3.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

This section describes cultural and tribal cultural resources and analyzes the potential impacts on these resources from implementation of the Project. Cultural resources as defined in CEQA Section 15064.5 include prehistoric and historic archaeological resources, and historic-period resources (buildings, structures, area, place, or objects). Tribal cultural resources are defined in PRC Section 21074(a) as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is either included or determined eligible for inclusion on the California Register of Historical Resources or included in a local register of historical resources, or other resources determined by the lead agency, in its discretion and supported by substantial evidence, to be significant tribal cultural resources.

3.5.1 Environmental Setting

3.5.1.1 Prehistoric and Ethnohistoric Setting

Archaeological resources reflect past human activity extending from Native American prehistoric cultures throughout the early 20th century.

The Project site was inhabited prehistorically by Obispeño Chumash for at least 10,000 years. The Obispeño were the northernmost Chumash group, occupying much of the County, including the Project vicinity. Obispeño Chumash neighbors were the Southern (Migueliño) Salinan, also known as *Te'po'ta'ahl*, who lived along the upper course of the Salinas River. Obispeño is derived from the Spanish mission San Luis Obispo de Tolosa where the indigenous community was baptized by Franciscan priests in the late 18th century. The Obispeño Chumash and the Migueliño Salinan tribes subsisted within several ecological settings, including coastal resources, oak studded valleys, foothill areas, and extensive grasslands (Appendix F).

Native American prehistory in the Project vicinity is divided into six periods (Appendix F):

1. **Paleoindian Period (11000–8500 Before Present [B.P.]).** The Paleoindian Period represents the earliest human occupations in the Central Coast region. Paleoindian sites throughout North America are known by the representative fluted projectile points, crescents, large bifaces used as tools as well as flake cores, and a distinctive assemblage of small flake tools. Relatively few sites have been dated to this Period in the Project vicinity, though many along the coast may have eroded into the ocean with sea level rise that began in the Early Holocene Period defined below.

2. **Early Holocene Period (8500–5500 B.P.).** More extensive evidence of human occupation has been recorded at sites along the Central Coast dating to the early Holocene. The most common artifacts in these assemblages are milling slabs (metates) and handstones (manos) used to grind hard seeds and process other vegetable matter. Obsidian stone tools and manufacturing waste flakes recovered from several sites dating to this period have been sourced to the east side of the Sierra Nevada, indicating that long-distance trade networks were established by this time.
3. **Early Period (5500–3000 B.P.).** Technological changes marking the transition into the Early Period include an abundance of contracting-stemmed, Rossi square-stemmed, large side-notched, and other large projectile points. Site occupants of the Central Coast appear to have been more sedentary; populations appear to have increasingly used sites for specific resource procurement activities, including hunting, fishing, and plant material processing.
4. **Middle Period (3000–1000 B.P.).** The Middle Period is defined by the continued specialization in resource exploitation and increased technological complexity. Mano and metate ground stone implements are replaced by mortars and pestles associated with oak tree acorn processing. This is due to a substantial change in climate, where oak woodland habitats expanded with greater rainfall. Additionally, expansion of trade is reflected by an increased quantity of obsidian, shell beads made on Santa Cruz Island, and sea otter bone. Circular shell fishhooks, which facilitated an increase in fishing, appeared for the first time.
5. **Middle to Late Transition Period (1000–700 B.P.).** The Middle to Late Transition Period represents a rapid change in artifact assemblage, as well as social and settlement organization. Archaeological evidence suggests a regional population decline that was affected by periodic drought conditions. Interregional trade items, such as obsidian, are less frequently observed. Artifacts associated with fishing and marine mammal hunting and associated bone are much less conspicuous; populations appear to have adapted to changing climate by relying on terrestrial resources, such as small mammals.
6. **Late Period (700 B.P.–to Missionization).** Populations on the Central Coast expanded in the Late Period. A wetter climate returned and provided for more extensive plant and marine resources to exploit. The major technological change during this time is the introduction of the bow and arrow by tribes to the east. This allowed for effective hunting of small game and birds. Permanent villages expanded in size, and social structure became more complex with the rise of powerful chiefs. Interaction between villages was strengthened by intermarriage and trade represented by shell beads used as monetary exchange.

3.5.1.2 Historical Setting

Historical resources are buildings, structures, objects, places, and areas that are eligible for listing on the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), or the City's Master List of Historic Resources, have an

association with important persons, events in history, or cultural heritage, or have distinctive design or construction method.

The earliest recorded visit by a European to a Native American village in the County took place in 1595, when the Spanish sailed into San Luis Obispo Bay, near the large Obispeño village of *Sepjato*. In 1769, Gaspar de Portolà and Father Junipero Serra departed the newly established San Diego settlement and marched northward toward Monterey with the objective to secure the port and establish five missions along the route. The Portolà expedition passed through the present day County that same year. In 1772, the first mission located within Chumash territory, Mission San Luis Obispo de Tolosa, was founded beside San Luis Obispo Creek and adjacent to the village of Sepjato. This first mission gradually expanded in size and significance. Several historic Obispeño villages have been identified from mission records and informant interviews. The Obispeño area showed a somewhat dispersed settlement pattern as compared to intensive settlement and large village sizes found along the Santa Barbara Channel.

Spanish and Mexican influence greatly changed the aboriginal way of life. In its first decade, due to dissatisfaction with Mission San Luis Obispo de Tolosa, some Obispeño Chumash attempted to burn the mission down. Their attempt failed, and by the 1790s, the influence of the mission had increased. By 1803, mission records indicate that numerous Obispeño Chumash groups had moved away from traditional villages to the vicinity of Mission San Luis Obispo de Tolosa. The native people at the mission suffered and the population declined rapidly. In 1803, there was a peak of 919 Native Americans residing at the mission, but by 1838 the population had declined to 170. In 1822, California became a Mexican Territory, and the mission lands gradually became private ranchos via Mexican land grants. After the decline of the mission era in the late 1830s, San Luis Obispo gradually grew into a thriving town.

3.5.1.3 Project Site History

In the early 1800s, the Project site was part of ranch lands of the Mission San Luis Obispo (Laguna Rancho), and was regranted by the Mexican government in 1844. The land was confirmed by the American government in 1855 and was continually used by a series of farmers. In 1869, the property parcel was approximately 868 acres. A dairy was installed no later than 1883.

The Project site is historically associated with the Froom family, which operated a dairy onsite beginning in 1890. By 1905, the ranch consisted of approximately 413 acres.

Supported by the cattle and creamery, the Froom family lived within the structure attached to the creamery until approximately 1915, when the modern craftsman-style residence within the northwestern portion of the property was built. The Froom family operated the dairy for several decades until the Madonna family purchased the site in 1976. Dairy operations ceased in 1977 and the Madonna family raised beef cattle on the site for several years after that date, eventually using the site primarily as an office and equipment storage area, as well as operating a small onsite quarry (see Section 3.15, *Mineral Resources*) (Appendix F).

3.5.1.4 Documented Archaeological and Historical Resources

A records search of the 109.7-acre Specific Plan area and a 0.5-mile radius was conducted by FirstCarbon Solutions (2015) at the Central Coast Information Center (CCIC), University of California Santa Barbara on January 5, 2015. The search identified all recorded cultural resources and previous investigations within the Project site and a 0.5-mile radius of the Project site. Several data sources were referenced, including NRHP, CRHR, the list of California Historical Landmarks, the California Inventory of Historic Resources, and California Points of Historical Interest.

Five investigations have been conducted within the Project site and 36 within 0.5 mile. The investigations resulted in the recordation of two prehistoric sites and two historic-period sites within the Project site (see Table 3.5-1).

