

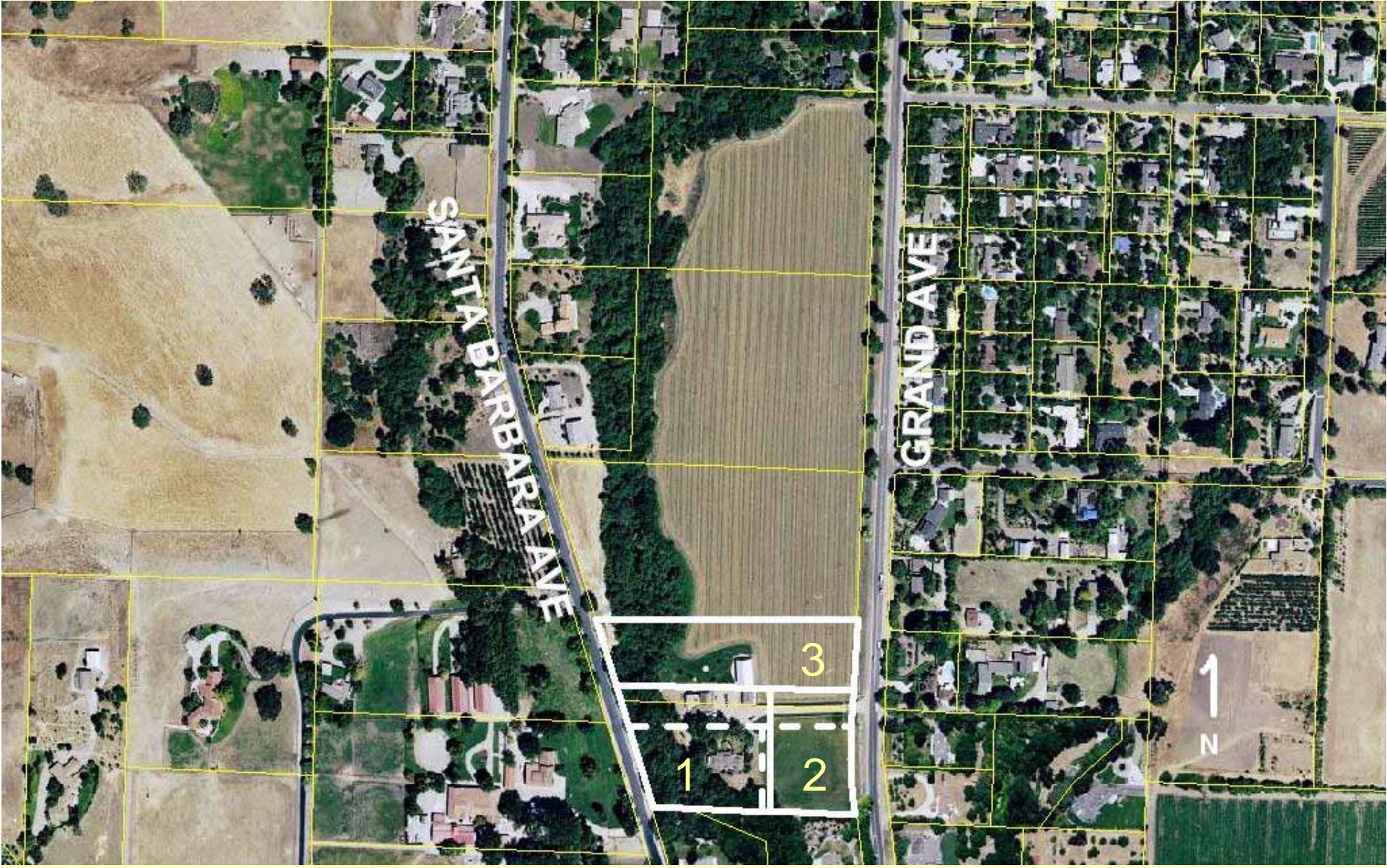


Herthel-Montanaro Lot Line Adjustment

