in a local register of historical resources are presumed to be significant historical resources. Public Resources Code Section 5020.1(k) provides the following definition of local register of historical resources:

Local Register of Historical Resources (Public Resources Code Section 5020.1(k))

- (k) "Local register of historical resources" means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

1.5.2 Historic Landmarks Advisory Commission

Santa Barbara County has two such a local registers; the Santa Barbara County Landmarks, and Places of Historic Merit, which are both maintained by the Historic Landmarks Advisory Commission (HLAC). Any resource listed in one of these registers is presumed to be a significant historical resource pursuant to CEQA. The statutory role of HLAC is distinct from the review of historic resources in the CEQA process done by Planning and Development staff. The review process for a property to become a County Landmark includes different criteria and reporting requirements for landmark designation than those used in CEQA review. Nevertheless, because inclusion on a local register also establishes CEQA significance, the County Landmark criteria are presented below. A Landmark is any place, site, building, structure, or object having historical, aesthetic or other special character or interest and designated as a *Landmark*

under the provisions of County Code Chapter 18A. In considering a proposal to recommend to the Board of Supervisors any place, site, building, structure, or object for designation as a Landmark, the County Historic Landmarks Advisory Commission applies any or all of the following criteria as reasons for a decision:

County of Santa Barbara Historic Landmark Designation Criteria (County Code Section 18A-3):

- A) It exemplifies or reflects special elements of the County's cultural, social, economic, political, archaeological, aesthetic, engineering, architectural or natural history;
- B) It is identified with persons or events significant in local, state or national history;
- C) It embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- D) It is representative of the work of a notable builder, designer, or architect;
- E) It contributes to the significance of a historic area, being a geographically definable area possessing a concentration of historic, prehistoric, archaeological, or scenic properties, or thematically related grouping of properties, which contribute to each other and are unified aesthetically by plan or physical development;
- F) It has a location with unique physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the County of Santa Barbara;
- G) It embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation;
- H) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particularly transportation modes or distinctive examples of park or community planning;
- I) It is one of the few remaining examples in the County, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

A designated Landmark is preserved and protected by conditions restricting its demolition, removal, alteration, or use. The specific conditions for each landmarked property are spelled out in the Board Resolution which finalized the property's Landmark status. Plans for alterations to Landmarks are required to be reviewed by the Historic Landmarks Advisory Commission for approval. A benefit of obtaining County Landmark status is the applicability of the provisions of the Historic Building Code, which may waive certain requirements such as those for parking and ADA improvements.

Designation as a Place of Historic Merit officially recognizes the building or site as having historic, aesthetic or cultural value. A Place of Historic Merit, as opposed to a Landmark, is not protected by restrictions as to demolition, removal, alteration or use, but it would usually qualify as a historical resource in the context of CEQA environmental review. Designation as a Landmark recognizes the building or site at a higher level of historic, aesthetic, or cultural significance.

In addition to proposing landmark designation of historic properties to the Board of Supervisors, the Historic Landmarks Advisory Commission may also play an important advisory role in the treatment of historic resources in the review of development projects.

1.5.3 Local Historical Resource Surveys

Historical resources listed in or eligible for listing in the California Register of Historical Resources or included in a local register (such as a County Landmark or Place of Historic Merit) are significant. However, there are some circumstances where a resource identified in a local historical resource survey, but not included in a register, may also be significant. Specifically, historical resources that were identified as significant in an historical resource survey meeting the requirements of 5024.1(g) are presumed to be significant. Local historical resource surveys are previously existing formal inventories and evaluations of multiple historic properties and buildings located in a defined geographic area such as a neighborhood or community. Such surveys must have been carried out pursuant to the criteria listed in Public Resources Code Section 5024.1(g). Although resources identified in such surveys are presumed to be significant historical resources, these criteria are not requirements for determining that a particular resource is significant. These guidelines discuss additional methods for significance determination.

Requirements for Historical Resource Surveys (Public Resources Code Section 5024.1(g))

- (g) A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:
- (1) The survey has been or will be included in the State Historic Resources Inventory.
 - (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.
 - (3) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.
 - (4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

1.5.4 Historic Districts and Landscapes

Although historic districts and historic landscapes are most commonly encountered in the context of nominations to and listing in the National Register of Historic Places, historical resources as defined by CEQA Guidelines Section 15064.5(a)(3) include “places” and “areas.” Also, the definition of tribal cultural resource includes cultural landscapes. A cultural landscape is a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person, or exhibiting other cultural or esthetic values. There are four non-mutually exclusive types of cultural landscapes: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Whether formally listed in the National Register of Historic Places or not, places and areas that may qualify as historical resources need to be evaluated and considered in the CEQA process. In the event that a place or area does qualify as a historical resource, CEQA provides little guidance as to their evaluation. Useful guidance may be found in the National Register Bulletins, including but not limited to:

- National Register Bulletin 15- How to apply National Register Criteria for Evaluation

- Bulletin 16- Guidelines for Completing National Register of Historic Places Form
 - Bulletin 18- How to Evaluate and Nominate Designed Historic Landscapes
 - Bulletin 30- Guidelines for Evaluating and Documenting Rural Historic Landscapes
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2.0 DETERMINING THE SEVERITY OF IMPACTS TO CULTURAL RESOURCES

2.1 Typical Adverse Effects

Significant cultural resources are non-renewable; therefore, they cannot be replaced. The disturbance or alteration of a cultural resource causes an irreversible loss of significant information from the perspective of science and history, and also the loss of sacred places, objects and traditional cultural properties from the perspective of Native Americans and other groups. Regionally, the loss of cultural resources results in the loss of our identity and our connection with the past. More specifically, these losses include the demolition, destruction, relocation, or the material alteration of a cultural resource or its immediate surroundings such that the significance of a cultural resource would be materially impaired. Typical impacts to cultural resources include:

- The non-scientific surface collection or subsurface excavation of an archaeological site, often called pot hunting.
- The destruction of cultural resources through project development (e.g., grading, clearing, demolition, trenching, road and utility construction, staging areas).
- The destruction of cultural resources through off-site improvements (e.g., road construction, utilities expansion, staging areas) associated with project development.
- An increase in development intensity which adversely affects cultural sites or landscapes (e.g., placement of a subdivision within a vacant parcel adjacent to/ surrounding a cultural resource where behavior patterns occur beyond the boundaries of a site).
- The introduction of visual, audible, or atmospheric effects that are out of character with the cultural resource or alter its setting when the setting contributes to the resources' significance (e.g. the construction of a large-scale building, structure, or object that has the potential to cast shadows patterns on a historic structure, intrude into its viewshed, generate substantial noise, or substantially increase air pollution or wind patterns).
- Damage to cultural resources or landscapes by human encroachment resulting in vandalism or site destruction (e.g., graffiti).
- The relocation of a historic structure such that its significance is reduced to a level whereby the resource no longer is considered significant.
- Modifications (e.g., remodeling, alteration, addition, demolition) to a historic resource that is not in conformance with the Secretary of Interior Standards (See Attachment A).
- A change in use that is not compatible with the authenticity of a resource (e.g., the use of a historic house as a dollar retail store).

- Development that changes the significance of a historic structure or the surrounding historic landscape.
- Deterioration of a resource by neglect.

Two types (direct, indirect) of typical adverse effects occur in relation to cultural resources. Direct impacts are caused by and are immediately related to a project. Examples of direct impacts would be the disturbance of an archaeological site by grading, or the demolition of a historic building. Indirect impacts are not immediately related to the project, but they are caused indirectly by a project. An indirect impact is to be considered only if it is a reasonably foreseeable impact that may be caused by the project. An example of an indirect impact would be the placement of trails in open space which has the potential to impact archaeological resources indirectly through the surface collection of artifacts by hikers.

2.2 Guidelines for Determining Impact Significance

CEQA Statute Section 21084.1 and CEQA Guidelines Section 15064.5(b)) define what constitutes substantial adverse change to the significance of an historical resource and that such adverse changes may constitute a significant effect on the environment.

2.2.1 Substantial Adverse Change to a Historical Resource (CEQA Statute Section 21084.1)

A project 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. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.

2.2.2 Substantial Adverse Environmental Impact to an Historical Resource (CEQA Guidelines Section 15064.5(b))

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

CEQA Statute Section 21084.2 defines what constitutes substantial adverse changes to the significance of a tribal cultural resource and that such adverse changes may constitute a significant effect on the environment:

2.2.3 Substantial Adverse Change to a Tribal Cultural Resource (CEQA Statute Section 21084.2.)

A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

3.0 MITIGATION AND DESIGN CONSIDERATIONS

Cultural resource mitigation measures and design considerations used in the planning approval process depend on the specifics of a project and resources under consideration. A few examples of mitigation measures are provided in Table 1. The kinds of mitigation measures appropriate for archaeological sites are generally different than those appropriate for the historic built environment. This section will provide guidance contained in CEQA in addition to reference to policies and development standards regarding the treatment of cultural resources contained in the Santa Barbara County Comprehensive Plan and zoning ordinances. The County also has developed standard cultural resources conditions and mitigation measures (Planner's Guide to Conditions of Approval and Mitigation Measures- G:\GROUP\P&D\Digital Library\Protos & Templates\Planning Permit Processing\Findings & Conditions\Standard Conditions) that may be used as-is or amended to fit the individual circumstances of a project.

Table 1
Examples of Mitigation Measures/Conditions

Resource Type	Typical Measures Applied to Reduce Impacts to Below Significant
Archaeological Resources	Avoidance and Preservation in Place
	Archaeological Open Space Easement
	Data Recovery
	Temporary Fencing
	Site Capping
	Staging Area Limitation for Construction Activities
	Curation of Archaeological Collections ²
	Agreement by Developer to Mitigation Conditions That Result From Consultation Between the County and a Tribe
	Public Displays/Media

² State guidance is provided by CEQA Guidelines Section 15126.4.

Built Environment	Avoidance and Preservation in Place
	Historic Conservation Easement
	Historic Landscape Screening Plan
	Use, Maintenance, and Repair Easement
	Setback Easement for Lots Adjacent to a Historic Structure
	Historic Landscape Tree Preservation
	Historic Structure Rehabilitation Program
	Regulations of Uses in a Historic Structure
	Curation of Historic Collections
	Staging Area Limitation for Construction Activities
	Landmarking
	Public Displays/Media
	HABS/HAER Documentation, or Documentation Similar to HABS/HAER
	Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings
	Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer 1995)

The ideal treatment for cultural resources is avoidance of impacts to and preservation in place of the resource. CEQA and the Coastal Act do not require avoidance of cultural resources. However, the County's Comprehensive Plan, including the Coastal Land Use Plan and various community plans, contains policies that require avoidance of significant cultural resources if possible. Avoidance measures can be incorporated into project design. However, if a project has the potential to cause a significant adverse change in the significance of an historical or tribal cultural resource, then reasonable efforts must be made to mitigate the impact to a level below significant. Cultural resource mitigation may include data recovery, analysis, interpretation, reporting, and curation of collections and associated documents at a County-approved curation facility, at the applicant's cost, thereby preserving what would otherwise have been destroyed and lost due to construction and development activities. The primary guidance on mitigation in the context of a CEQA review of a development project is found in CEQA guidelines Section 15064.5 (see also CEQA Statute Sections 21082.3 and 21083.2):

3.1 Mitigation (CEQA Guidelines Section 15064.5(b))

- (b) 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.
- (3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.
- (4) A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.
- (5) When a project will affect state-owned historical resources, as described in Public Resources Code Section 5024, and the lead agency is a state agency, the lead agency shall consult with the State Historic Preservation Officer as provided in Public Resources Code Section 5024.5. Consultation should be coordinated in a timely fashion with the preparation of environmental documents.