Table 3.5-1. Cultural Resources Recorded within the Project Site

Resource Number	Age	Date Recorded	Recorder(s)	Description
P-40-000783/CA-SLO-783	Prehistoric	1987	R. Gibson	Bedrock mortars
P-40-001195/CA-SLO-1195	Prehistoric	1987	R. Gibson	Stone tool manufacturing flakes, shellfish and animal bone fragment scatter; hearths/pits
P-40-040991	Historic-Period	1998	B. Bertando	Froom Ranch Dairy complex
P-40-001780/CA-SLO-1780	Historic-Period	1996	J. Parker	Building foundations/structure pads, privies/dumps/trash scatters

Source: Appendix F (note: confidential information has been excluded from the publicly-published appendix).

Two prehistoric sites, one historic-period site, and one prehistoric isolated artifact are recorded within 0.5 mile of the Project site (see Table 3.5-2).

Table 3.5-2. Cultural Resources Recorded within 0.5 Mile of the Project Site

Resource Number	Age	Date Recorded	Recorder(s)	Description
P-40-001365/CA-SLO-1365	Prehistoric	1988	R. Gibson	Prehistoric bedrock milling feature
P-40-002145/CA-SLO-2145	Prehistoric	1997	R. Gibson	Prehistoric lithic scatter site
P-40-038206	Prehistoric	1997	R. Gibson	Prehistoric isolate
P-40-001002/CA-SLO-1002H	Historic-Period	1989	C.E. Dills	Farm/ranch barn

Source: Appendix F (note: confidential information has been excluded from the publicly-published appendix).

Onsite Prehistoric Resources

A pedestrian ground surface survey was conducted by FirstCarbon Solutions archaeologists from January 6 to January 8, 2015 to observe recorded and potential new cultural resources. Transect spacing varied between approximately 10 to 15 meters, where possible. Surface soils and rodent burrows were examined for any signs of prehistoric archaeological or cultural materials, including seashell fragments, stone tools and fragments, stone flakes, bone, burnt rock, and similar materials. All prehistoric and historic resources and features encountered during the survey were documented, which entailed the acquisition of location coordinates and photographic documentation. Results are further discussed below.

P-40-000783: Bedrock Mortars. Four rock outcrops contain one to three bedrock mortar holes used to mill acorns. All eight mortar holes were found to be in good condition. The ground surface surrounding the bedrock mortars was examined. No additional archaeological features or cultural materials were found during this survey. However, the subsurface boundaries of the site have not been defined and may possibly be related to site P-40-001195.

P-40-001195: Lithic/Shell/Bone Scatter. This resource is a scatter of stone tool manufacturing flakes, shellfish fragments, and animal bone. It is recorded approximately 200 meters (650 feet) from P-40-000783. The site is considered to represent a temporary or seasonal campsite adjacent to an intermittent stream. One Franciscan chert biface, two chert cores, and approximately 12 to 15 chert waste flakes associated with stone tool manufacturing and reuse were found. The biface, cores, and some pieces of chert waste flakes were observed in concentration in the eastern portion of the site. In addition, shellfish and bone fragments were observed scattered across the ground surface of the Project site. The shellfish remains were highly weathered and fractured and were not identifiable as a

specific species. Highly weathered bone fragments included what is believed to be both deer and rabbit. The condition of the archaeological site remains was considered generally good.

Several isolate prehistoric cultural materials were discovered during the intensive ground surface archaeological survey (FirstCarbon Solutions 2015; Appendix F). Included in these unrecorded artifacts were a concentration of stone artifacts, including a projectile point, a chert core, and chert waste flake, found on a hilltop northeast of the bedrock mortar site (P-40-000783) in the southwestern portion of the Project site. Other isolate artifacts included a Franciscan chert biface, located southwest of the bedrock mortar site (P-40-000783), and a piece of Franciscan chert waste was located in the northeastern portion of the Project site, adjacent to the west bank of the existing Froom Creek alignment. The locations of isolate cultural materials were mapped and photographed.

The Project site received a reconnaissance-level site survey on January 18, 2018 to confirm and expand, as needed, on the findings of Applicant-prepared cultural resource technical studies. Applied EarthWorks, a third-party cultural resources firm, observed the recorded sites as well as the isolates mapped and photographed; however, upon observation, the three stone artifacts, including the projectile point, chert core, and chert flake, were clustered and associated to constitute a new archaeological resource site. Applied EarthWorks also observed additional artifacts not mapped or photographed in the Applicant-prepared studies that may contribute to this new site. This new site has not been evaluated or recorded to date, so the significance of the site is not known; however, based on the reconnaissance-level survey, it is possible the site may be a significant resource considering the significance level of known resource sites nearby, as described above.

In addition, a Supplemental Phase I Cultural Report was conducted by FirstCarbon Solutions (2018) for the 7.1-acre proposed stormwater detention basin area in August 2018. The study included an updated CCIC records search, updated Sacred Lands file search, Native American consultation, and pedestrian survey. No additional prehistoric resources were identified during this supplemental survey (Appendix F).

Onsite Historical Resources

P-40-040991: Froom Ranch Dairy Complex. FirstCarbon Solutions prepared a historic resource evaluation (HRE) to determine the significance of the onsite historic Froom Ranch Dairy complex (P-40-040991). The evaluation was updated in July 2017 with input from an historic architect and architectural historian from Chattel, Inc. who performed a site visit

and assessment (Appendix F). The site visit included an assessment of 10 structures on the property, including a main residence, "old" barn, bunkhouse, dairy barn, creamery/house, granary, shed/storage building, outhouse, storage building, and a water tower. The HRE includes descriptions of each of the structures, their history, evaluations against NRHP, CRHR, and City's Master List of Historic Resources criteria, historic themes, and the integrity of the buildings.

Of the ten structures within the Froom Ranch Dairy complex, seven of them have been determined to be contributing structures associated with the historic dairy and Froom family: the main residence, dairy barn, creamery, granary, the shed/storage building, old barn, and bunkhouse. The main residence and bunkhouse are examples of Craftsman architecture that exemplify intact and good examples of the style. Vernacular architecture is displayed within the dairy barn with a rounded front – the only such structure in the County. Additional early 20th century agricultural vernacular-style structures include the creamery and granary, which reflect the local farming and dairy industry development and predominant architectural styles of the early 1900s (Table 3.5-3). The main residence, dairy barn, creamery, and granary structures within the Froom Ranch Dairy complex have been determined eligible significant historic resources as individual structures.

These four structures, together with the three other contributing (though not individually significant) resources associated with the Froom Ranch Dairy complex (the shed/storage building, old barn, and bunkhouse), have also been determined eligible as a historic district under the criteria listed within the City's Historic Preservation Ordinance and CRHR. Though a precise boundary for this historic district has not been established, it includes the area encircling these seven contributing structures. The landscape and layout of structures is historically significant for its association with the Froom family and Bill Froom, and early 20th century ranching and the dairy activity in the region. The Froom Ranch Dairy Farm has retained good integrity (condition) of location, design, materials, workmanship, feeling, association, and overall historic integrity. Historic integrity of the seven contributing structures is associated with the historic development of the San Luis Obispo area and the dairy industry; the pioneering Froom family and for Bill Froom and his local contributions; and the Craftsman and vernacular architecture of the buildings located within the complex.[1]

[1] It should be noted that in 2019, as a result of heavy rains during the winter season, heavy damage and partial collapse has occurred at the creamery structure.

Three modern structures located in proximity to the Froom Ranch Dairy complex, the outhouse, storage building, and water tower, are not considered contributing features to this eligible historic district (see Table 3.5-3).