**Case Nos. 05LLA-00000-00015
07NGD-00000-00029**

**Santa Barbara County
Board of Supervisors
April 1, 2008**





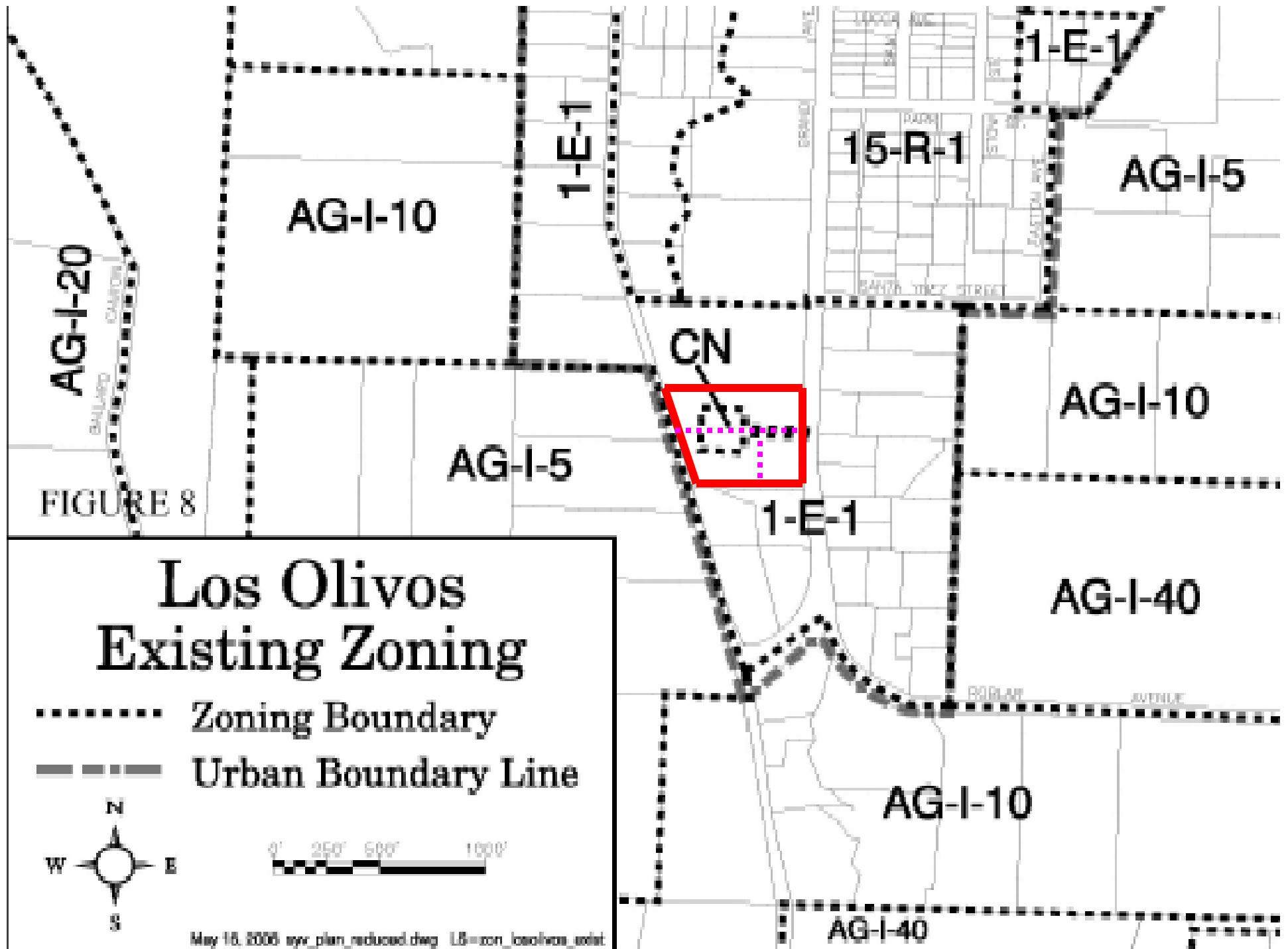
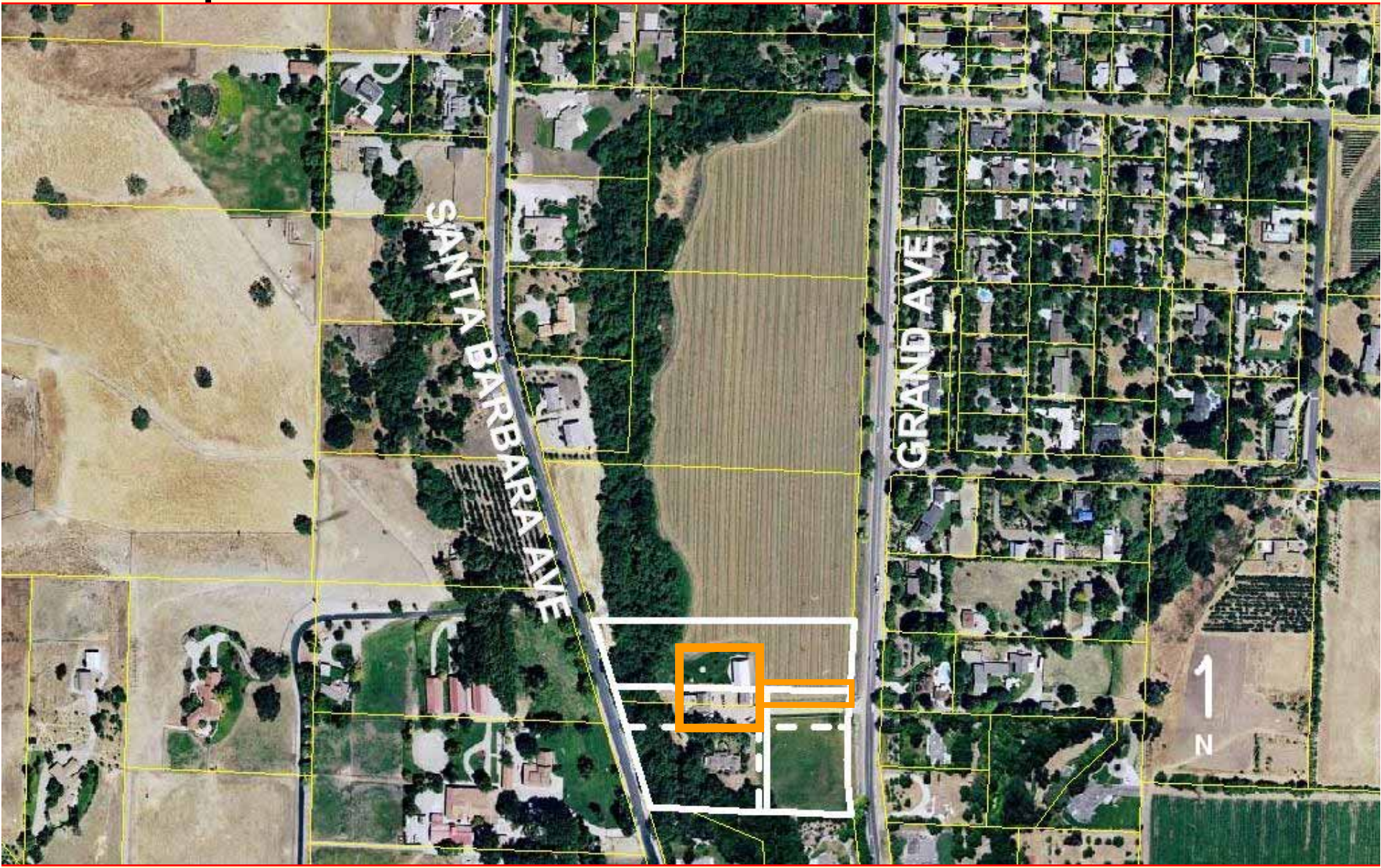