3.2 Mitigation (CEQA Guidelines Section 15126.4(b))

Further detail concerning mitigation measures for historical resources, including both Archaeological and Historic Resources, is provided by CEQA Guidelines Section 15126.4(b):

- (b) Mitigation Measures Related to Impacts on Historical Resources.
 - (1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with

Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

- (2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.

- (3) Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:
 - (A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.
 - (B) Preservation in place may be accomplished by, but is not limited to, the following:
 1. Planning construction to avoid archaeological sites;
 2. Incorporation of sites within parks, greenspace, or other open space;
 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
 4. Deeding the site into a permanent conservation easement.
 - (C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be

removed during project excavation or testing, curation may be an appropriate mitigation.

- (D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), has recently been updated and may be found at <https://www.nps.gov/tps/standards/treatment-guidelines-2017.htm>.

3.3 Tribal Cultural Resource Mitigation

CEQA Statute Section 21084.3 identifies appropriate mitigation for a Tribal Cultural Resource:

3.3.1 Mitigation for Tribal Cultural Resources (CEQA Statute Section 21084.3)

- (a) Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.
- (b) If the lead agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Section 21080.3.2, the following are examples of mitigation measures that, if feasible, may be considered to avoid or minimize the significant adverse impacts:
 - (1) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - (2) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - (A) Protecting the cultural character and integrity of the resource.
 - (B) Protecting the traditional use of the resource.

- (C) Protecting the confidentiality of the resource.
- (3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- (4) Protecting the resource.

3.4 Treatment of Native American Human Remains

CEQA Guidelines Section 15064.5(d) addresses development of an agreement between the applicant and the appropriate Native Americans regarding treatment of human remains with appropriate dignity in circumstances where an initial study identifies the existence or probable likelihood of Native American human remains within the project.

3.4.1 Human Remains (CEQA Guidelines Section 15064.5(d))

(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American heritage Commission. Action implementing such an agreement is exempt from:

- (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
- (2) The requirement of CEQA and the Coastal Act.

3.4.2 Accidental Discovery of Human Remains (CEQA Guidelines Section 15064.5(e))

CEQA Guidelines Section 15064.5 (e) specifically addresses what to do in the event that human remains are accidentally discovered in any location other than a dedicated cemetery:

- (e) In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. The most likely descendent may make recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
 - (B) The descendent identified fails to make a recommendation; or

- (C) The landowner or his authorized representative reject the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

3.5 Accidental Discovery of Non-Human Remains Archaeological Materials During Construction

CEQA Guidelines Section 15064.5 (f) specifically addresses provisions a lead agency should make regarding accidental discovery of historical or unique archaeological resources during construction.

3.5.1 Accidental Discovery of Historical or Unique Archaeological Resources (CEQA Guidelines Section 15064.5(f))

- (f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue in other parts of the building site while historical or unique archaeological resource mitigation takes place.

3.6 Limitations on Mitigation for Unique Archaeological Resources

The following is the section of the CEQA Statute that establishes limitations on the time and money that can be spent evaluating and mitigating unique archaeological resources. These limitations are not applicable to historical resources and are rarely applied. See Section 1.3.2 of this document for additional discussion.

3.6.1 Archaeological Resources; Determination of effect of Project; EIR Or Negative Declaration; Mitigation Measures (CEQA Statute Section 21083.2.)

- (a) As part of the determination made pursuant to Section 21080.1, the lead agency shall determine whether the project may have a significant effect on archaeological resources. If the lead agency determines that the project may

have a significant effect on unique archaeological resources, the environmental impact report shall address the issue of those resources. An environmental impact report, if otherwise necessary, shall not address the issue of nonunique archaeological resources. A negative declaration shall be issued with respect to a project if, but for the issue of nonunique archaeological resources, the negative declaration would be otherwise issued.

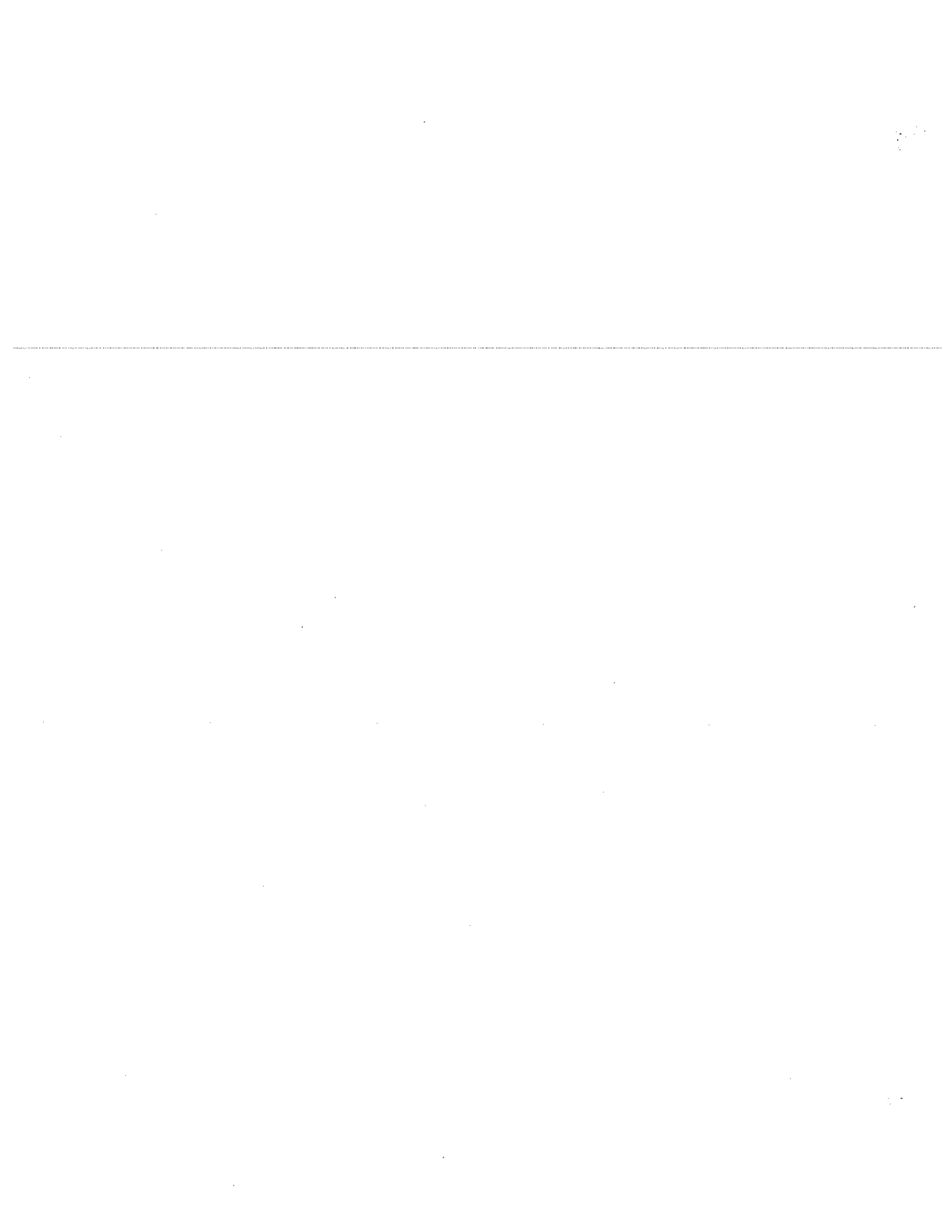
- (b) If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:
 - (1) Planning construction to avoid archaeological sites.
 - (2) Deeding archaeological sites into permanent conservation easements.
 - (3) Capping or covering archaeological sites with a layer of soil before building on the sites.
 - (4) Planning parks, greenspace, or other open space to incorporate archaeological sites.
- (c) To the extent that unique archaeological resources are not preserved in place or not left in an undisturbed state, mitigation measures shall be required as provided in this subdivision. The project applicant shall provide a guarantee to the lead agency to pay one-half the estimated cost of mitigating the significant effects of the project on unique archaeological resources. In determining payment, the lead agency shall give due consideration to the in-kind value of project design or expenditures that are intended to permit any or all archaeological resources or California Native American culturally significant sites to be preserved in place or left in an undisturbed state. When a final decision is made to carry out or approve the project, the lead agency shall, if necessary, reduce the specified mitigation measures to those which can be funded with the money guaranteed by the project applicant plus the money voluntarily guaranteed by any other person or persons for those mitigation purposes. In order to allow time for interested persons to provide the funding guarantee referred to in this subdivision, a final decision to carry out or approve a project shall not occur sooner than 60 days after completion of the recommended special environmental impact report required by this section.
- (d) Excavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project.

Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.

- (e) In no event shall the amount paid by a project applicant for mitigation measures required pursuant to subdivision (c) exceed the following amounts:
- (1) An amount equal to one-half of 1 percent of the projected cost of the project for mitigation measures undertaken within the site boundaries of a commercial or industrial project.
 - (2) An amount equal to three-fourths of 1 percent of the projected cost of the project for mitigation measures undertaken within the site boundaries of a housing project consisting of a single unit.
 - (3) If a housing project consists of more than a single unit, an amount equal to three-fourths of 1 percent of the projected cost of the project for mitigation measures undertaken within the site boundaries of the project for the first unit plus the sum of the following:
 - (A) Two hundred dollars (\$200) per unit for any of the next 99 units.
 - (B) One hundred fifty dollars (\$150) per unit for any of the next 400 units.
 - (C) One hundred dollars (\$100) per unit in excess of 500 units.
- (f) Unless special or unusual circumstances warrant an exception, the field excavation phase of an approved mitigation plan shall be completed within 90 days after final approval necessary to implement the physical development of the project or, if a phased project, in connection with the phased portion to which the specific mitigation measures are applicable. However, the project applicant may extend that period if he or she so elects. Nothing in this section shall nullify protections for Indian cemeteries under any other provision of law.
- (g) As used in this section, "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:
- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
 - (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.
- (h) As used in this section, "nonunique archaeological resource" means an archaeological artifact, object, or site which does not meet the criteria in subdivision (g). A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.
 - (i) As part of the objectives, criteria, and procedures required by Section 21082 or as part of conditions imposed for mitigation, a lead agency may make provisions for archaeological sites accidentally discovered during construction. These provisions may include an immediate evaluation of the find. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in this section. Construction work may continue on other parts of the building site while archaeological mitigation takes place.
 - (j) This section does not apply to any project described in subdivision (a) or (b) of Section 21065 if the lead agency elects to comply with all other applicable provisions of this division. This section does not apply to any project described in subdivision (c) of Section 21065 if the applicant and the lead agency jointly elect to comply with all other applicable provisions of this division.
 - (k) Any additional costs to any local agency as a result of complying with this section with respect to a project of other than a public agency shall be borne by the project applicant.
 - (l) Nothing in this section is intended to affect or modify the requirements of Section 21084 or 21084.1.

Appendix B to Environmental Thresholds and Guidelines Manual-
Fieldwork and Reporting Guidelines for Cultural Resources



**APPENDIX B TO THE ENVIRONMENTAL
THRESHOLDS AND GUIDELINES MANUAL:**

**FIELDWORK AND REPORTING GUIDELINES
FOR CULTURAL RESOURCES**

**COUNTY OF SANTA BARBARA
GUIDELINES FOR DETERMINING THE
SIGNIFICANCE OF AND IMPACTS TO
CULTURAL RESOURCES:**

**ARCHAEOLOGICAL, HISTORIC, AND TRIBAL
CULTURAL RESOURCES**

Planning and Development Department

February 27, 2018



PURPOSE

These Cultural Resources Fieldwork and Reporting Guidelines for development review, fieldwork, and reporting provide direction for conducting cultural resource investigations and preparing reports for discretionary projects being processed by the Santa Barbara County Planning and Development Department. These guidelines are designed to:

Make clear the County's requirements for conducting cultural resource investigations in the context of environmental review of development project applications pursuant to the California Environmental Quality Act (CEQA) and other applicable regulations and policies.