Table 3.5-3. Structures Associated with the Historic Froom Ranch Dairy

Structure	Year Built	CRHR Eligibility, Significance, & Features	Significance
Contributing Features to the Potential Historic District			
Main Residence	1915	Individually Eligible. Character defining features of this one-story Craftsman-style structure include its horizontal massing, low-pitched gable roof, wood exterior wall cladding, projected front porch, and sash windows that exemplify Craftsman architecture in the San Luis Obispo area. The structure served as the primary residence for the Froom family until 1998. The interior has been altered extensively over time and now serves as a commercial office.	
Creamery	Before 1915	Individually Eligible. The creamery is a one-story, irregularly shaped, vernacular-style building indicative to the local historic style of the area and its utilitarian function that dates to early period of the Froom Ranch Dairy Farm operation and served as both the dairy production area and the original residence on the site prior to 1915. The creamery has experienced heavy damage and partial collapse as a result of heavy rains in 2018-2019.	

Table 3.5-3. Structures Associated with the Historic Froom Ranch Dairy (Continued)

Structure	Year Built	CRHR Eligibility, Significance, & Features	Significance
Dairy Barn	1913	Individually Eligible. This 60-foot by 80-foot structure is irregularly shaped, contains a concrete foundation, vertical wood siding, and a gabled roof. The dairy barn represents a unique example of the local dairy industry vernacular construction and is the only barn in the County with a rounded façade, which was designed to facilitate the milking process and move cows through the barn efficiently.	
Granary	1913	Individually Eligible. The granary is a small one-story rectangular structure with wood pier foundation and vertical wood siding walls, used for grain storage, and has a unique construction to prevent damage from rodents and animals.	
Shed/Storage Building	1913	Not Individually Eligible. A one-story, irregularly shaped vernacular-style storage building with a steeply slanted roof. Built as part of the early Froom Ranch development and has served as a storage shed for the dairy complex.	

Table 3.5-3. Structures Associated with the Historic Froom Ranch Dairy (Continued)

Structure	Year Built	CRHR Eligibility, Significance, & Features	Significance
Bunkhouse	1915	Not Individually Eligible. Craftsman-style one-story building has a concrete foundation, wood horizontal shiplap siding, and shingled roof. Constructed by Hans Peterson, the bunkhouse was formerly used as a residence by a member of the Froom family, but was not integral to dairy farm functionality.	
Old Barn	1900	Not Individually Eligible. The old barn is a one-story rectangular, vernacular-style structure with a concrete floor, vertical wood siding, and gabled roof with corrugated metal roofing. The old barn was moved to the current location in the early 20th century and has been renovated extensively as a result of its deteriorating condition.	
Non-Contributing Structures			
Outhouse	Modern	Not Eligible. This small asymmetrical parking kiosk structure was relocated and repurposed as an outhouse for the John Madonna Construction Company staff.	
Storage Building	Modern	Not Eligible. Mobile storage unit moved to the site for use by the John Madonna Construction Company.	

Table 3.5-3. Structures Associated with the Historic Froom Ranch Dairy (Continued)

Structure	Year Built	CRHR Eligibility, Significance, & Features	Significance
Water Tower	Modern	Not Eligible. Modern-style Verizon stealth cell tower is shaped like a water tower to appear compatible with the ranch landscape.	

Foundation remains from a historic homestead site within the proposed stormwater detention basin area.

P-40-001780: Building Foundations/ Structure Pads. The historic building foundations/structure pads located within the proposed stormwater detention basin area were a part of Francisco Antonio Lima's (Frank Lima) farm, established in the latter half of the 19th century. The farm passed hands through a variety of families through the early 20th century, with the buildings operating as a homestead until all but one of the structures were demolished sometime between 1959 and 1965. By 1987, no structures remained onsite; however, the building foundations were in place. While the site contained some historic fragments (e.g., a stoneware bottle, a porcelain fragment), and two prehistoric lithics (e.g. chert scraper, materials produced during the production of chipped stone tools), the site was in a highly disturbed state from mechanical destruction sometime between the 1960s and 1987. Sometime after 2000 the site appears to have been bulldozed, and only portions of the foundations remain.

Due to the poor integrity of the soils surrounding the site as a result of the previous disturbance/demolition, the artifacts associated with P-40-001780 have lost their ability to address NRHP or CRHR eligibility criteria. This site is therefore not considered significant relative to historic-period resource criteria. The presence of prehistoric archaeological sites within the 0.5 mile research radius of the study area, the presence of large quantities of

chert in the area, and the proximity of the creek and seasonal ephemeral drainages are indicators that subsurface Native American cultural deposits may be present within the study area (Condor Country Consulting, Inc. 2018; Appendix F).

Froom Ranch - Linear Rock Features: Possible historical-age features were documented and mapped during the 2015 Project site survey, including four linear rock wall features located along the western Project boundary. The linear rock wall features contain natural rock outcroppings, as well as rocks that appear to be intentionally placed, although the purpose is unknown. A follow-up pedestrian survey to evaluate these features was conducted in May 2018, and an associated historical resource evaluation of these features was conducted in July 2018. A total of six linear features were evaluated within or immediately adjacent to the Specific Plan area. The features are made of local schist and serpentine ground stone cobbles, ranging from 158 to 380 feet in length, 6 to 8 feet in width, 1 to 2 feet in height, and oriented on a roughly northwest – southeast axis. While some of the features may have been intentionally placed, it is unclear for what purpose. At least two sets of the features are paired and appear to run in parallel or convergent lines. All of the stones appear to have been grouped on the surface, with no evidence of a subsurface component. They are not considered to be building foundations or collapsed rock walls. Due to the distance from the Froom Ranch Dairy complex, it is not likely that the linear rock wall features are associated with past dairy operations. The rocks may be aligned with previously existing fence lines, as regular wooden and/or metal channel stakes and sections of barbed wire fence were observed along sections of the features. A review of historic aerial photographs failed to provide a date or range of dates for the features. Though they may be the result of efforts to clear ground stone from the hillside up to, and along existing fence lines, no evidence exists to definitively date or determine the function of the features in relation to activities taking place at Froom Ranch. Therefore, these linear rock features do not meet NRHP, CRHR, or City listing criteria for historic resources (FirstCarbon Solutions, Inc. 2018; Appendix F).

One of six linear rock wall features located along the Project site's western boundary.

In addition to the linear rock wall features, a stone revetment/retaining wall feature was identified adjacent to the bedrock mortar prehistoric site (P-40-000783). This is likely a recent feature as the boards associated with it are painted. A recent rock fire pit located west of the prehistoric lithic site P-40-001195 was also identified, with modern trash discovered and unrelated to the lithic site. Lastly, a boulder containing a blasting hole was located southwest of the lithic site P-40-001195 in a cluster of oak trees, within the southwestern portion of the Project site. Overall, these historical features did not appear to have any historical significance or unique features, nor did they appear to be over 45 years old, although there was no way to definitively determine their exact age (FirstCarbon Solutions 2015; Appendix F).

Native American Consultation

FirstCarbon Solutions contacted the State Native American Heritage Commission (NAHC) on December 31, 2014 requesting a search of the Sacred Lands Inventory and a list of local Native American tribal representatives who may have knowledge of tribal cultural resources in the Project site and vicinity. The NAHC responded to this request on January 21, 2015 indicating that there were no sacred lands listed in the area and provided a list of 22 tribal representatives who could potentially have information on tribal cultural resources. FirstCarbon Solutions sent letters to the 22 tribal representatives (Appendix F). One response was received.

- Patti Dunton, Administrator of the Salinan Tribe of Monterey and San Luis Obispo Counties requested on January 28, 2015 that planned development stay clear of the two recorded sites and that all ground disturbing activities be monitored by an archaeologist and a culturally affiliated Playano Salinan monitor. Subsequent consultation with the Project architect, RRM Design Group, resulted in a decision to not move the bedrock mortars associated with site P-40-000783/CA-SLO-783. On February 17, 2015, Ms. Dunton responded that she had no additional comments on the Project.