FIGURE 8

Los Olivos Existing Zoning





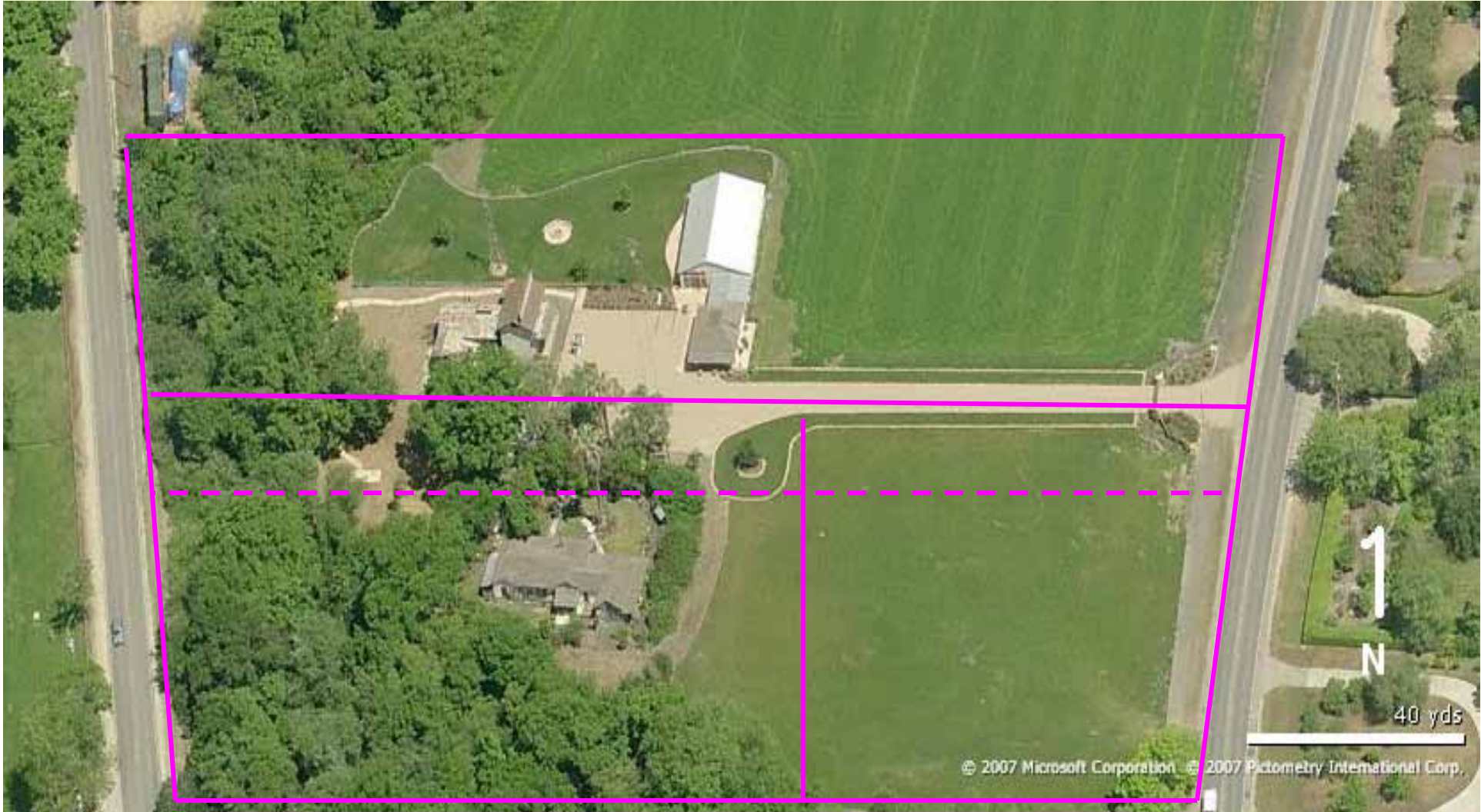
05LLA-15

05LLA-16

SANTA BARBARA AVE

GRAND AVE

1
N



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● ● ● | Protection of Cultural Resources (Condition 3 – both cases)