Ensure the quality, accuracy and completeness of cultural resource investigations and reports. Reporting structure is based on the State of California's Archaeological Resource Management Report format with modifications to fulfill County requirements. Depending on the types of resources and impacts identified, the format may vary and all elements may not be required.

Aid in staff's efficient and consistent review of maps and documents from different consultants.

Provide adequate information to make appropriate planning decisions and to make determinations regarding conformance with applicable regulations.

Increase the efficiency of the environmental review process and avoid unnecessary time delays.

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1.0 INTRODUCTION

This document guides planners and consultants conducting environmental review of cultural resources within the jurisdiction of the County of Santa Barbara, and in the preparation of technical studies that are the result of the application of the County's Guidelines for Determining the Significance of and Impacts to Cultural Resources: Archaeological, Historic, and Tribal Cultural Resources ("Guidelines"). This document is also intended to help County planners understand and review consultants' documents. Requirements described herein apply to both archaeological and historic resources. Reporting requirements are based on the Archaeological Resource Management Report (ARMR) format and content guidelines developed by the California Office of Historic Preservation (1990), Historical Resources Guidelines developed by the City of San Diego (2001), and the County of San Diego Report Format and Content Requirements (2007), but has been modified to address the best practices currently in use in Santa Barbara County. The intent of these guidelines is to ensure consistency in the investigation, reporting, and management of cultural resources including identification, evaluation, and preservation and/or mitigation. Please note that evidence that a copy of all cultural resources technical reports have been submitted to the Central Coast Information Center (CCIC) at UCSB is required prior to issuance of the first permit for the project.

2.0 DEVELOPMENT REVIEW

County Guidelines provide the context for development review; the following sections provide the nuts and bolts for County planners conducting California Environmental Quality Act (CEQA) review of discretionary development project permit applications. It is important to note that projects that require a Land Use Permit or Coastal Development Permit, which are usually exempt from CEQA review, are not exempt if the project for which the permit will be issued may have substantial adverse impacts to significant cultural resources. As noted in the Guidelines, historic resources are defined as the “built environment”, are non-archaeological in nature, and are generally at least 50 years old. Archaeological resources are defined as the surface and subsurface remains of sites no longer in use or maintained in which evidence of past activity is preserved, and may be either prehistoric or historic, or both (Native American and European).

2.1 CONSULTANTS

Consultants (Principal Investigator) must be approved to work on development projects within the jurisdiction of the County. Reports submitted where the Principal Investigator is not an approved consultant will be subject to peer review, and may be rejected as incomplete. The County maintains a list of approved consultants (<G:\GROUP\P&D\Consultants List\ConsultantsList.pdf>)

2.2 NATIVE AMERICAN PARTICIPATION

Native American consultation is described in Section 1.4 of the Guidelines. In addition to the requirements of SB 18 and AB 52, Native American involvement in development projects is required when prehistoric and contact and/or historic period Native American cultural resources are known to be present, and may include consultation and / or monitoring. Monitoring may also be required in situations where significant resources are not present, but the possibility exists that undiscovered resources may be encountered.

2.3 PLANNER DEVELOPMENT REVIEW PROCESS

The development review process consists of identifying cultural resources within the boundaries of the project, including any off-site improvements associated with the project. This section provides guidance as to the County's expectations regarding project design and how a typical cultural resource investigation is to be conducted. Cultural resource investigations are typically conducted in phases (1, 2, and 3), with Phase 1 associated with identification efforts, Phase 2 associated with evaluation of significance and assessment of effects, and Phase 3 with mitigation. Not all phases are necessary for

every project, and in some cases phases can be modified or combined. For example, a Phase 1 study may be expanded to include subsurface exploration, which is called an Extended Phase 1. In rare cases, Phases 2 and 3 can be combined. Please refer to Section 1.3.3 of the *Guidelines for Determining the Significance of and Impacts to Cultural Resources: Archaeological, Historic, and Tribal Cultural Resources* and Section 3.1 of this document for additional discussion of these phases of investigation.

2.3.1 PROJECT DESIGN

CEQA statute Section 21083.2(b) and County Comprehensive Plan Land Use Policy 5, as well as various Community Plan policies, require that reasonable efforts be made to preserve important cultural resources in place; therefore, project design is essential to achieving this goal. The design of a project should avoid, or incorporate cultural resources into open space, whenever possible. If the project proponent, consultant, and County staff agree to waive significance testing on cultural sites, those resources will be treated as significant and must be preserved through project design.

2.3.2 CULTURAL RESOURCE IDENTIFICATION

County staff will make a determination based on available information whether a survey of the property for cultural resources is necessary. In addition to site visits, maps, aerial photos, cultural reports, and other documents that may be available in house, staff should also consult the Historic Resources Database, available on PhotoMapper, which contains information on potential and known historic resources.

Historic Resources. For the built environment, it is usually not necessary to do a formal survey to identify whether a potentially significant resource is present, as this information is typically known at the time a development application is submitted. Potentially significant historic resources may be identified through previously completed neighborhood surveys or individual historic resource inventories, or based on of the structure's age. If the property contains built features over 50 years of age whose significance has not been assessed, the planner will request a Phase 1 Historic Resource Study at project scoping (also see Section 2.3.3, below).

Archaeological Resources. For archaeological resources, if no or insufficient information is available to determine the need for a survey, staff will make an initial request for property-specific information from the Central Coast Information Center [CCIC] at UCSB where the California Historical Resources Information System [CHRIS] database is maintained. If a cultural resources survey is required, the applicant will be informed at project scoping. The applicant will then retain a professional cultural

resources consultant who will conduct a full record search at the CCIC prior to surveying the property for cultural resources. This record search is optional for historic resources (i.e., the built environment) investigations. If an archaeological survey of the project property is required, it shall be conducted in such a manner as to determine whether cultural resources are absent or present within the project area. In some cases, such as alluvial depositional contexts or when surface visibility is inadequate, pedestrian survey may not be sufficient. In those cases, subsurface testing may be warranted despite the completion of a negative pedestrian survey. County staff will also contact the Native American Heritage Commission (NAHC) to identify potentially interested tribes, and P&D will notify those tribes of upcoming circulation of the environmental document for the project. If an archaeological survey has been completed, the resulting report will be provided to tribes or other NAHC-recognized Native Americans upon request.

No Prior Survey. Project properties that have not been previously completely surveyed for archaeological resources require a Phase 1 investigation as described above, unless conditions on the ground have been disturbed such that there is no possibility of the presence of cultural resources. Appropriate records, such as prior grading plans, will be required to demonstrate the extent of prior disturbance. Note that prior agricultural uses such as vineyards or cultivation of other crops do not preclude the potential for significant resources to be present. For the built environment, previously unevaluated features greater than 50 years of age require completion of a Phase 1 study to assess whether or not the resource is potentially significant.

Prior Survey. Normally, projects with a prior archaeological survey that is 10 years old or less may use the previous study, if the methods used for that survey meet the current standards. Surveys older than 10 years often used lower standards and should be repeated. If a previous study was sufficient, an addendum to the prior report must be completed that (1) updates all graphics to match the current development project; (2) discusses any change in interpretation, impacts, or mitigation; and (3) identifies changes in circumstances or new information of substantial importance that cause one or more effects to cultural resources. In addition, the addendum should identify whether cultural material was collected as part of the previous survey, and if so identify the location of the collection. Projects will be conditioned with the requirement of curation for any collection associated with prior studies that have not been curated. Negative surveys of adjacent or nearby properties, or negative surveys of only a portion of the subject property, will not be accepted as evidence that no cultural resources are present and a survey will be required.

Negative Survey. Negative archaeological surveys do not require a full cultural resources report. Instead a negative archaeological letter report is acceptable. Section

4.2, below, provides a negative archaeological letter report outline and content requirements, and an example template is provided in Attachment 2. Negative reports must be submitted to both the County (as a part of application processing) and the Central Coast Information Center (CCIC) at the Department of Anthropology, UCSB. Reports must be submitted to the CCIC prior to issuance of the first permit for the project.

Positive Survey. Positive surveys (i.e., those that identify significant or potentially significant cultural resources within the project area) require a “full” cultural resources survey report as detailed below in Sections 4.1 (Archaeological Technical Report) and 4.3 (Historic Resources Technical Report).

2.3.3 CULTURAL RESOURCE EVALUATION AND ASSESSMENT OF PROJECT IMPACTS

If cultural resources cannot be avoided through project design or incorporation into open space, evaluation of resource significance will be required. For archaeological resources, significance evaluation and assessment of project impacts occurs as part of Phase 2. Evaluating resource significance and assessing impacts are detailed in the Guidelines. Note that significance evaluations are not required for resources that have been evaluated for CEQA significance in the past 10 years and there has been no change in the conditions which contributed to the determination of resource importance. Significance evaluation is also not required when significance is assumed in the absence of testing and the resources are placed in open space. However, archaeological resources that are placed in open space should have subsurface index samples collected, especially if the site is to be capped, in order to identify what is being preserved and how best to manage the resource. In addition, site boundaries for these resources must be defined to determine whether they extend beyond the area designated for open space. Boundary definition will require subsurface probing unless the site is wholly contained on an exposed surface such as bedrock or a deflated surface. Resources should be re-evaluated if their condition or setting has improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources. Resource evaluation includes determining resource importance, assessing project impacts, identifying appropriate mitigation measures, and identifying the significance of impacts after implementation of mitigation. The following sections outline and provide guidance for these topics.

For historic resources (i.e., the built environment), the evaluation of resource significance takes place in Phase 1. If the resource is determined not to be significant, the report simply presents that conclusion supported by substantial evidence and no further

research is necessary. If the historic resource is assessed as significant, the report may be expanded into a Phase 2 report that evaluates project impacts and proposes appropriate mitigation. It is also acceptable to create a stand-alone Phase 2 historic resources report and include the Phase 1 report as an appendix.

2.3.4 CULTURAL RESOURCE MITIGATION MEASURES

Section 3 of the Guidelines discusses mitigation and design considerations. Mitigation must be proposed for any project that has the potential to impact important cultural resources. The determination of mitigation measures is based on resource significance and the type (direct, indirect, cumulative) and severity of the impact. The focus of mitigation is the preservation, data recovery, and curation of the information that these resources contain that would otherwise be destroyed or lost due to construction and development activities. Avoidance and preservation in place is always the preferred mitigation approach.

For archaeological resources, mitigation may include data recovery excavations, often referred to as a Phase 3 investigation. A report of the results of such excavations, including any specialized studies, is prepared and all artifacts and project records are curated at an appropriate local curation facility at the applicant's expense. Projects may also be conditioned to include measures when archaeological resources are not identified but their presence is possible. For example, grading monitoring may be required when cultural resources are possibly present on a project site, or areas of a project site, but were not identified during fieldwork. Mitigation may also include measures to protect off-site resources even though the project does not propose development in that area. For example, a project proposes development adjacent to a known archaeological site (no development within the site boundaries). To mitigate for potential impacts to this resource, grading monitoring and temporary fencing may be made conditions of project approval. Grading monitoring in and of itself does not constitute an adequate mitigation measure for known or newly discovered cultural resources. If grading monitoring does result in the discovery of previously undiscovered cultural resources, all grading work should cease and County Planning and Development staff should be immediately contacted in order to determine the appropriate next steps.

For historic resources, avoidance and preservation in place, including restoration or rehabilitation of the structure, is always the preferred mitigation. Adaptive reuse and or relocation of a historic structure may also be an appropriate mitigation measure, but the appropriateness of such mitigation must be evaluated on a case-by-case basis. CEQA (CEQA Guidelines Section 15064.5(b)(3)) recognizes that a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with

Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer, 1995) shall be considered as mitigated to a level of less than a significant impact on the historical resource. In addition, Historic American Buildings Survey /Historic American Engineering Record (HABS/HAER) documentation, or documentation similar to HABS/HAER may also be appropriate mitigation.