Subsequently, the City initiated formal Native American consultation pursuant to the requirements of SB 18 (Government Code 655352.3) and Assembly Bill (AB) 52 (PRC Section 21080.3.1). The City contacted the NAHC on April 15, 2017 to identify any updates to the list of tribal representatives who could potentially have information on tribal cultural resources. Ten tribal contacts were identified by the NAHC in their response on April 24, 2017, who were contacted by the City on December 26, 2017 requesting consultation (Appendix F).

In compliance with AB 52, the City offered an opportunity to consult with the City on the potential effects of the Project on tribal cultural resources to 12 tribal representatives that had requested notification by the City on all CEQA projects. Letters were sent on December 22, 2017 and tribal representatives had 30 days from receipt of the City's letter to request consultation. Of the 12 unique groups and/or individuals contacted under AB 52, four responses were received from representatives of the Santa Ynez Band of Chumash Indians, Salinan Tribe, Northern Chumash Tribal Council, and Northern Chumash Tribe as follows:

- Mr. Freddy Romero of the Santa Ynez Band of Chumash Indians called and left a message on January 2, 2018, and the City returned the call and left a message on January 3, 2018. No formal consultation or comments regarding the Project were received by the Santa Ynez Band of Chumash Indians.
- Ms. Patti Dunton of the Salinan Tribe responded via email on January 3, 2018 requesting that all archeological sites, including bedrock outcroppings, be avoided within designated open space areas and that all ground disturbing activities be monitored by a qualified archeologist and cultural resource monitor of the Salinan tribe. Ms. Dunton did not request consultation with the City and did not identify any tribal cultural resources in the Project area.
- Mr. Fred Collins of the Northern Chumash Tribal Council (NCTC) contacted the City on January 30, 2018 and requested consultation under AB 52 and a copy of the Cultural Resource Assessment. A consultation meeting was held with the City on February 21, 2018. During the meeting Mr. Collins requested that intact archeological resources be preserved and avoided and requested that a Native American monitor be retained during ground disturbances. Subsequent cultural resources reports were provided to the NCTC, and additional comments have not yet been received specifically regarding the Project. The NCTC requested that

archaeological consultants contact tribal representatives prior to conducting surveys and assessment.

- Ms. Mona Olivas Tucker of the yak titᵛu titᵛu yak tiłhini (Northern Chumash Tribe) emailed the City on February 8, 2018 requesting a copy of the Cultural Resource Assessment. The City emailed the report on February 8, 2018. Subsequent cultural resources reports were provided to the Northern Chumash Tribe, and additional comments have not yet been received specifically regarding the Project.

3.5.2 Regulatory Setting

Cultural and tribal cultural resources are governed primarily by federal, state, and local laws that would apply to future development under the Project. Federal, state and local regulations that are relevant to the Project are summarized below.

3.5.2.1 Federal

No federal action is required for the Project, but related federal regulation is provided for background.

National Register of Historic Places

The NRHP was established by the National Historic Preservation Act (NHPA) of 1966 to help identify and protect properties that are significant cultural resources at the national, state, and/or local levels. Four criteria have been established to determine if a resource is significant to American history, architecture, archaeology, engineering, or culture and should be listed in the NRHP. These criteria include:

1. It is associated with events that have made a significant contribution to the broad patterns of our history;
2. It is associated with the lives of persons significant in our past;
3. It embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; and
4. It yields, or may be likely to yield, information important in prehistory or history.

Districts, sites, buildings, structures, and objects of potential significance that are at least 50 years in age must meet one or more of the above criteria to be eligible for listing in the NRHP.

3.5.2.2 State

California Register of Historical Resources

PRC Section 5024.1 states that a resource may be eligible for inclusion in the CRHR if it:

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, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Resources that are listed in or eligible for listing in the NRHP are considered eligible for listing in the CRHR, and thus are significant historical resources under CEQA (PRC Section 5024.1(d)(1)).

Assembly Bill 52

AB 52 amended PRC Section 5097.94 (CEQA) and added eight sections to the PRC related to California Native American tribes. It was passed and signed into law in 2014 and took effect on July 1, 2015. This law establishes a new category of resource called tribal cultural resources (PRC Section 21074) and establishes a process for consulting with Native American tribes and groups regarding those resources. The consultation process must be completed before a CEQA document can be certified. California Native American tribes to be included in the process are identified through consultation with NAHC (PRC Section 21080.3.1).

Tribal cultural resources are "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe…" (PRC Section 21074.1). A tribal cultural resource must be on, or eligible for, the CRHR as described above for historical resources or must be included in a local register of historical resources. Also, as discussed above for historical resources, the lead agency can determine that a tribal

cultural resource is significant even if it has not been evaluated as eligible for the CRHR or is not on a local register.

AB 52 establishes that "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" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

Senate Bill 18

Passed in 2004, Senate Bill (SB) 18 requires cities and counties to consult with Native American tribes to help protect traditional tribal cultural places as part of a general plan adoption or amendment. Unlike AB 52, SB 18 is not an amendment to, or otherwise associated with, CEQA. Instead, SB 18 requires that, prior to the adoption or amendment of a city or county's general plan, the city or county must conduct consultations with California Native American tribes for the purpose of preserving specified places, features, and objects that are located within the city or county's jurisdiction. Under SB 18, cities and counties must notify the appropriate Native American tribe(s) of intended adoption or amendments to general plans and offer the opportunity for the tribe(s) to consult regarding traditional tribal cultural places within the proposed plan area. A Native American tribe is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission" (Governor's Office of Planning and Research 2005:6). Traditional tribal cultural places are defined in PRC Sections 5097.9 and 5097.993 to include sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines, or any historic, cultural, or sacred site that is listed on or eligible for the CRHR including any historic or prehistoric ruins, burial grounds, or archaeological site (Governor's Office of Planning and Research 2005:4).

Codes Governing Human Remains

The disposition of human remains is governed by Section 7050.5 of the California Health and Safety Code and PRC Sections 5097.94 and 5097.98 and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to

Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans, so they can inspect the burial site and make recommendations for treatment or disposal.

3.5.2.3 Local

City of San Luis Obispo Archaeological Resource Preservation Program Guidelines

Developed by the City's Cultural Heritage Committee (CHC), the Archaeological Resource Preservation Program Guidelines (part of the City's Environmental Guidelines) regulate the identification, evaluation, and treatment of archaeological sites and Native American cultural landscapes within the City. They are used to help develop the information needed to evaluate a project's effects on archaeological sites and artifacts, and thus achieve compliance with the cultural resource provisions of CEQA. The guidelines include a three-step approach to historical resources: preparation of an Archaeological Resource Inventory (ARI); Subsurface Archaeological Resource Evaluation (SARE); and Archaeological Resource Impact Mitigation (ARIM).

City of San Luis Obispo Historic Preservation Ordinance and Guidelines

The Historic Preservation Program Guidelines were adopted by City Council Resolution No. 6158 (1987 Series) and amended in 2010 with the adoption of the Historic Preservation Ordinance (Chapter 14.01 of the Municipal Code). The guidelines discuss historic preservation benefits and services offered by the City, discuss the principles of historic preservation, and summarize the architectural review process. Additionally, the Historic Preservation Ordinance guidelines establish the roles and duties of the CHC, define historic resources and historic districts, outline procedures for adding properties to the City's Master List of Historic Resources, and outline procedures for amending or establishing Historic Preservation Districts. The list was last updated in December 2016.

City of San Luis Obispo Cultural Heritage Committee

The City's CHC is a seven-member advisory body for the City responsible for overseeing preservation and management of historical and cultural resources. The purpose of the CHC is to "promote the preservation of architectural, archaeological, historical and cultural resources in San Luis Obispo" (Advisory Body Handbook 2015). A historical resource or feature that is designated for preservation or alteration under a proposed project requires review by the CHC, per San Luis Obispo Municipal Code Chapter 14.01 Historic Preservation Ordinance.

