



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning & Development  
**Department No.:** 053  
**For Agenda Of:** February 13, 2018  
**Placement:** Set hearing  
**Estimated Time:** 1.0 hours on 2/27/18  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Planning and Development  
Director(s) Glenn Russell, Ph.D., Director, 568-2085  
Contact Info: Glenn Russell, Ph.D., Director, 568-2085

**SUBJECT: Adoption of Thresholds of Significance for Cultural Resources**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence:

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

On February 13, that the Board of Supervisors set a hearing on February 27, 2018 to consider the recommendation of the County Planning Commission to amend the County's *Environmental Thresholds and Guidelines Manual* as follows:

- a) Make the required findings for approval of the proposed amendment, including CEQA findings (Attachment 1);
- b) Determine the project is exempt from CEQA pursuant to CEQA Guideline Sections 15308 and 15378(b) of CEQA, included as Attachment C; and
- c) Adopt a Resolution recommending that the Board of Supervisors adopt Case No. 17ORD-00000-00017, amending the County of Santa Barbara's *Environmental Thresholds and Guidelines Manual*, by revising thresholds of significance to guide the

County's environmental analysis of cultural resources of a project subject to the CEQA (Attachment B).

### **Summary Text:**

This is a request that your Board adopt proposed revisions to the local California Environmental Quality Act (CEQA) thresholds for cultural resources. These thresholds are used by Planning and Development (P&D) staff for the required environmental analysis of discretionary permit applications for proposed development projects in the unincorporated County. Specifically, the guidance provided in this document is used by staff to answer the CEQA Initial Study questions pertaining to cultural resources (Attachment F). This analysis, which includes many other environmental resource subjects in addition to cultural resources, serves to inform County decision makers about the potential environmental impacts of a proposed development project. It also determines what type of CEQA document (i.e., Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) will be required for approval of the project and may also include proposed mitigation measures that may avoid or lessen significant environmental impacts

The existing thresholds, *Cultural Resources Guidelines, Archaeological, Historical, and Ethnic Elements* (Chapter 8 of the Environmental Thresholds and Guidelines Manual), have not been updated since 1992. Since that time, there have been significant changes to numerous sections of the CEQA statute and the State CEQA Guidelines that address cultural resources. For example, the existing thresholds document still references Appendix K of CEQA that, at the time, was the primary source of guidance on the treatment of cultural resources in the CEQA process. Appendix K was removed from CEQA in 1998 and, over time, replaced with various new sections in the statute and guidelines that more effectively and accurately address both the determination of significance of cultural resources and the determination of significance of adverse impacts to cultural resources. There have also been more recent additional changes to CEQA concerning cultural resources, such as the addition of Tribal Cultural Resources in 2015 as a type of cultural resource that must be considered during CEQA review.

The proposed revisions to the cultural resource thresholds incorporate all of these changes to CEQA, as well as some additional sources, to provide clear guidance to planners, consultants, decision makers, and members of the public for the treatment of cultural resources in the CEQA process. In addition, the existing thresholds reference a technical document entitled *Regulations Governing Cultural Resource Projects Undertaken in Conformance with Federal and State Environmental Protection Acts*. This document, which provides guidance on what is required in the preparation of technical cultural resource documents has been revised and is titled; *Fieldwork and Reporting Guidelines for Cultural Resources*. This document is proposed to be included as Appendix B of the County *Environmental Thresholds and Guidelines Manual* (Existing Appendix A is biological resources technical report guidance) Staff requires the use of the *Fieldwork and Reporting Guidelines for Cultural Resources* document because it specifies exactly what information is needed for CEQA review and presents it in a clear and consistent format. However, other report formats approved by staff may also be used. Any deviation from the standard format must be approved by staff and all the required information must be included. In addition, there are two earlier guidance documents not adopted as part of the Thresholds by the Board of Supervisors. The first, County of Santa Barbara Resource Management Department,

*Archaeological Element of the Santa Barbara County Heritage Management Plan, Cultural Resource Guidelines* (1986, Reissued January 1993) provides research design guidance for archaeological research studies in the Santa Barbara region. The second, County of Santa Barbara Resource Management Department, *Cultural Resource Guidelines, Historic Resources Element* (1986, Revised January 1993) similarly provides research design guidance for historic research studies in the Santa Barbara region. Neither of these documents is being revised. Both documents are somewhat outdated but remain available as resources that may be used when formulating research designs.