Nearby prehistoric Chumash cemetery, creek side location

Phase 1 surface study negative but additional subsurface testing required before land use clearances for future development

If no resources are found, then no additional monitoring or work required

If resources are found, then additional work required if avoidance is infeasible



Appeal Issues (both cases)

1. Timing of testing
2. No monitoring plan
3. No EIR
4. Cumulative impacts not considered



Staff Response (both cases)

1. Testing prior to development more appropriate *in this case*
2. Monitoring plan adopted if and when needed
3. Experts agree on need for testing; impacts mitigated to less than significant; no EIR required
4. Cumulative impacts studied in MND; addressing lots separately does not violate Subdivision Map Act



SUMMARY (both cases)

*Project complies with Comprehensive Plan,
LUDC, CEQA*

Testing is appropriately timed; monitoring plan to be developed if/when needed

Impacts mitigated to less than significant; no EIR required

Considering LLAs separately does not violate SMA



● ● ● | Recommendations and Procedures

- Adopt the required findings, including the Mitigated Negative Declaration.
- Deny the appeal, upholding the PC's denial of the appeal of the ZA's approval of the Lot Line Adjustment.
- Approve 05LLA-00000-00015 subject to the conditions in the PC's action letter.

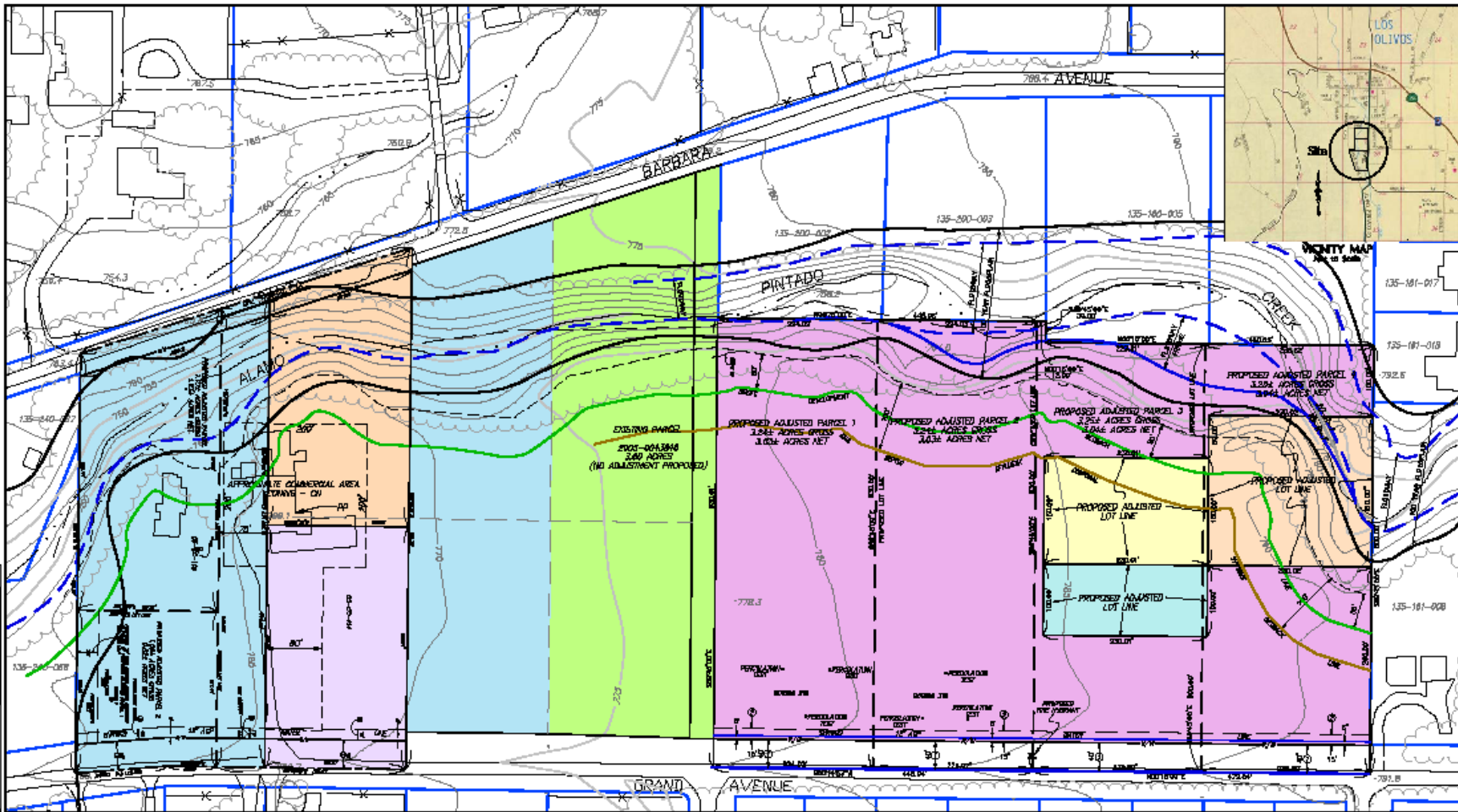


Additional Slides (as needed)

3. Archaeological Study

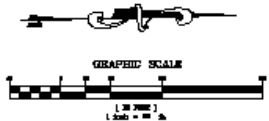
The Phase 1 Archaeological Study prepared for the project site shall be supplemented by limited subsurface testing conducted by a County-listed Archaeologist, monitored by a Native American observer, and approved by P&D. The Santa Ynez Band of Chumash Indians shall receive mailed notice of all development permit applications on the subject property. Any cultural materials identified as a result of the limited subsurface testing shall be: 1) avoided; or 2) evaluated and treated pursuant to County Archaeological Guidelines. **Plan Requirements/Timing:** Prior to Land Use Permit approval for any development requiring ground disturbance, the results of limited subsurface testing shall be provided to P&D. The limited subsurface testing is required to assess the presence or absence of cultural materials within the lot(s). The work and report shall be completed according to County guidelines for an Extended Phase 1. The work shall be conducted by a qualified archaeologist and subsurface investigations shall be monitored by a Native American Observer.