City of San Luis Obispo General Plan

General Plan, Conservation and Open Space Element (COSE)

Proposed projects are evaluated for consistency with the City's following adopted goals and policies relating to cultural resources. The COSE of the General Plan addresses Historic and Architectural Resources with multiple goals and policies. The goals and policies discussed below focus on those relevant to cultural resources present on the Project site. Relevant goals and polices include:

Goal COS 3.2 Historic and Architectural Resources. The City will expand community understanding, appreciation, and support for historic and architectural resource preservation to ensure long-term protection of cultural resources.

Policy COS 3.3.1 Historic Preservation. Significant historic and architectural resources should be identified, preserved, and rehabilitated.

Policy COS 3.3.3 Historical Documentation. Buildings and other cultural features that are not historically significant, but which have historical or architectural value should be preserved or relocated where feasible. Where preservation or relocation is not feasible, the resources shall be documented, and the information retained in a secure but publicly accessible location. An acknowledgement of the resources should be incorporated within the site through historic signage and the reuse or display of historic material and artifacts.

Goal COS 3.4 Archaeological Resources. The City will expand community understanding, appreciation, and support for archaeological resource preservation.

Policy COS 3.5.1 Archaeological Resource Protection. The City shall provide for the protection of both known and potential archaeological resources. To avoid significant damage to important archaeological sites, all available measures, including purchase of the property in fee or easement, shall be explored at the time of a development proposal. Where such measures are not feasible, and development would adversely affect identified archaeological or paleontological resources, mitigation shall be required pursuant to the Archaeological Resource Preservation Program Guidelines.

Policy COS 3.5.2 Native American Sites. All Native American cultural and archaeological sites shall be protected as open space wherever possible.

Policy COS 3.5.4 Archaeological Sensitive Areas. Development within an archaeologically sensitive area shall require a preliminary site survey by a qualified

archaeologist knowledgeable in Native American cultures, prior to a determination of the potential environmental impacts of the project.

Policy COS 3.5.5 Archaeological Resources Present. Where a preliminary site survey finds substantial archaeological resources, before permitting construction, the City shall require a mitigation plan to protect the resources. Possible mitigation measures include: presence of a qualified professional during initial grading or trenching; project redesign; covering with a layer of fill; excavation removal and curation in an appropriate facility under the direction of a qualified professional.

Policy COS 3.5.6. Qualified Archaeologist Present. Where substantial archaeological resources are discovered during construction or grading activities, all such activities in the immediate area of the find shall cease until a qualified archaeologist knowledgeable in Native American cultures can determine the significance of the resource and recommend alternative mitigation measures.

Policy COS 3.5.7 Native American Participant. Native American participation shall be included in the City's Guidelines for resource assessment and impact mitigation. Native American representatives should be present during archaeological excavation and during construction in an area likely to contain cultural resources. The Native American community shall be consulted as knowledge of cultural resources expands and as the City considered updates or significant changes to its General Plan.

Policy COS 3.5.8 Protection of Native American Cultural Sites. The City will ensure the protection of archaeological sites that may be culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance; sites that may have religious value, even though no artifacts are present; and sites that contain artifacts which may have intrinsic value, even though their archaeological context has been disturbed.

3.5.3 Environmental Impact Analysis

3.5.3.1 Thresholds of Significance

With respect to cultural resource impacts, applicable sections of Appendix G of the State CEQA Guidelines state that a significant impact would occur if a project would:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or

c) Disturb any human remains, including those interred outside of formal cemeteries.

In addition, the Project would impact tribal cultural resources if it would cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is:

d) Eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); or

e) 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 PRC Section 5024.1.

3.5.3.2 Impact Assessment Methodology

This analysis evaluates potential cultural resource and tribal cultural resource impacts associated with implementation of the Project. The impact analysis for cultural resources is based on review of information and analysis from cultural resources reports prepared for the Project, including:

- Froom Ranch/El Villaggio Specific Plan Section 106 Prehistoric Report San Luis Obispo prepared by FirstCarbon Solutions in 2015;
- Analysis of Historic Structures at Froom Ranch 12165 Los Osos Valley Road, San Luis Obispo, CA prepared by Stork, Wolfe and Associates in 2017;
- Froom Ranch Specific Plan Conformance Review prepared by Chattel, Inc. in 2017;
- Froom Ranch Specific Plan Historic Resource Assessment, San Luis Obispo, San Luis Obispo County, CA prepared by FirstCarbon Solutions and Chattel, Inc. in 2017;
- Froom Ranch Specific Plan Cultural Resource Assessment, San Luis Obispo, San Luis Obispo County, CA prepared by FirstCarbon Solutions and Chattel, Inc. in 2017;

- Froom Ranch Retention Basin and Land Exchange Areas Supplemental Phase I Cultural Resources Report prepared by FirstCarbon Solutions in 2018;
- Froom Ranch Limited Phase II Cultural Resources Assessment, Froom Ranch Storm Water Basin, County of San Luis Obispo, CA prepared by Condor Country Consulting, Inc. in 2018; and
- Linear Rock Features Historical Resource Evaluation, Froom Ranch, 12165 Los Osos Valley Road, San Luis Obispo, CA prepared by Chattel, Inc. in 2018.

This analysis also included review of cultural resource records, and consultation with tribal representatives. Additionally, Applied EarthWorks, a third-party cultural resources firm, conducted a reconnaissance-level site survey on January 18, 2019, then peer reviewed the cultural resource studies prepared by the Applicant (Appendix F). Taken together, this background research and the targeted assessment performed form the basis for this EIR analysis (Appendix F). Cultural resources impact assessment is based on a comparison of known resource locations with the placement of ground disturbing Project activities that have the potential to directly or indirectly remove, relocate, damage, or destroy the physical evidence of past cultural activities.

Historical Resources

A project is judged to have a significant effect on the environment if it may cause a substantial adverse change in the characteristics of a historical resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means (CEQA Guidelines, Section 15064.5[b]). For historical resources, impacts can generally be mitigated to a less than significant level through maintenance, repair, stabilization, restoration, preservation, conservation, or reconstruction in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR 68) and/or the *Secretary of the Interior's Standards for Rehabilitation*. Alterations meeting these criteria generally would not have the potential to cause a substantial adverse change to any historic resources. In other words, a project that successfully incorporates the Secretary of the Interior's Standards would, for purposes of CEQA, be considered to have a less than significant impact on historic resources (CEQA Guidelines Sections 15126.4[b] and 15064.5[b][3]). The Secretary of the Interior's Standards define four options for the treatment of historic buildings: 1) preservation, 2) rehabilitation, 3) restoration, and 4) reconstruction. Generally:

1. Preservation involves the application of measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment (Weeks and Grimmer 1995).
2. Rehabilitation entails making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values (Weeks and Grimmer 1995).
3. Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period (Weeks and Grimmer 1995).
4. Reconstruction involves new construction to recreate the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period and in its historic location (Weeks and Grimmer 1995).

The Secretary of the Interior's Standards are not prescriptive, but instead provide general guidelines and are intended to be flexible and adaptable to specific project conditions, including aspects of adaptive use, functionality, and accessibility. The goal is to balance continuity and change and retain historic building fabric to the maximum extent feasible. Documentation of historic buildings and structures, including documentation to the standards of the Historic American Buildings Survey or Historic American Engineering Record (HABS/HAER), may lessen impacts but may not reduce them to less than significant levels.

The analysis in this EIR considers both direct impacts and indirect impacts on historic resources. Direct impacts may occur by:

1. Physically damaging, destroying, or altering all or part of the resource;
2. Altering characteristics of the surrounding environment that contribute to the resource's significance;
3. Neglecting the resource to the extent that it deteriorates or is destroyed; or
4. The incidental discovery of cultural resources without proper notification.

Removal, demolition, or alteration of historical resources can directly impact their significance by destroying the historic fabric of an archaeological site, structure, or historic district. Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of historical resources within the area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation.