Note that the County does not normally consider HABS/HAER documentation alone as adequate mitigation for the destruction of significant historic resources (structures). In the case of *Architectural Heritage Association v. County of Monterey*, 122 Cal.App.4th 1095 (2004), it was found that "archival documentation cannot normally reduce destruction of an historic resource to an insignificant level." Also in the case of *League For Protection of Oakland*, 52 Cal.App.4th 896 (1997), the Court of Appeal held that the historic resources of the building to be demolished "normally cannot be adequately replaced by reports and commemorative markers." Therefore, documentation alone may not be an adequate mitigation measure to reduce the impact to less than significant. In such cases, where the historic resource is not being preserved, it may be necessary to identify the impact as Class I.

3.0 ARCHAEOLOGY FIELDWORK GUIDELINES¹

This section provides guidance for consultants conducting cultural resources investigations supporting County environmental review, and simultaneously provides benchmarks for planners that are reviewing the resulting reports to ensure that the efforts were sufficient. This section considers all three phases of cultural resources studies. Most of these guidelines are based on a cultural resources management plan prepared for Vandenberg Air Force Base².

3.1 RESOURCE IDENTIFICATION (PHASE 1)

Identification efforts must begin with background research to determine what efforts have previously been completed in and near the project, and to determine whether cultural resources have previously been recorded in and near the project. As part of that effort for archaeological research, consultants will request the Native American Heritage Commission (NAHC) to conduct a Sacred Lands search as part of the background

¹ Fieldwork guidelines are not provided for built environment resources.

² Lebow, Clayton G., and Michael J. Moratto, 2005, *Management of Prehistoric Archaeological Resources*. Vandenberg Air Force Base Integrated Cultural Resources Management Plan, Vol. 5, edited by Michael J. Moratto and Barry A. Price. Applied EarthWorks, Inc., Fresno, California. Submitted to U.S. Air Force, 30 CES/CEVPC, Vandenberg Air Force Base, California.

research effort. Local Native American groups identified by the NAHC should be contacted to determine whether they have any information regarding sensitive cultural resources in or near the project. The resulting technical report should contain evidence of the NAHC consultation and evidence that local groups were contacted and consulted. In some instances, formal consultation with tribes by the County is required pursuant to SB 18 and AB52. SB 18 consultation is required for projects that include a General Plan amendment. See also the discussion of AB 52 consultation in Section 1.4.2 of the *Guidelines for Determining the Significance of and Impacts to Cultural Resources: Archaeological, Historic, and Tribal Cultural Resources*.

A record search is also required at the Central Coast Information System at the University of California, Santa Barbara, which is part of the California Historical Resources Information System (CHRIS). The record search should include not only the project area, but also the surrounding radius within half a mile of the project. Proof that this research was completed must be contained in the Phase 1 report. For historic resources and historical archaeological resource identification, background research should include review of historic maps and aerial images (see http://mil.library.ucsb.edu/ap_indexes/FrameFinder); the Santa Barbara Historic Museum (the Gledhill Library); the Santa Barbara County Assessor's office; the National Register of Historic Places; the California Register of Historical Resources; the California Inventory of Historic Resources; and California Historical Landmarks.

Fieldwork for a Phase 1 archaeological investigation will minimally include a pedestrian survey of the ground surface. A survey should encompass the entire project area although impenetrable brush and/or steep slopes (greater than 30 percent) can result in less than complete survey coverage. If survey coverage is less than 100 percent, a map in the survey report should show the survey coverage and explain why certain areas were not covered. Surface survey should use parallel transects spaced no more than 15 meters apart. For small project area of less than an acre, survey transects should be narrower. Project parameters can also dictate transect intervals. For example, a narrow linear project such as a fiber-optic cable installation, may warrant narrower transect spacing. Transect intervals should be noted in the survey report. If ground visibility is poor, surveyors should take advantage of soil exposures during the survey, even if it means departing from the transect. Surveyors should also examine road cuts, creek banks, and other exposures that would inform on potential buried site deposits. Photographs should be taken during the survey to document the setting, and daily notes should be taken to describe factors that may affect the survey outcome such as the weather, the terrain, surface visibility, and vegetation.

As defined in the Vandenberg Integrated Cultural Resources Management Plan, a prehistoric site is a place with three or more associated artifacts. Associated artifacts should be no more than 30 meters from other artifacts. A site is also defined by the presence of one or more features, with or without artifacts. All observed archaeological sites will be documented on California Department of Parks and Recreation 523 forms, minimally including a Primary Record (523A) and an Archaeological Record (523C). Of course, some cultural resources, such as cultural landscapes or sacred places, may not have any artifacts present.

Surface survey may be insufficient in some instances, and the pedestrian survey should be augmented with subsurface probing, which is called an Extended Phase 1 survey. Three circumstances typically call for an Extended Phase 1 study. One is insufficient exposures of the native surface due to dense vegetative cover or other obstructions such as pavement or imported fill. Second is where natural depositional processes may bury archaeological deposits, such as in alluvial contexts. The third is to define the boundary of a known site(s) to aid in project design and development of avoidance measures. If known archaeological sites are within 100 meters of proposed project ground disturbance, whether the known site is on the project property or on an adjacent property, an extended Phase 1 should be conducted on the project property to ensure that there are no related subsurface deposits in the project area. If the Extended Phase 1 work is within or near (within 100 meters) a known prehistoric and/or Native American contact/historic archaeological site, a Native American monitor must be retained to observe the effort.

Extended Phase 1 surveys can be completed with manually excavated shovel test pits, geo-probes, or backhoe trenching. Manually excavated shovel test pits are preferable but cannot reach deeper than 80–100 centimeters and thus are insufficient for deeper exploration. Shovel test pits should be at least 30 centimeters in diameter and excavated in 20-centimeter levels. Excavation in each pit should continue until two consecutive sterile levels have been encountered, or until bedrock is reached. If an Extended Phase 1 survey uses backhoe trenching, the backhoe should proceed only under the direct supervision of a qualified archaeologist. Excavation should proceed in lifts no thicker than 30 centimeters (1 foot). For each lift, the equivalent of one 5-gallon bucket of sediments should be screened unless the deposit is known to be clearly sterile.

For both shovel test pits and backhoe trenching, the excavated sediments should be screened through 1/8-inch mesh at prehistoric sites and through 1/4-inch mesh at historical archaeological sites. Any recovered archaeological materials should be returned to the unit during backfilling. Each unit should be documented on a form that describes the soils, non-cultural constituents, and archaeological materials by level. All

shovel test pit/backhoe trench locations should be recorded with a global positioning system (GPS) with sub-meter accuracy, and the locations should be plotted in a map included in the survey report (ideally a figure that also depicts project plans, if available).

3.2 RESOURCE EVALUATION AND ASSESSMENT OF PROJECT IMPACTS (PHASE 2)

Evaluations of archaeological resource significance require that the consultant prepare and submit a proposal to the County for review prior to beginning the work. Fieldwork cannot begin until the County has approved the proposal. The consultant must describe the project and the site (or sites), and particularly the relationship to project components; provide a research design; discuss the proposed level of effort; describe the methods that will be used during fieldwork, laboratory processing, and technical analyses; and propose a report structure.

If background research was completed within one year as part of the Phase 1 study, it need not be repeated for the Phase 2 work. If not, background research and Native American consultation/coordination must be completed prior to Phase 2 fieldwork. Subsurface testing to evaluate the significance of prehistoric and/or contact/historic Native American archaeological sites requires monitoring by a Native American observer.

Typically, an evaluation of the significance of an archaeological site encompasses the entire site. It is possible, however, particularly at large sites that will only be partially impacted, to assume the site is significant and to focus the evaluation on the area of impact. In that case, the purpose of the evaluation is to determine whether the site deposit within the impact area contributes to the site's assumed significance and whether the project will adversely affect the site's significance. Levels of effort during a Phase 2 study will vary widely but must be sufficient to accurately define the site boundary and to collect data for evaluating site significance and assessing project impacts.

Field methods used to evaluate archaeological site significance vary but should have two primary components: defining the site extent and spatial variability (both vertical and horizontal), and collecting data for evaluating data potentials. Fieldwork should begin by defining site extent and spatial variability, which depending on the site might be completed with surface inspection (for sites with little or no possibility of a subsurface component, such as on bedrock or a deflated surface); manual excavation of shovel test pits, and or backhoe trenching. Methods used for shovel test pits and backhoe trenching will follow those described above for Extended Phase 1 studies. Geological and geomorphological studies may also be important in understanding the depositional

history and integrity of archaeological deposits.

Gathering data for significance evaluation might include surface collection and subsurface excavation. For sites with the potential for subsurface components as demonstrated through shovel test pits and/or backhoe trenching, data collection should not be limited to just the surface. To sample subsurface deposits, relatively large manually excavated units should be strategically placed to recover a sample of material from the archaeological deposits and to expose stratigraphy and depositional contexts. These larger units should be square or rectangle and can be as small as 50 by 50 centimeters but should be no larger than 100 by 100 centimeters. Excavations should proceed in arbitrary 10-centimeter levels or smaller, stratigraphically distinct levels. Excavated sediments should be screened through 1/8-inch mesh although in some situations, such as dense clayey soils, it may be sufficient to screen a sample (minimally 25 percent of the volume) through 1/8-inch mesh and the remainder through 1/4-inch mesh. Archaeological screen residues must be retained for analysis, by level. Each excavation unit level must be recorded on a standard form that documents the depth, the level volume, the sediments, the non-archaeological constituents, and the archaeological constituents. At least one wall of each unit must be illustrated and the sediments/stratigraphy described. All units and surface collections used to collect spatial data and data for evaluation must be recorded with a global positioning system (GPS) with submeter accuracy, and the locations should be plotted in a map included in the technical report.

Materials collected during a Phase 2 study must be processed in an archaeological laboratory. Processing should include sorting into gross categories and cataloging. Specialists should analyze the catalogued remains; sampling may suffice depending on the quantities of materials. Many types of analyses might be completed depending on the recovered materials, with the goal of assessing data potentials relative to the project research design. Results of the analyses must be presented in a technical report as described in Section 4.0. Recovered archaeological materials must be curated in perpetuity at the Repository for Archaeological and Ethnographic Collections at the University of California, Santa Barbara or other accredited curatorial facility, at the project proponent's expense. If the Phase 2 study will transition into a Phase 3 investigation, it may be acceptable to retain the Phase 2 collection until the Phase 3 work is complete and the two collections curated together. In some cases, a bond is required to cover the costs of the work. If there will be no data collection beyond the Phase 2 study, acceptance of the Phase 2 collection by the Repository must be demonstrated to the County before the planner will release the bond, if applicable, or prior to final Building Inspection Clearance, to allow the project to move forward.

3.3 MITIGATION OF IMPACTS (PHASE 3)

If impacts to a significant archaeological site cannot be avoided, data recovery excavation is one type of possible mitigation as discussed in the Guidelines. Prior to fieldwork, the consultant must prepare a data recovery plan for review and approval by the County. The approach and methods used during data recovery must be sufficiently thorough to help offset the damage to the site. The plan must include a research design that is more focused than the Phase 2 research design because it will incorporate the results of the Phase 2 study. Targets for recovery must be established and field and analytic methods must be detailed in the plan. For prehistoric and/or Native American contact/historic sites; monitoring by a Native American observer is required.