MONITORING: The County-listed archaeologist shall coordinate with P&D personnel on submittal and review of the required study. P&D compliance personnel shall field check during grading and construction activities to ensure compliance with approved plans and conditions.



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Layout # 10/07 - CIV



DISCLAIMER
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SITE MAP
 APN 135-240-001,
 135-200-004 & 135-180-007
 Los Olivos, CA.
 * October 2004 *

P.2



Steps in the Cultural Resource Process

- Phase 1 Survey – Identifies the presence/absence & spatial extent of cultural resources; may include Extended (subsurface) Phase 1 if necessary
- Phase 2 Significance Testing – gather data necessary to assess site significance
- Phase 3 Mitigation of Impacts – gather data and analyze sufficient to mitigate loss of data to development

Santa Barbara County Cultural Resources Guidelines (Phase 1 Studies)

- g. In areas subject to rapid alluvial accumulation (adjacent to rivers, marshes, etc.), in sand dune deposits, in areas covered by imported fill, in areas covered by dense vegetation, or in other situations, the likelihood of buried archaeological deposits must be considered. Excavation including shovel test pits or backhoe trenching may become necessary in these situations to determine whether buried deposits are present. This decision shall be made by the principal investigator and shall take into account factors responsible for obscuring prehistoric or historic features. The rationale for using backhoe excavation shall be detailed in the report. If prehistoric site deposits are encountered during trenching, work shall be halted until a representative of the local Native American community can be contacted. Excavation to determine site horizontal and vertical extent shall be minimized to avoid loss of scientific data using these less than systematic recovery techniques.