Indirect impacts can result from blocking significant public views of a resource's defining character; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource's setting; or introducing shadows over a historic landscape or an architectural resource with sun-sensitive features that contribute to that resource's significance.

A key element in this impact assessment methodology involves consideration of the effectiveness of the Draft FRSP's proposed treatment and relocation of four historic structures within the Froom Ranch Dairy complex. The analysis below considers the efficacy and effectiveness of Project's proposed policies and development standards in avoiding or minimizing impacts to these historic resources.

Archaeological Resources

CEQA provides guidelines for mitigating impacts to archaeological resources in Section 15126.4. According to the CEQA Guidelines, public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered for a project involving potential archaeological resources:

A. Preservation in place (avoidance) 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; or
    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 provision 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. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.

D. Data recovery shall not be required for a 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 and that the studies are deposited with the California Historical Resources Regional Information Center.

Typically, such measures will reduce impacts on archaeological resources to less than significant levels.

3.5.3.3 Project Impacts, Mitigation Measures, and Residual Impacts

During Project construction, direct impacts to cultural and tribal cultural resources may occur from disturbance or destruction. Impacts may also occur during Project operation through illicit artifact collection and site disturbances resulting from increased access to open space areas containing cultural resources. Table 3.5-4 below summarizes these impacts.

Table 3.5-4. Summary of Project Impacts

Cultural Resources Impacts	Mitigation Measures	Residual Significance
CR-1. Project grading and construction would occur within areas of prehistoric archaeological sensitivity with the potential to impact subsurface cultural or tribal cultural resources.	MM CR-1 MM CR-2 MM CR-3 MM CR-4 MM CR-5 MM CR-6 MM CR-7	Less than Significant with Mitigation
CR-2. Future resident recreational activities could impact archaeological resources located within proposed open space.	MM CR-8	Less than Significant with Mitigation
CR-3. The Project would result in relocation, demolition, disturbance, and/or removal of historic resources onsite, including individually eligible historic resources and a historic district.	MM CR-9 MM CR-10 MM CR-11 MM CR-12 MM CR-13 MM CR-14	Significant and Unavoidable

Impact CR-1 Project grading and construction would occur within areas of prehistoric archaeological sensitivity with the potential to impact subsurface cultural or tribal cultural resources (Less than Significant with Mitigation).

The Project would involve extensive ground disturbance to support development of Villaggio and Madonna Froom Ranch, including excavation of subterranean parking garages, building foundations, and utility installations. Installation of the proposed stormwater detention basin would also require extensive earthmoving and soil disturbance. Construction activities have the potential to unearth, damage, or destroy prehistoric archaeological resources within the site. There are three recorded prehistoric sites within the Project site, including two within Villaggio and one within the proposed stormwater detention basin area. There is also one unrecorded prehistoric site comprised of the three mapped stone artifacts (including a projectile point, chert core, and chert flake) observed through field investigation within Villaggio.[2]

The Project's proposed land use and conceptual development plan would avoid direct disturbance to the known prehistoric sites within the Project site; however, unknown resources associated with these sites or other prehistoric use of the Project vicinity would be vulnerable to impacts during construction (Appendix F). The City's Archeological Resource Preservation Program Guidelines defines "archaeologically sensitive" as "Areas inside or within 200 feet (61 meters) of the boundaries of an archaeological site shown on U.S. Geological Survey (USGS) topographic maps on file in the Community Development Department and/or recorded with the CCIC" (City of San Luis Obispo 2009). In archaeologically sensitive areas, the City may require a SARE, per the Guidelines. The purpose of the SARE is to verify the presence and location of archaeological resources, to determine the site's integrity and archaeological significance, and to determine a project's potential effects on the resources. Prehistoric sites are important to the contemporary Obispeño Chumash community. The Northern Chumash Tribal Council representative requested avoidance of these sites within a designated open space area during AB 52 and SB 18 consultation.

[2] This unrecorded prehistoric site consisting of three stone artifacts was first identified in the Froom Ranch/El Villaggio Specific Plan 106 Prehistoric Report (FirstCarbon Solutions 2015) but later considered to three isolate features and not comprising a site and were therefore not further evaluated. However, these isolate features were later identified as a prehistoric site, but were similarly not further evaluated due to their removal from the proposed area of development.

The recorded prehistoric sites P-40-000783 and P-40-001195, as well as the historic sites P-40-040991 and P-40-001780, are located either directly within or in close proximity to areas of proposed development under the Project.[3] In compliance with the requirements of the City's Archaeological Resources Reservation Program Guidelines, a Limited Phase II Cultural Resources Assessment meeting the requirements of a SARE was prepared for the Project by FirstCarbon Solutions in 2018 to verify the presence or absence of archeological resources within the vicinity of the known prehistoric site (P-40-001780), which would be directly impacted by development of the proposed stormwater detention basin; however, no Phase II SARE has been prepared for prehistoric sites P-40-000783 and P-40-001195, which would be within proposed Open Space areas and would not be directly impacted by construction of the Project. The other recorded site (P-40-040991) is the Froom Ranch Dairy Farm, which has been extensively evaluated as a historic resource and district.

Prehistoric site P-40-000783, consisting of prehistoric bedrock mortars, is located within a proposed private open space area in Villaggio adjacent to areas proposed for development and within 50 feet of potential earthmoving activities in the southern region of the Project site. A private recreational area for Villaggio residents is also proposed within 50 feet of P-40-000783. The boundary of P-40-000783 has not been defined through subsurface investigation, and there is potential for additional unknown buried resources associated with the site to be present. Prehistoric site P-40-001195, consisting of one Franciscan chert biface, two chert cores, and approximately 12 to 15 chert waste flakes chert flakes, dietary shellfish, and bone fragments, is located in proposed private open space at least 100 feet from proposed development.

The known resources recorded at these sites are located in proposed private open space within Villaggio and would not be directly modified or disturbed during Project construction. Based on the proximity of these sites to one another and the nature of the resources, it is possible that additional undiscovered subsurface cultural resources associated with these sites could exist and be located within the areas of proposed development. Therefore, proposed grading, excavation, trenching, and other earthwork for proposed roadways, utility lines, storm drainage features, and other earthmoving activities could occur in areas where undiscovered subsurface resources associated with these recorded sites may exist.

[3] Refer to Impact CR-2 for discussion of impacts to site P-40-040991 and other recorded historic resources potentially affected by the Project.

The Project includes construction of a stormwater detention basin within the southeastern region of the Project site, where archaeological site P-40-001780 is located. This site and a 200-foot buffer qualify as an archaeologically sensitive area by the City's Archaeological Resource Preservation Program Guidelines. The presence of two prehistoric artifacts at the site, in addition to the presence of prehistoric archaeological sites within the 0.5 mile research radius of the study area, the presence of large quantities of chert for making prehistoric stone tools in the area, and the proximity of the creek and seasonal ephemeral drainages, indicate that subsurface Native American cultural deposits may be present within the area of disturbance for the proposed stormwater detention basin. Based on the Phase II SARE prepared for this area of the Project site, there is a potential for additional prehistoric resources to be discovered during construction of the proposed stormwater detention basin feature.

In addition to those recorded archaeological sites, several prehistoric isolates including shellfish and animal bone fragments were identified during the intensive ground surface survey for the Project within Villaggio (Appendix F). Most of these materials did not include artifacts such as stone or seed grinding implements, and therefore do not represent important sources of research data and are not significant cultural resources as defined by CEQA. However, three mapped but unrecorded isolates located in the Upper Terrace of Villaggio include a projectile point, chert core, and chert flake.[4] This collection of stone resources constitutes a new archaeological resource site, which has not been mapped or recorded to date. For the purposes of this EIR analysis, this new site is assumed to be a significant archaeological resource subject to the City's Archaeological Guidelines for archaeologically sensitive areas; the Project has been designed to avoid these resources.