Methods used during a Phase 3 study are much the same as those used during the data collection part of a Phase 2 investigation, but more intensive. Excavations should focus on the area that will be impacted. The recovered sample should be large enough to realize the data potentials that were identified during Phase 2. Excavation units may be configured to create block exposures (e.g., four 100 by 100 centimeter units or eight 50 by 50 centimeter units could form a 200 by 200 centimeter square), but the basic provenience unit must remain as the 100 by 100 centimeter unit. Generally, excavated sediments are screened through 1/8-inch mesh (and in some cases even 1/16-inch mesh) although a sampling strategy that includes a combination of 1/8- and 1/4-inch meshes might be justifiable. Water screening of samples passed through 1/8-inch mesh may be necessary to ensure better recovery of small constituents and limit damage to fragile remains. If warranted by the data potentials, columns might be excavated in unit walls and the sediments from columns processed using flotation techniques to recover small constituents such as beads, fish bones, and carbonized seeds. Flotation techniques should be used to process at least a portion of deposits where carbonized remains are present or suspected, and not just limited to column samples. All of these considerations must be discussed in the proposal for County review.

Again, like a Phase 2 study, the recovered archaeological materials must be processed in an archaeological laboratory and at least a sample of the recovered remains must be analyzed by technical specialists. Specialist studies may include faunal analysis, various types of lithic analysis, radiocarbon dating, analysis of flotation samples, and others. Analyses must be sufficient to realize the data potentials identified during the Phase 2 study. Following technical analyses, the recovered archaeological materials must be curated in perpetuity at the Repository for Archaeological and Ethnographic Collections at the University of California, Santa Barbara, or other accredited facility, at the project proponent's expense. Curation must be demonstrated to the County before the planner will release the bond, if applicable, or prior to final Building Inspection Clearance, to allow

the project to move forward.

4.0 REPORTING GUIDELINES

This section describes the County's guidelines for reporting cultural resources investigations. All cultural resources technical reports should follow the formats and guidance in this document, although depending on the types of resources and impacts identified, the format may vary and all elements may not be required. Depending on the results of the study (absence/presence of cultural resources), the County may require that one of the following be submitted:

Full Archaeological Resources Technical Report. A full report is required for projects where cultural resources are present on site, including Phase 1 studies where cultural resources are present. The full report shall include maps of the regional location of the project, the location of cultural sites, and site-specific maps that include the location of cultural deposits and features, with a current, legible overlay of the proposed project development plans. See Section 4.1 for an outline and content requirements for a full Archaeological Resources Technical Report.

Negative Archaeological Resources Letter Report. This type of report is required for projects where no resources are present on site. See Section 4.2 for an outline and content requirements for a Negative Archaeological Resources Letter Report. See Attachment 2 for an example of a Negative Archaeological Resources Letter Report.

Historic Resources (i.e. built environment) Technical Report. This type of report is required for any evaluation of the built environment such as buildings and structures. In a Phase 1 historic resources study, the significance of the resource is evaluated. If the resource is assessed as not a potentially significant historical resource, then the report need go no further than Phase 1 and a relatively brief discussion may suffice. If the resource is assessed as significant, a Phase 2 report is prepared that evaluates potential project impacts to the resource and proposes appropriate mitigation. The Phase 1 report may simply be expanded to include Phase 2 or it may be appended to the Phase 2 report. See Section 4.3 for an outline and content requirements for Historic Resources Technical Reports.

Cultural resources reports will be reviewed for technical accuracy and completeness by a staff archaeologist, historian, peer reviewer, or planner. Reports are considered draft until staff determines the report to be complete. Each submittal and review of a draft cultural resources report is considered an "iteration". During each iteration, staff will either determine the report to be complete or respond with comments for necessary

changes.

4.1 FULL ARCHAEOLOGICAL RESOURCES TECHNICAL REPORT

The following sections provide an outline and the criteria for the required elements of a "full" technical report. The structure of the report is based on the ARMR format with modifications to fulfill County requirements. Depending on the types of resources and impacts identified, the format may vary and all elements may not be required. For example, a Phase 1 report would include all of the information through Section 1.3, below, as well as Sections 4.1.1, 4.1.2 (if presence/absence testing was performed), 4.1.5, and 4.2. Similarly, a Phase 3 report would likely not include Sections 5 and 6, unless combined with a Phase 2 report.

4.1.1 OUTLINE

A full archaeological technical report should include the following elements:

TITLE PAGE

PROJECT INFORMATION PAGE

TABLE OF CONTENTS

LIST OF ACRONYMS

EXECUTIVE SUMMARY/ABSTRACT

1.0 INTRODUCTION

1.1 Project Description

1.2 Existing Conditions

1.2.1 Environmental Setting

Natural

Cultural

1.2.2 Record Search Results

Previous Studies

Previously Recorded Sites Adjacent to Study Area

1.3 Applicable Regulations

2.0 RESEARCH DESIGN (if applicable)

3.0 METHODS

3.1 Survey Methods

3.2 Excavation Methods

3.3 Laboratory and Cataloging Procedures

3.4 Curation

3.5 Native American Participation/Consultation

4.0 RESULTS

- 5.0 DISCUSSION OF RESOURCE SIGNIFICANCE AND IMPACT ANALYSIS
 - 5.1 Resource Significance
 - 5.2 Impact Analysis
- 6.0 MANAGEMENT SUMMARY – MITIGATION MEASURES AND DESIGN CONSIDERATIONS
 - 6.1 Unmitigated Impacts (Class I)
 - 6.1.1 Mitigation Measures and Design Considerations
 - 6.2 Mitigated Impacts (Class II)
 - 6.2.1 Mitigation Measures and Design Considerations
 - 6.3 Effects Found Not to be Significant (Class III)
- 7.0 REFERENCES

APPENDICES

4.1.2 CONTENT

The following sections discuss the criteria for the required elements that are to be used when preparing an archaeological technical study. The elements described below are not exclusive and it is expected that the consultant will expand beyond these elements when necessary.

TITLE PAGE

The title page is the front exterior of the report and should contain the consultant's information, client's information, and the title of the report.

PROJECT INFORMATION PAGE

No slogans or company logos should appear. The cover should include only the following information:

- Report Type (e.g. Survey, Testing Program);
- Project common name;
- APN and address of property
- Permit number(s) (if applicable);
- Environmental document number, (if applicable);
- County Department contact's name, address and phone number;
- Date (must be revised during each edition of the draft Technical Study);
- Cultural Resource Technical Report preparer's name, firm name and address;

- Signature of County-Approved consultant;
- Project proponent's name and firm name (if applicable);
- List USGS quadrangle(s)
- List any site(s) located within the project area

Refer to Attachment 1 for an example of an acceptable, standard project information page.

TABLE OF CONTENTS

The Table of Contents is a mandatory section of every technical study except for a negative letter report. The Table of Contents must also contain a list of figures, tables, and appendices.

LIST OF ACRONYMS

The List of Acronyms should appear on the page directly following the Table of Contents and contain all acronyms used throughout the technical report, including technical, legal and industry related terms. The list must be alphabetical and clearly arranged.

The first time an abbreviation or acronym is utilized, provide the full name and then indicate the form of abbreviation that will be used throughout the document to represent that name, e.g.: "The project complies with the California Environmental Quality Act (CEQA) ..." If an acronym is only used once or twice in a document, the acronym should be eliminated and it should be spelled out.

EXECUTIVE SUMMARY/ABSTRACT

The Executive Summary/Abstract should be as concise as possible, using clear simple language, not exceed 5 pages, and should provide an abstract of the scope and findings of the report. No new information should be provided in this section that is not further explained elsewhere in the document. This section should be written so that non-archaeological professionals can understand it. The purpose is to provide a quick reference. The Summary must be fully consistent with the text of the technical report. Make sure that the Executive Summary/Abstract accurately summarizes the issues discussed in the technical report text. For example, ensure that the issues identified for discussion in Chapters 4.0, 5.0, and 6.0, and the conclusions as to significance stated there, match the issues and conclusions stated in the Executive Summary/Abstract. Failure to ensure consistency may lead to the document being found inadequate by staff. The Executive Summary/Abstract must include the following information:

Describe the purpose and scope of the archaeological investigation. Specify the type of study that was conducted (e.g., literature search, inventory, evaluation, data recovery).

List the date(s) of the investigation.

Summarize the major findings of the investigation. For example, if the document reports an archaeological survey, list the number and types of resources identified during the survey.

If resources have been evaluated, summarize their significance as determined pursuant to the California Environmental Quality Act (CEQA) or other regulations and standards as appropriate.

The status of human remains (absence or presence) should be stated.

Briefly indicate what types of features and artifacts were encountered.

Discuss how the proposed project affects resources.

Describe constraints on the investigation (e.g., time, finances, logistics, vegetation, weather, landowner permission, vicious dogs).

Offer a summary of recommendations (e.g., test excavation, federal, state, or local register or list eligibility recommendations, and treatment recommendations).

Describe the disposition of field notes, collections, and reports.

1.0 INTRODUCTION

The objective of this section is to provide clarity for the reader. Specifically, background information as detailed below should be included to provide an understanding of the what, why, when, and where.

1.1 Project Description

This section provides a detailed description of the proposed project. The project description is the land- or resource-disturbing activity for which a cultural resources study is required. The project description must include all potential impact areas, including access; staging, lay-down, and washout; and placement of utilities, including features such as on-site septic systems. The discussion must identify not only changes to the project site as it currently exists, but also include any off-site improvements that will be a part of the project. The project description provides information needed to determine how archaeological resources may be affected. How much information is appropriate for a given report may depend on what was included in previous reports for the project, and on the scope and size of the project. It is clear that the project description is fluid and evolves over the permitting process cycle. The intent of this section is to make the description as accurate as possible. If major changes occur (e.g. new off- site impacts) staff will request an update to the study.

The precise location and boundaries of the project site must be described. Both regional and vicinity (preferably topographic) location maps must be included to show the project's location. The project description should be as detailed as possible and may include but is not limited to the following:

- Size of project and area of proposed development.
- Purpose and scale of proposed uses associated with the project, such as residential development or recreational camping.
- Nature and extent of disturbance anticipated.
- Project phasing.
- Proposed structures (size, location, purpose etc.).
- Location of easements (existing and proposed) such as those for biological open space and roads.
- Proposed or potential uses within the open space (e.g. passive recreation such as hiking or horse trails).

- Off-site improvements (e.g. roads, utilities, facilities).
- U.S.G.S. Quadrangle map delineating the study boundaries (allows the CCIC to plot the location of the study).
- General location map showing the location of the project.
- Project plot plan/map (minimally 8.5"X11").

1.2 Existing Conditions

1.2.1 Environmental Setting

Natural Setting

This section generally includes a discussion of the natural setting of and in the vicinity of the project. Describe any preserved lands (open space easements, Pre- Approved Mitigation Areas, Park Land) adjacent to or contiguous with the site. The description of the physical environment shall be based on the existing condition of the property. If prior unauthorized activities (e.g. grading, clearing) or actions taken in preparation for the project, such as septic testing or geotechnical investigations have altered the environmental setting, these should be described. The physical environment should include but is not limited to the following:

- Identify the natural physiographic region and biotic communities.
- Describe the current natural environment of the general area including landforms, hydrology, geology, soils, climate, vegetation, and animal life, as appropriate.
- The location of culturally important resources such as outcrops of cryptocrystalline rock, reservoirs, town sites, etc., should be discussed, as appropriate.
- Describe the natural environment as it is believed to have existed during the temporal periods of occupation under investigation, if such information is available.
- Describe the current land use (e.g., agriculture, mining, recreation, residential).
- Assess the current condition of the land within the project area (e.g., relatively unmodified, partially disturbed by construction or improvements).

Cultural Setting

This section provides the context for the evaluation of cultural resources. This section should provide an overview of the prehistory and history (including built environment) of the study area. Settlement patterns, subsistence practices, geographic boundaries, and environment should be incorporated into the discussion of each period. The following is an example of how this section should be broken into the different temporal periods. This example is not a mandatory County- approved version of the regional background but

shows formatting and organization.