### **Background:**

CEQA Guidelines define a threshold of significance as:

*“... an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally will be determined to be less than significant.” (§15064.7(a))*

CEQA provides lead agencies with broad discretion with regard to adopting thresholds of significance, provided that adopted thresholds are based on substantial evidence. CEQA Guidelines Section 15064.7 encourages local agencies to adopt and publish thresholds of significance.

This project is being considered by your Board based on the County of Santa Barbara’s *Guidelines for the Implementation of the California Environmental Quality Act of 1970, §F.3.b* (Process for thresholds amendment and adoption), pages 8 – 9, which states in part:

*“(1) New or revised thresholds. The Environmental Thresholds and Guidelines Manual shall be periodically amended by the Board of Supervisors, as necessary to reflect new information or changed environmental circumstances; and new thresholds or guidelines for additional topical areas may be adopted by the Board of Supervisors as deemed necessary. In accordance with Board of Supervisors authorization, the Planning Commission will hold noticed public hearings in north and south county locations to consider (1) existing thresholds and the need for refinement or revision, (2) specific proposed changes to thresholds and guidelines, and/or (3) new thresholds and guidelines for additional topics. The public hearings will have the purpose of advising the public of the basis for thresholds, of obtaining public comment on thresholds and revisions, and of gathering relevant data for inclusion in thresholds data bases. The Planning Commission will provide direction for thresholds revisions and development of new thresholds, and will forward new or revised thresholds for final adoption by the Board of Supervisors.”*

Staff prepared updated thresholds for Cultural Resources by revising Chapter 8 of the County *Environmental Thresholds and Guidelines Manual*, and renaming the chapter *Guidelines for Determining the Significance of and Impacts to Cultural Resources- Archaeological, Historic Resources, and Tribal Cultural Resources*. The proposed revised thresholds and *Fieldwork and Reporting Guidelines for Cultural Resources* are included in Attachment B to this Board Letter. The draft revised thresholds and fieldwork and reporting guidelines were reviewed by numerous

interested parties, including professional archaeologists, historical architects, historians, Native Americans, and staff planners. In addition, a briefing was held for the County Historic Landmarks Advisory Commission, who also provided useful input. Their invaluable comments and suggestions have been incorporated into the documents. The draft revised thresholds were considered by the Planning Commission on December 20, 2017 in the south county and January 10, 2018 in the north county.

The revised thresholds are divided into three parts. The first part identifies the 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, which is essential for evaluating if an adverse impact to the resource is substantial and significant. The third part of the document provides a discussion of mitigation approaches, including example mitigation measures, which may avoid or lessen potentially significant impacts.

For context, a brief culture history of Santa Barbara County is provided as Attachment G. The cultural resources that are the subject of CEQA environmental review pertain to one or more of the periods discussed in this cultural historical framework. In addition to the CEQA thresholds, there are many goals, policies and development standards in the Comprehensive Plan, Community Plans, and Zoning Ordinances that guide staff's review of proposed development projects and compliment the thresholds. Generally, project design must comply with these goals, policies, and standards in order for a development project to be approved. These are included as Attachment H. Federal and state regulations that may also apply to certain projects are included as Attachment I.

**Fiscal and Facilities Impacts:**

Budgeted: Yes.

The cost to prepare these cultural resource thresholds was \$10,000. Funding for this work is budgeted in the Administration and Support budget program on page D-286 of the FY 2017-18 Adopted Budget. Implementation of these thresholds on specific projects will be funded through reimbursement by project applicants. There are no facilities impacts.

**Attachments:**

Attachment A: Findings

Attachment B: Resolution with Recommended Threshold as Exhibit A

Attachment C: Notice of Exemption

Attachment D: Planning Commission Action Letter dated 1-10-18 w/ Resolution 18-05

Attachment E: Planning Commission Staff Report dated 1-10-18

Attachment F: Initial Study Questions for Cultural Resources

Attachment G: Brief Culture History of Santa Barbara County

Attachment H: Goals, Policies and Development Standards from the Comprehensive Plan, Community Plans, and Zoning Ordinances

Attachment I: Federal and State Regulations and Standards

**Authored by:**

Glenn S. Russell