Further, the City's Archeological Resource Preservation Program Guidelines identify areas within 200 feet of the top of banks of Froom Creek as archeologically sensitive based on the distribution of prehistoric sites near the drainage. The Project would involve ground disturbance in areas that would be within 200 feet of Froom Creek's historic alignment, which indicates a potential for increased archaeological sensitivity in the area of the proposed Froom Creek realignment and Villaggio's Lower Area. Additionally, the cultural resource investigations conducted within the Project site and vicinity conclude there is potential for undiscovered buried sites to exist in areas where alluviation occurred during heavy episodes of precipitation within the alluvial plain between Froom and Prefumo

[4] The Cultural Resource Assessment for the Project (FirstCarbon Solutions 2015) concluded this concentration of stone artifacts, may comprise a small lithic scatter; however, the assessment did not include evaluation of these resources for significance.

creeks (Appendix F). The alluvium between these creeks was likely deposited throughout Holocene age flood events spanning the past 10,000 years, potentially burying prehistoric site landforms. While portions of the Project site near the existing Froom Creek alignment have been subject to soil disturbance, which reduces the potential for discovery of intact resources, the areas of the site where Froom Creek historically flowed appear to be relatively undisturbed based on historic aerial photography (Google Earth 2019). The Project would include excavation in this archaeologically sensitive area to realign Froom Creek to its historic location.

Per the City's Archeological Resource Preservation Program Guidelines, and as summarized above, there are five archaeologically sensitive areas within the Project site that are considered to have a higher likelihood of containing undiscovered cultural resources that could be impacted by Project construction. These include those areas within, surrounding, or between sites P-40-001195, P-40-000783, P-40-001780, the unrecorded prehistoric site within Villaggio, and the sensitive areas along the historic Froom Creek alignment. If development of the Project results in direct damage or loss of unknown significant archaeological resources in archaeologically sensitive areas around the four known prehistoric sites (three recorded and one unrecorded) or the historic alignment of Froom Creek, the impact on cultural resources would be *potentially significant*.

Mitigation Measures

MM CR-1 *A Phase 2 – Subsurface Archaeological Resource Evaluation (SARE) investigation shall be conducted prior to any grading or development proposed within 200 feet of the recorded P-40-000783 and P-40-001195 sites, or the unrecorded site comprising three mapped stone isolates, to evaluate the potential for unknown buried resources within these "archaeologically sensitive" areas, including but not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites, consistent with City Archeological Resource Preservation Program Guidelines. If discovery of unknown buried archaeological resources occurs through the SARE, a City-approved archaeologist shall evaluate the significance of the discovery pursuant to City Archaeological Resource Preservation Program Guidelines and CEQA. If the discovery is found to be a significant cultural resource, Project design shall be modified to avoid modification, disturbance, or destruction of the archeological resource. If the Phase 2*

SARE investigations do not discover unknown buried archaeological resources but conclude there is a possibility that cultural resources exist within the archaeologically sensitive areas that were evaluated, the Community Development Department Director shall require that the Applicant retain a City-approved archaeologist and local Native American observer to monitor construction activities to identify and protect archaeological resources in accordance with the Archaeological Monitoring Plan described in MM CR-3.

Plan Requirements and Timing. Any required Phase 2 SARE investigations shall be conducted by a City-approved archaeologist prior to approval of the VTM or Project entitlements. **Monitoring.** The City shall ensure the Phase 2 SARE investigations are completed by a City-approved archaeologist and consistent with City Archeological Resource Preservation Program Guidelines. Any potential modifications to the Project design shall be reviewed and approved by the City prior to approval of any subdivision map or other entitlement.

MM CR-2 *If any ground disturbing activities are proposed within 100 feet of the recorded sites P-40-000783, P-40-0011195, or the unrecorded site comprising three mapped stone isolates, on preparation of construction plans, the plans shall delineate a 50-foot buffer surrounding the boundaries of the recorded sites. The area shall be labeled as an "Environmentally Sensitive Area". Highly visible temporary construction fencing shall be installed along the boundary of the 50-foot buffer and shall remain in place until the archaeological monitor recommends removal. If feasible, no ground disturbance, construction worker foot traffic, storage of materials, or storage or use of equipment shall occur within the "Environmentally Sensitive Area". Archaeological monitoring shall occur during all construction activities occurring within 50 feet of the delineated boundary. Upon completion of archaeological monitoring, an archaeological monitoring report shall be prepared and submitted to the City Community Development Department and the Central Coast Information Center at the University of California Santa Barbara.*

Plan Requirements and Timing. Prior to recordation of the final VTM and issuance of grading permits, plans shall incorporate the delineation of the "Environmentally Sensitive Area" and associated protection measures.

Monitoring. The City shall verity that required elements are shown on the final VTM and grading permits. Compliance shall be verified pursuant to the approved Archaeological Monitoring Plan.

MM CR-3 *Prior to issuance of grading or building permits, and recordation of the final map, an Archaeological Monitoring Plan (AMP) shall be prepared. The AMP should include, but not be limited to, the following:*

a. A list of personnel involved in the monitoring activities;

b. Description of Native American involvement;

c. Description of how the monitoring shall occur;

d. Description of location and frequency of monitoring (e.g., full time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of circumstances that would result in the halting of work at the project site;

g. Description of procedures for halting work on the site and notification procedures;

h. Description of monitoring reporting procedures; and

i. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.

Plan Requirements and Timing. The AMP shall be prepared by a City-approved archaeologist prior to issuance of grading or building permits and recordation of the final map..

Monitoring. The City shall ensure the AMP is prepared by a City-approved archaeologist and consistent with City Archeological Resource Preservation Program Guidelines.

MM CR-4 *The Applicant shall retain a City-approved archaeologist and local Native American observer to monitor Project-related ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the AMP prepared to satisfy MM CR-1. Archaeological and tribal monitoring may cease only if the City-approved archaeologist determines in coordination with the Applicant, Community Development Director, and the Native American monitor that Project activities do not have the potential to encounter and/or disturb unknown resources.*

Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of building and grading permits for each phase of the Project, the Applicant shall submit to the City a contract or Letter of Commitment with a qualified archaeologist and Native American monitor. The City shall review and approve the selected archaeologist to ensure they meet appropriate professional qualification standards, consistent with the City's Archeological Resource Preservation Guidelines.

Monitoring. City permit compliance staff shall confirm monitoring by the archaeologist and tribal representative and City grading inspectors shall spot check fieldwork. The Native American monitor and Project archaeologist shall ensure that actions consistent with this mitigation measure are implemented in the event of any inadvertent discovery.

MM CR-5 *In the event of any inadvertent discovery of prehistoric archaeological resources, including but not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or historic-period archaeological resources, all work within 100 feet of the discovery shall immediately cease (or greater or lesser distance as needed to protect the discovery and determined in the field by the City-approved archaeologist). The Applicant and/or contractor shall immediately notify the City Community Development Department. The City-approved archaeologist shall evaluate the significance of the discovery pursuant to City Archaeological Resource Preservation Program Guidelines prior to resuming any activities that could impact the site/discovery. If the City-approved archaeologist or Native American monitor determine that the find may qualify for listing in the CRHR or as a*

tribal cultural resource, the site shall be avoided or shall be subject to a Phase II or III mitigation program consistent with City Archeological Resource Preservation Program Guidelines and funded by the Applicant. Work shall not resume until authorization is received from the City.

Plan Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of building and grading permits for each phase of the Project, the Applicant shall submit to the City a contract or Letter of Commitment with identified Project archaeologist and Native American monitor. The City shall review and approve the selected archaeologist to ensure they meet appropriate professional qualification standards, consistent with the Archeological Resource Preservation Program Guidelines.