1.2.1 Environmental Setting

Natural Setting

Cultural Setting

Prehistoric

Early Holocene

Early Period

Middle Period

Late Period

Ethnohistoric Period

Historic

Mission Period

Rancho Period

American Period

No single classification is agreed upon for the different periods of prehistory and history. Various researchers have used different terms for these distinct periods. The cultural background of Santa Barbara County continues to evolve as new information is accumulated as a result of current research efforts. The above outline is provided as a guideline and it is recommended that each archaeologist provide their interpretation of the prehistory and history of the County of Santa Barbara.

1.2.2 Record Search Results

Previous Studies

Previously Recorded Sites Within and Adjacent to Study Area

Identification of previous investigations is the focus of this subsection. Previous work conducted on the project site and within a ½-mile radius of the project boundaries should be discussed. In areas of very high site densities, the ½-mile radius may be reduced to ¼-mile. The repository(ies) where the documents are held must be identified. The type of study (e.g. survey, Phase I evaluation) must be described for each investigation (tabular form). Note in the text and table whether or not the survey(s) partially or completely covered the project area, if applicable. Resources identified should be discussed and include information about site type, location of and topographical setting of sites to the project site, diagnostic artifacts if present, and provide a regional perspective. The following information should be included:

Evidence of a record search conducted at the Central Coast Information Center of the California Archaeological Inventory for known cultural resources and previous reports shall be included. Either a copy of the record search report performed by Information staff or the results of a records search performed by a professional consultant should be provided. Hard copies of DPR forms obtained for record searches are required to be attached to the report. Include the results of review of aerial photos and historic maps, and interviews, if conducted. Identify the location of cultural material that was collected as part of a previous study for any recorded sites within the project footprint.

List of site numbers and associated report references.

A map of the location of the cultural resources shall be included. Note that all archaeological reports that disclose site locations will remain confidential (not distributed to the public).

1.3 Applicable Regulations

This section should identify the regulations that are applicable to a project. Typical regulations that apply to County projects include CEQA and other sections of the Public Resources Code (as it applies to the discovery of human remains). Individual Community Plan policies or development standards, or policies of the Local Coastal Plan, may also be applicable.

2.0 RESEARCH DESIGN

A research design is required for any project that proposes to evaluate site significance (Phase 2) or mitigation through data recovery (Phase 3). A research design provides the theoretical basis for an archaeological study. Research designs vary in nature and level of detail depending on the project components and investigation type. Research designs are explicit statements of the theoretical and methodological approaches to be followed in an archaeological study. In some cases, research designs have been developed for specific geographic regions, types of investigations, or types of resources. For example, two County research design guidance documents, County of Santa Barbara Resource Management Department, *Archaeological Element of the Santa Barbara County Heritage Management Plan, Cultural Resource Guidelines* (Reissued January 1993), and County of Santa Barbara Resource Management Department, *Cultural Resource Guidelines, Historic Resources Element* (Revised January 1993) are available from P&D, and may useful background information, but are not required to be the basis of research designs that may be required for some technical reports.

Research designs link theory, known information, research goals, and methods. The use of previously formulated research designs is acceptable if these designs are current and relate directly to the area and type of study under consideration.

When a research design is required, the following should be included:

- Discuss the theoretical basis of the proposed research. Cite or discuss the research paradigms under which the investigators are operating.
- Summarize previous research. A summary of important research questions pertinent to the study area or to the identified resources should be presented, with particular emphasis on the identification of relevant data gaps. Statements appealing to generally recognized goals of archaeology or anthropology by themselves usually lack the detail necessary for an adequate research design.
- Present testable hypotheses or research questions, or state the goals of the research. Any useful theoretical approach should be capable of generating testable hypotheses. A research design should present important research questions recognized for the region and relevant to the study, based on previous research.
- Identify the test implications of the hypotheses or research questions. Describe expected archaeological resource types, archaeological patterns, and data categories anticipated, as they relate to test implications or research questions. Discuss operational definitions for archaeological resource types (and rationales for their use), if different from OHP definitions of archaeological sites, historic resources, and isolated artifacts or resources.

3.0 METHODS

3.1 Survey Methods

3.2 Excavation Methods

3.3 Laboratory and Cataloging Procedures

3.4 Native American Participation

(Include all subsections that apply).

Methods of investigation must always be included in a full Archaeological Resources Technical Report. Methods should include all the tools (e.g. survey, indexing, testing, lab analysis, etc.) used by the project archaeologist/historian to identify archaeological

resources, evaluate their significance, and to determine the appropriate mitigation for project impacts. The discussion of methodology can be organized for each site, or for similar sites. A brief discussion of the survey results can be included to clarify the methods used. The following outline provides the components that should be incorporated into this subsection if appropriate.

Describe how personnel conducting the work were organized and list the active participants and their duties. Identify the persons participating in the study such as Native American observers, monitors, and consultants, interested parties with special knowledge or expertise, and technical specialists.

Describe the data gathering methods employed (e.g., remote sensing data; surface survey; surface chemical analysis; sub-surface methods such as probing road and stream cuts or analyzing core probes, archival research). The methods description should provide details such as deployment of survey personnel, site recordation techniques, chemical analyses, indexing, sub-surface test locations and methods, and remote sensing techniques.

Describe specific research and sampling strategies employed, the rationale for their use, and a description of how they were implemented.

Using actual project plans, show area(s) subject to investigation in relation to the Area of Potential Effect (APE) and project boundaries. For survey reports, depict areas surveyed, not surveyed, or surveyed using various strategies. Such maps can be included in an appendix. A USGS 7.5 minute map showing the outline of the survey area must also be included.

Provide a descriptive summary of the areas examined, noting areas that were not inspected in relationship to the sampling strategies employed, and why. Note the percentage of ground visibility for the areas inspected. Describe whether or not visibility was adequate for the purposes of the survey, and why or why not.

Describe the types and methods of excavation. Number each excavation location on a map of the site sufficiently detailed to depict the relationship between natural and archaeological features within the site. Include an explanation of the rationale for the placement of units.

Describe cultural materials collected (if any), including methods of documentation and removal.

Describe measures undertaken or needed to restore archaeologically disturbed site areas when archaeological field studies are completed.

Indicate where collected materials, photographs, and other documents are or will be curated. Curatorial agreements and reburial agreements should be provided in an appendix in the final draft of the report.

Discuss problems or constraints in conducting the research.

Identify what measures were taken to consult with the Native American Heritage Commission (NAHC) and/or local Native American groups, organizations, or individuals.

4.0 RESULTS

This section presents the information collected during the study. A thorough description of collected data is essential for the construction of meaningful and well-supported interpretations. When interpretations of data are mixed with or substituted for basic data presentations, the reader is left with no basis for independently assessing conclusions and inferences. It is therefore critical to explicitly separate data presentation from interpretation of those results whenever possible. In most cases, data should be presented in tabular format in addition to a summary discussion.

Use the following guidance when discussing results.

Archaeological Resources Survey Report

If no archaeological resources were located, their absence should be explicitly noted and a letter report is acceptable. See Attachment 2 for a sample archaeological negative letter report.

If resources were previously reported or anticipated but were not located, discuss the possible environmental and cultural factors that may have hidden or destroyed the resources.

If cultural resources were identified:

Provide information regarding the cultural resources that were observed and recorded, including prehistoric archaeological sites, historic sites, and isolated artifacts.

Recent or contemporary resources (e.g., modern roads, power lines, structures) noted

but not formally recorded might also be discussed and include on a map, although such information may not be appropriate or necessary, and is usually not confidential.

If applicable, provide a synthesis of previous research as it relates to the project.

The following maps should generally be included in a report on the results of inventory:

- If not already presented, area(s) subject to investigation in relation to the Area of Potential Effects (APE) and project boundaries on an appropriate U.S.G.S. quadrangle (7.5 minute series) sufficient to allow CCIC mapping.
- For survey reports, depict areas surveyed, not surveyed, or surveyed using various strategies. Larger scale maps may also be appropriate to convey information regarding the nature of the investigation.
- U.S.G.S. quadrangle maps showing prehistoric resource locations recorded during survey.
- Archaeological resource sketch maps consistent in content and quality with the standards established in the California Archaeological Inventory Handbook for Completing an Archaeological Site Record distributed by the California OHP.
- Archaeological site contour maps depicting topographic and archaeological details, and surface and sub-surface study locations should be provided, if available, although such maps often are not prepared for survey reports.

Describe all resources.

The description should at a minimum include site type, chronological placement, size, and if there is any disturbance (e.g. grading, pot hunting etc.).

For each resource (historic, prehistoric, isolates), complete all appropriate DPR forms. The DPR forms may be placed in a confidential appendix or may be submitted electronically in pdf format. The submitted report must provide evidence that the DPR forms have been submitted to the Central Coast Information Center (CCIC). Once site numbers (trinomial, primary, isolate) are assigned they must be incorporated into the study and replace any temporary numbers. ***The report will not be considered final without the primary numbers and trinomials from the CCIC.***

Provide a master map (photocopy of appropriate USGS quadrangle) depicting the

locations of all resources.

Archaeological Excavation Reports

Excavation can occur during any phase of a cultural resource investigation. The description of excavation during these various phases should be scaled to the size of the excavation, the importance of information to the objectives of the study, and the abundance and quality of information resulting from the excavation. In terms of data presentation, no distinction is made here between excavation conducted for evaluative purposes and excavation performed as a data recovery or mitigation phase. Data and interpretation should be presented separately when possible. Summarize the results of lengthy, appended special studies.

Describe the physical context of the archaeological deposit, including:

Site topography and geomorphology (if not addressed in Physical Environment).

Soil type (midden/non-midden), structure, stratigraphy and relationship to surrounding soils. Summarize results of special studies such as particle size analysis and soil chemistry, and include a copy of special studies reports in an appendix.

Non-cultural soil constituents (floral, faunal). Include a summary of special studies and insert reports in an appendix;

Anthropic soils and stratigraphic relationships.

Profiles of excavation units, trenches, or auger borings, as appropriate.

Describe archaeological features. Functional ascriptions/interpretations, such as hearth, oven, or house pit, may be unavoidable at this level of data presentation. It may be appropriate to discuss the relationship between feature and non-feature archaeological material distributions (e.g., the relationship between midden deposits and ovens or house pits).

Describe physical evidence including location dimensions, attributes, and associations. Provide or reference illustrations and photographs of features. Either present in full or summarize the results of special studies related to features (e.g., radiocarbon, flotation, micro-constituent analysis, chemical analysis).

Enumerate and describe artifacts by material type and artifact class (e.g., flaked- stone).

Avoid typological ascriptions that impose or imply function or chronological association in the initial description. For example, biface, uniface, or modified flake is preferable to knife, scraper, or used flake. Such interpretations can follow in separate sections, as described below.

Discuss typological consideration of artifacts such as stone tools, beads, bone and groundstone tools, and historic materials.

Include illustrations/photographs of formal artifacts. These can be included in an appendix.

Present the results of analyses of artifact manufacture and use (e.g., flaked-stone manufacturing technology, use-wear studies, pottery analysis, basketry identification). Extensive and detailed analyses may be included in appendices. A summary of the results of these studies should be presented in the body of the report. Such studies should define analytic methods and distinguishing traits of analytic categories. For example, if a flaked-stone analysis involved the identification of different types of flakes, then the attributes that define such flake types should be reported. References to previous analyses should not supplant basic descriptions of methods and analytic categories.

Present the results of analyses such as radiocarbon dating, obsidian source and hydration studies, thermoluminescence dating, geomagnetic studies, pollen analysis, blood protein analysis, and others.

Describe non-artifactual archaeological material that reflects past human activities (e.g., burned seeds, charred animal bone), and materials that provide information on past environments or exploited resources (e.g., pollen).

Include identification studies for floral and faunal remains, with interpretations regarding the kinds and amounts of resources used, consumed, etc.

Present the results of physical analyses such as pollen, microconstituent analysis (flotation, coprolite studies).

Avoidance of impacts to human remains is a requirement. However, accidental discoveries sometimes occur in the process of site testing or data recovery and during construction grading and excavation, and sometimes even during analysis of recovered archaeological materials in a laboratory. The treatment of human remains is discussed in detail in Section 3.4 of the *Guidelines for Determining the Significance of and Impacts*

to Cultural Resources: Archaeological, Historic, and Tribal Cultural Resources. In such cases, the procedures implemented or the information of discovery shall be provided. Information shall include the context of discovery, examination, and disposition of human remains, if any and presence of associated burial artifacts. Given the often sensitive nature of human remains, examination and treatment of such remains will depend on the outcome of consultation with appropriate Native American representatives and the decision of land owners regarding the treatment of human remains. Therefore, whether and how human remains and associated grave goods are examined may vary greatly. Similarly, the nature and extent of reporting on the treatment of human remains may vary with the nature of Native American concerns. It may not be possible or appropriate to maintain rigid reporting standards. In general however, the following information is desirable from an archaeological and management standpoint.

Describe the context of the discovery of human remains. For example, describe if a human burial discovered during excavation was expected, based on consultant information or archaeological indicators.

Describe measures taken pursuant to state law, local ordinance, agreement, and/or agency policy regarding human remains.

Describe efforts to consult with the Native American Heritage Commission, appropriate Native American representatives or living descendants, county coroner, landowner, etc.

Describe outcome of discussions regarding the treatment of human remains.

Describe actions taken with regard to the study of human remains (i.e., exposure, exhumation, analysis, reburial in-situ, reburial after exhumation).

Describe the location, physical position, orientation, and nature of the remains (e.g., primary inhumation, cremation). Include a description of grave associations and the physical/contextual relationships between human remains and associated artifacts. For example, describe if artifacts were overlying or underlying the human remains in a patterned arrangement, or were found within burial pit fill.

Report the results of analyses, including specialists' reports in a appendix.

Include photographs and illustrations.

Record/report the reburial location on a New Deposit/Redeposit Record (DPR 4221).

Describe the spatial distribution and patterning of cultural material by class (e.g., flaked-stone, bone). Present data on the intrasite distribution of cultural materials (i.e., vertical and horizontal stratigraphy, assisted by data tables).

5.0 DISCUSSION OF RESOURCE SIGNIFICANCE AND IMPACT ANALYSIS

5.1 Resource Significance

The descriptive data presented in subsection 4.2 above should be discussed and interpreted with explicit reference to the research design or study objectives defined in the report. In addition, unanticipated data recovered during the study may warrant discussion of additional research topics not included in the research design.

Discuss the results of the investigation as they relate to (1) specific topics and questions presented in the research design, and (2) the applicable elements of the approved County Guidelines for Determining the Significance of and Impacts to Cultural Resources: Archaeological, Historic, and Tribal Cultural Resources (Chapter 8 of the County's Environmental Thresholds Manual)

It is preferable to organize the discussion according to the structure of the research questions, hypotheses, and test implications presented in the research design, and the structure of the guidelines for determining significance. Discuss the results of the study in terms of the general research objectives of the study (e.g., settlement patterns, subsistence, and change through time). This discussion should place the investigation in a regional context, noting its role or contribution to an understanding of local, regional, state, or national history or prehistory. Finally, the individual guidelines (criteria) used should be listed and discussed as they relate to the resource, as applicable. See Section 1.0 of the Guidelines for more information on these criteria.

Note: If a resource has not been evaluated for significance and a decision is made to place it in open space in lieu of significance testing, significance is assumed.

5.2 Impact Analysis

Relying on the existing conditions and guideline(s) for the determination of significance, this discussion must detail each of the significant effects associated with the project for the resource being evaluated. Each guideline should be analyzed separately and a determination as to impact significance (significant and not avoidable, significant and mitigable to below a level of significance, not significant) must be made. The technical

study should identify how effects would occur and how severe they would be. Impacts must be identified as direct, indirect or cumulative. The following guidance should be followed when preparing the analysis of project effects.

Identify impacts and mitigation measures for the *whole project*, including any remainder parcel which is not proposed to be developed currently or off-site improvements.

Be sensitive to the *age* of technical studies which are the basis for the analyses. Cultural studies older than 10 years may be unreliable.

Resources placed in open space must be assessed for indirect impacts.

6.0 MANAGEMENT SUMMARY – MITIGATION MEASURES AND DESIGN CONSIDERATIONS

6.1 Unavoidable Impacts

6.1.1 Mitigation Measures and Design Considerations

6.2 Mitigable Impacts

6.2.1 Mitigation Measures and Design Considerations

6.3 No Significant Adverse Effects

This section must discuss the feasible mitigation scenarios that could avoid, minimize, rectify, and/or reduce each of the significant environmental effects to the maximum extent feasible. There must be a clear connection between the proposed mitigation measure and the identified significant effect. In addition, resources that were determined not to have a significant adverse effect must be discussed. Resources should be categorized as having impacts that are unavoidable, mitigable, or that have no adverse effects.

If mitigation is proposed, it should be identified and discussed. If a project is phased, the mitigation must be detailed and identify which phase of the project mitigation will be implemented.

Design considerations that were relied upon in determination of significance of impacts, while not considered mitigation, must be listed in the mitigation measures to ensure that they are included in the conditions of approval for the project (e.g. open space).

After the application of mitigation measures, state clearly whether the impact remains significant or is mitigated to a level below significance. In addition, identify whether the implementation of a mitigation measure will cause impacts to a resource.

Rather than providing the *exact wording* of proposed project approval conditions which will be used to implement mitigation measures, describe the *specific concept* of the proposed mitigation and specify how it must *function* to be effective. County staff will draft the exact wording to implement the requirement at later stages in project processing. For example, do not set forth the entire terms of a required open space easement, but rather state that an open space easement will be required over ... [state the area]...which will prohibit...[specify prohibited uses and activities]...but may permit ...[state any exceptions].

A research design and data recovery plan must be submitted to the County for any project that proposes data recovery as mitigation.

7.0 REFERENCES

This list must provide adequate references to documents cited in the technical study. References that were relied upon and which have a limited circulation must include a location where the public can readily access and review the document.

APPENDICES

Appendices must be identified by letter and may include but are not limited to the following:

- Record Search Results
- Specialized Studies and Analyses
- Artifact Catalog
- Native American Consultation
- Curatorial Agreements
- DPR Forms (New and Updated)

4.2 NEGATIVE ARCHAEOLOGICAL RESOURCES SURVEY LETTER REPORT

The following sections provide an outline and the criteria for the required elements of a letter report. Letter reports are only to be used for negative surveys or in cases where only isolates are present.

4.2.1 OUTLINE

An archaeological letter report should include, at a minimum, the following elements:

NEGATIVE ARCHAEOLOGICAL SURVEY REPORT OUTLINE

TITLE PAGE

PROJECT INFORMATION PAGE

INTRODUCTION /PROJECT LOCATION

County,

USGS 7.5" Quad & date

Section, Township, and Range, or Land Grant

Physical address & other locational data

Assessor's Parcel Number

OWNER'S CONTACT INFORMATION

SURVEY

Type

Date of Survey

Field Crew

DESCRIPTION

Description of survey technique

Assessment of adequacy of visibility for purposes of the survey

Detailed explanation of why an extended Phase 1 was or was not performed

Description of extended Phase 1 testing, if applicable

Confirmation of negative results

Project description with recommended conditions, if applicable

RECORDS SEARCH

SACRED LANDS SEARCH

Figure 1: USGS Map with survey area clearly marked

Figure 2: Regional Location Map

Figure 3: Project plans with surveyed areas clearly marked

4.2.2 CONTENT

The following sections discuss the criteria for the required elements that are to be used when preparing a negative archaeological letter report. A sample of a project information page and a letter report sample template are provided in Attachments 1 and 2, respectively.

TITLE PAGE

See subsection 4.1.2.

PROJECT INFORMATION PAGE

See subsection 4.1.2.

INTRODUCTION / PROJECT LOCATION

The following elements should be included in the project location:

- County
- USGS Quad Map and Date of Map
- Section, Township, and Range or Land Grant
- Physical Address (if no physical address is available, provide the street name and nearest cross streets.)
- Other Locational Data (include directions to the project site, which is especially important if there is no physical address.)

Assessor's Parcel Number (APN)

The Assessor's Parcel Number should be included in the report. If unavailable, contact County staff for assistance.

OWNER AND ADDRESS

SURVEY

Type. Identify the survey type. Negative surveys are typically "Intensive Pedestrian". Identify if extended Phase 1 testing was performed.

Date of Survey. Provide the date or dates of the survey.

Field Crew. Identify the members of the field crew and the absence or presence of a Native American monitor.

Description of Work. The description should briefly discuss the field methods (e.g. survey transects, etc.), areas surveyed, areas not inspected and why, site conditions (e.g. ground visibility, presence of trails, etc.), natural landforms, topography, and the proposed project (e.g. 24-lot subdivision). Identify whether or not an extended Phase 1 was conducted, and why or why not. If so, describe the testing program (i.e. shovel probes, backhoe trenches, depths of excavation, screening; also provide a figure showing where testing occurred overlain on project plans. Confirm negative results. Include a description of the proposed project any conditions (e.g. grading monitoring) that should be implemented and why.

Record Search. Provide evidence that a records search was conducted. DPR forms are not required. Include DPR forms for any isolates identified.

Sacred Lands Check. If a Sacred Lands Check was conducted, provide documentation.

FIGURE 1: USGS MAP

Identify the project site on a USGS map and attach it to the report. Enlarge the map if necessary in order to allow the CCIC to map the survey area.

FIGURE 2: REGIONAL LOCATION MAP

Identify the project site on a Regional Location map and attach it to the report.

FIGURE 3: SURVEY LOCATION(S)

Show the surveyed areas overlain on project plans. Enlarge for legibility if necessary.

4.3 HISTORIC RESOURCES TECHNICAL REPORT

The following subsections provide an outline and the criteria for the required elements of a “full” historic resources technical report. Depending on the types of resources and impacts identified, the format may vary and all elements may not be required. For example, a Phase 1 study would not include Section 6. Deviations may be allowable from the standard format outlined below, subject to P&D staff approval, as long as all of the relevant information is present.

4.3.1 OUTLINE

HISTORIC RESOURCES TECHNICAL REPORT OUTLINE

TITLE PAGE

PROJECT INFORMATION PAGE

TABLE OF CONTENTS

LIST OF ACRONYMS

EXECUTIVE SUMMARY/ABSTRACT

1.0 PROJECT DESCRIPTION

2.0 SITE HISTORY/HISTORICAL CONTEXT

3.0 NEIGHBORHOOD CONTEXT

4.0 SITE DESCRIPTION

5.0 PHASE 1 ASSESSMENT

5.1 Evaluation and Analysis

- Age
- Integrity (Location, Design, Setting, Materials, Workmanship, Feeling, and Association)

5.2 Application of Resource Eligibility Criteria

- California Register of Historical Resources (CRHR)
- County Historic Landmark/Place of Historic Merit

6.0 PHASE 2 IMPACT ASSESSMENT AND MITIGATION

6.1 Potential Impacts to Historical Resource(s)

6.2 Mitigation Measures (if applicable)

7.0 SUMMARY AND CONCLUSIONS

8.0 BIBLIOGRAPHY AND SOURCES USED IN PREPARATION OF REPORT

MAPS AND FIGURES

4.3.2 CONTENT

TABLE OF CONTENTS

See Section 4.1.2.

LIST OF ACRONYMS

See Section 4.1.2.

EXECUTIVE SUMMARY (MANAGEMENT SUMMARY/ABSTRACT)

See Section 4.1.2.

1.0 PROJECT DESCRIPTION

Provide a summary of the proposed project including proposed alterations to existing resources, landscaping or setting. Identify the architect, designer, contractor or engineer responsible for the design. If the project is complex, list the total new square footage and/or number of units or scope of the project (i.e. replace an existing bridge with a new span, etc.)

2.0 SITE HISTORY/HISTORICAL CONTEXT

Prepare a historic context for the project parcel(s). The 1993 *County of Santa Barbara Resources Management Department Cultural Resource Guidelines Historic Resource Element* should be consulted as well as National Park Service guidance for evaluating historic properties: <https://www.nps.gov/nr/publications/policy.htm>.

3.0 NEIGHBORHOOD CONTEXT

Include a historic context statement for the neighborhood that characterize the study parcel's setting and development pattern (i.e. is it a suburban neighborhood, rural area, urban, beachfront or residential estate property).

4.0 SITE DESCRIPTION

Provide a description of the study parcel(s) built improvements such as buildings, structures and features including designed or vernacular landscapes. Guidance prepared by the National Park Service for evaluating landscapes can be found at: [https://www.nps.gov/oclp/CLI%20PPG January2009_small.pdf](https://www.nps.gov/oclp/CLI%20PPG%20January2009_small.pdf).

5.0 PHASE 1 SIGNIFICANCE ASSESSMENT

Provide the rationale for completing the significance assessment, such as identification of potentially significant architectural resources, historic/cultural associations, landscape components, etc.

5.1 Evaluation and Analysis

- **Age.** Provide an absolute or estimated age for the resource(s) based on onsite survey or a review of historic records such as permits, assessor's records, maps or other records.
- **Integrity.** Evaluate the seven aspects of integrity of the resource(s) using the guidance set forth in:
https://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm.

5.2 Application of Resource Eligibility Criteria

- **CRHR.** Apply the CRHR significance criteria to the resource [CEQA Section 15064.5(a)].
- **County Historic Landmark/Place of Historic Merit.** Apply the significance criteria set forth in Chapter 18a of the Santa Barbara County Code to determine if a potentially significant resource is present.

6.0 PHASE 2 IMPACT ASSESSMENT AND MITIGATION

6.1 Potential Impacts to Historic Resource(s)

- Apply the criteria set forth in CEQA Guidelines Section 15064.5(b).
- Apply the standards set forth in: *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings* (2017)
<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>.

6.2 Mitigation Measures (if applicable)

- Mitigation measures shall be based on the guidance set forth under CEQA as well as *The Secretary of the Interior's Standards for the Treatment of*

Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (2017). Additional discussion of mitigation measures can be found in Section 3 of the Guidelines.

7.0 SUMMARY AND CONCLUSIONS

Summarize the findings of the report including the presence or absence of significant historic resources. If significant historic resources are identified, characterize project impacts to historic resources and their level of impact [less than significant (Class III), less than significant with mitigation (Class II), or significant and unavoidable (Class I)]. Also if the study parcel is within a specific Community Plan area such as Montecito, Summerland, Toro Canyon, etc., the conclusions should state whether or not the proposed project is consistent with the applicable policies and development standards for historic resources set forth in those planning documents.

8.0 BIBLIOGRAPHY AND SOURCES USED IN PREPARATION OF REPORT

Include a list of resources, archives and interviews used/accessed in the preparation of report

MAPS AND FIGURES

Include a regional location map (preferably a USGS map) and a parcel map. Include proposed project site plans if they exist for the property (an aerial photograph can serve in lieu of or in addition to a site plan). Photographs of each building, structure and feature as well as the setting and landscape should be included. Simple structures such as sheds, outbuildings, garages, water towers etc. often require only one photograph. More complex buildings should include images of all four sides of the building. Include sufficient images of the setting and property to characterize this aspect of the resource.

4.4 CULTURAL RESOURCES MAPPING GUIDELINES

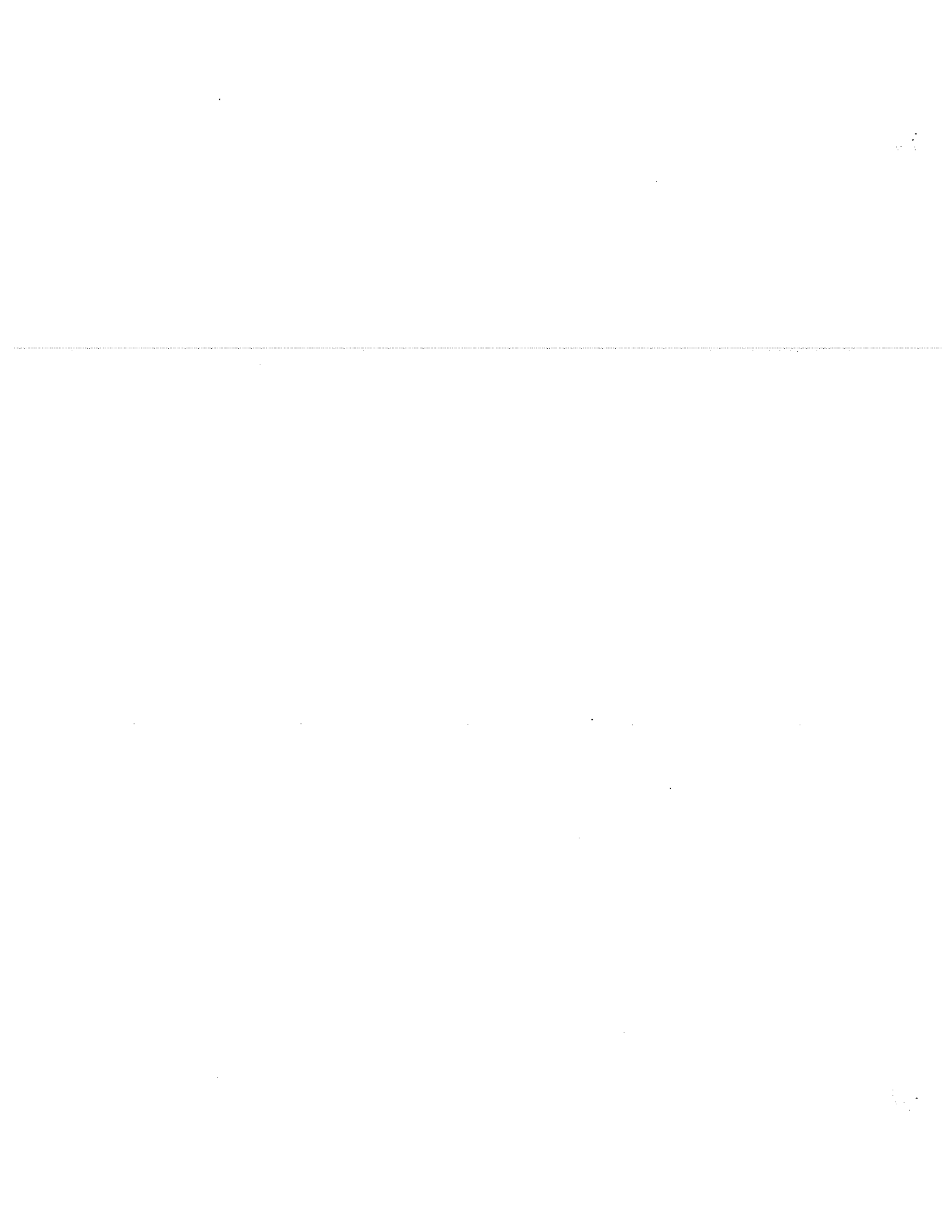
Extent of Mapping Required:

Project Parcel (Property) Boundary

Off-site Improvement Areas – Any required off-site improvements (e.g., road improvements, utility extensions, etc.) must be mapped in accordance with these requirements. Mapping should include maximum area necessary to complete the improvement.

Base Map – The cultural resource map must be completed using a base map that includes:

- The most recent project plot plan and all existing and proposed utility and road easements;
- The proposed maximum limits of disturbance for the project (on and off site); including grading, septic systems, wells, construction staging areas, washout areas, road improvements, drainage improvements, etc.;
- Open Space/Conservation Easements;
- Topography (County topographic data is sufficient if project plans do not show it; however most project grading plans include topography);
- Major roads and major road names;
- Both proposed (solid lines) and existing (dashed lines) parcel/lot lines;
- Assessor Parcel Numbers;
- North arrow (specify magnetic or true);
- Bar or Graphic Scale;
- The location of archaeological and historic resources;
- Any applicable buffers for archaeological or historic resources.



ATTACHMENT 1

PROJECT INFORMATION PAGE TEMPLATE

REPORT TITLE

Project Common Name

Permit Numbers/ Environmental Document No. (If Available)

Lead Agency: County of Santa Barbara Planning and Development Department

Contact

County of Santa Barbara P&D, 123 East Anapamu Street, Santa Barbara, CA 93013-2058

Phone Number

Preparer:

Name

Firm Name Address

Phone Number

Signature _____

Project Proponent:

Name

Firm Name

Address

Date

USGS Quad(s)

Site Number(s)

**ATTACHMENT 2
NEGATIVE ARCHAEOLOGICAL RESOURCES SURVEY REPORT
TEMPLATE AND REQUIRED CONTENTS**

Project Common Name

Permit Numbers/ Environmental Document No. (If Available)

Lead Agency: County of Santa Barbara Planning and Development Department

Contact: _____

**123 East Anapamu Street
Santa Barbara, CA 93013-2058
Phone Number _____**

Preparer:

**Name
Firm Name Address
Phone Number**

Signature _____

Project Proponent:

**Name
Firm Name
Address**

Date

**Quadrangle
_____**

RE: Project Name; Project Numbers Cultural Resources - Negative Findings

To Whom It May Concern:

Please be advised that a survey has been conducted on the above referenced project. It has been determined that there are no cultural resources present on this property. The project has been plotted on the attached USGS 7.5 minute topographical map for your information.

County: Santa Barbara

USGS 7.5' Quad: Date: Township: Range:

Address:

Other Locational Data:

Assessor Parcel Number(s):

Owner and Address:

Survey Type: Intensive Pedestrian Date of Survey:

Field Crew:

Description: The field survey was conducted using standard archaeological procedures and techniques. Continuous parallel transects (meters) were walked in a ___/___ direction. Survey conditions in these areas were good to fair, with some areas partially obscured by ground cover in the form of _____. In areas possessing dense vegetation, the survey methodology was adjusted to accommodate surface examination of trails and clearings and to facilitate the inspection of bedrock outcrops and stream beds. Identify if shovel scrapes, or extended Phase 1 testing was conducted. Explain why or why not. If extended Phase 1 was done, describe methods and results. No artifacts or features were identified during this survey. This project proposes to_____. (Optionally add any conditions [not mitigation] that may be required such as grading monitoring due to the presence of heavy vegetation etc.).

Record Search: Staff conducted a records search of the surrounding area using the California Historic Resources Inventory System (CHRIS). _____ studies () have been conducted within a ___-mile radius and ___site(s) was/were identified (____). The site(s) is/are approximately mile from the subject property. It (They) was/were recorded by____ and is/are described as____ (use tabular format if there are more than three).

Native American Consultation: No Sacred Lands were identified by the Native American

Heritage Commission (NAHC). Staff contacted the Native American groups and individuals provided by the NAHC to further investigate whether they have knowledge of Sacred Lands occurring on the subject parcels. (No) response was received.

Sincerely,

Author/Principal Investigator Firm

Attachments

-
1. 7.5" USGS Topographical Map with Survey Area Identified
 2. General Location Map
 3. Project Plans with Survey Area Identified