Monitoring. City permit compliance staff shall confirm monitoring by the archaeologist and tribal representative and City grading inspectors shall spot check fieldwork. The Native American monitor and Project archaeologist shall ensure that actions consistent with this mitigation measure are implemented in the event of any inadvertent discovery.

MM CR-6 *Prior to construction of each phase, workers shall receive education regarding the recognition of possible buried cultural remains and protection of all cultural resources, including prehistoric and historic resources, during construction. Such training shall provide construction personnel with direction regarding the procedures to be followed in the unlikely event that previously unidentified archaeological materials, including Native American burials, are discovered during construction. Training shall also inform construction personnel that unauthorized collection or disturbance of artifacts or other cultural materials is not allowed. The training shall be prepared by a City-approved archaeologist and shall provide a description of the cultural resources that may be encountered in the Project site, specify areas of known sensitivity, outline steps to follow in the event that a discovery is made, and provide contact information for the City-approved archaeologist, Native American monitor, and appropriate City personnel. The training shall be conducted concurrent with other environmental or safety awareness and education programs for*

the Project, provided that the program elements pertaining to archaeological resources is provided by a qualified instructor meeting applicable professional standards.

Requirements and Timing. Prior to ground disturbance for each phase, construction workers shall participate in an educational program that will enable them to recognize and report possible buried cultural remains and protect all cultural resources, including prehistoric and historic resources. The educational program shall be outlined within the Archaeological Monitoring Plan and submitted to the City for approval prior to issuance of grading permits for each phase.

Monitoring. The City-approved archaeologist shall verify the training has been completed by all construction workers and shall ensure construction workers follow cultural resource discovery protocols.

MM CR-7 *If human remains are exposed during construction, the City Community Development Department shall be notified immediately. The Applicant and City shall comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains pursuant to PRC Section 5097.98. Construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by law.*

Plan Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans and reflected in the AMP.

Monitoring. City permit compliance staff shall confirm monitoring by the City-approved archaeologist and tribal representative and City grading inspectors shall spot check fieldwork. The Native American monitor and City-approved archaeologist shall ensure that actions consistent with this mitigation measure are implemented in the event of any inadvertent discovery.

Residual Impact

Implementation of MM CR-1 through -7 would ensure that appropriate precautions and protection measures are taken to avoid potentially significant impacts to unknown or undiscovered archaeological resources during construction activities. Therefore, residual impacts would be *less than significant with mitigation*.

Impact CR- 2 Future resident recreational activities could impact archaeological resources located within proposed open space (Less than Significant with Mitigation).

Prehistoric site P-40-001195, a concentration of chert flakes, dietary shellfish, and bone fragments, is located in an area of proposed open space at least 100 feet from area proposed for development. The resource would be generally inconspicuous from passive recreational users and the nearest residential structures within Villaggio would be enclosed by a security fence that would substantially limit access to the cultural resource. A separate private recreational area for Villaggio residents is also proposed within 50 feet of P-40-000783, a cluster of bedrock mortars. It is reasonable to assume that Villaggio residents would use open space areas and the private recreational area for passive recreation or to access the Irish Hills trails network. Increased passive recreational use of the open space by Project residential populations and domesticated animals could result in indirect adverse impacts to the prehistoric resource, including illicit artifact collection and erosion from hiking, dog walking, etc. These potential disturbances would be a *potentially significant* impact on cultural resources.

Mitigation Measures

MM CR-8 *No designated recreational areas, facilities, pedestrian paths, or roadways shall be located with 50 feet of a known prehistoric or tribal cultural resource site. All archaeological site soils within 100 feet of a known prehistoric or tribal cultural site shall be seeded with shallow rooted vegetation unless existing natural vegetation (i.e., existing grasslands) can screen the cultural resource from view.*

Requirements and Timing. The Draft FRSP shall be amended to incorporate these measures as they apply to P-40-000783 or P-40-001195 and the unrecorded site, prior to adoption of the Final FRSP.

Monitoring. A City-qualified archaeologist shall review and approve the established buffer between Project development and known cultural resource sites and review vegetation seeding covering the archaeological site boundaries prior to issuance of occupancy.

Residual Impact

Implementation of MM CR-8 would reduce impacts to sensitive cultural resources and soils, particularly as they apply to site P-40-000783 and P-40-001195, to *less than significant with mitigation.*

Impact CR-3 The Project would result in relocation, demolition, disturbance, and/or removal of historic resources onsite, including individually eligible historic resources and a historic district (Significant and Unavoidable).

As documented in Section 3.5.1.4, the Project site contains the historic Froom Ranch Dairy Farm (P-40-040991), including seven existing contributing structures associated with the historic dairy and Froom family. Four structures (i.e., main residence, creamery, dairy barn, and granary) are considered significant historic resources as individual structures. These four structures together with the three other contributing structures (i.e., the old barn, shed/storage building, and bunkhouse) constitute an eligible historic district under the City's Historic Preservation Ordinance and the CRHR. The landscape and layout of these seven buildings comprising the Froom Ranch Dairy complex is historically significant under CEQA.

The Project would relocate and adaptively reuse (within the proposed public park) four Froom Ranch Dairy buildings (i.e., main residence, creamery, dairy barn, and granary) that are eligible for listing on the NRHP, CRHR, and City's Master List of Historic Resources. The main residence would be relocated and rehabilitated, and the creamery, dairy barn, and granary would be disassembled, relocated, and reconstructed, while the shed, bunkhouse, old barn, and non-historic storage building and outhouse structures would be demolished (refer to Section 2.4.2.4, *Relocation and Reconstruction of Historic Structures*). Due to the presence of the Los Osos fault (refer to Section 3.6, *Geology and Soils*), which underlies the dairy barn at its existing location, the Project would relocate and reconstruct the dairy barn approximately 220 feet to the east, outside of the required fault setback. The main residence, creamery, and granary would also be relocated to maintain the relative horizontal configuration in relation to the dairy barn, in addition to grade changes to mimic the existing vertical relationship and visual hierarchy.

The proposed relocation and reconstruction of four of the Froom Ranch Dairy complex buildings would maintain the character-defining features of the four individually significant structures, including the existence, orientation, relative horizontal and vertical relationship of the main residence, creamery, dairy barn, and granary, and the relative open space and minimally landscaped setting. The viewshed from the main residence to the creamery, dairy barn, and granary would also be retained, as it would remain at the lowest elevation, the creamery at mid-elevation, and the dairy barn and granary at the highest elevation. The main residence would be rehabilitated consistent with the Rehabilitation Standards of the *Secretary of the Interior's Standards* and the creamery, dairy barn, and granary would be reconstructed consistent with the Reconstruction Standards of the *Secretary of the Interior's Standards*, requiring minimal changes to the distinctive materials, finishes, features, or construction techniques. Deteriorated historic features would also be repaired or replaced in-kind to match the existing structure. The character-defining features of each of the individually eligible historic structures would be retained. Continued review of the restoration and rehabilitation would ensure compliance with these standards during treatment and relocation of the Froom Ranch Dairy complex. However, there is a potential for conflict between the design and character of the surrounding Madonna Froom Ranch development and the rehabilitated main residence. Incompatible design of adjacent new development has the potential to reduce or inhibit the historic quality, character, and context of the relocated and rehabilitated main residence.

Further, there are several structures onsite that would be destroyed through Project implementation but are not considered significant historic resources. Within the Froom Ranch Dairy complex, the storage building and outhouse, which are non-contributing structures to the potential historic district, would be demolished; however, these structures were built after the period of significance and demolition of these structures would not affect the integrity of this potential historic district. Within the proposed stormwater detention basin area, the integrity of the historic-period component of site P-40-001780 consisting of the historic building foundations and structure pads was found to be substantially lost during the Limited Phase II Cultural Resources Assessment (Condor Country Consulting 2018), such that these materials are not historical resources or historical properties pursuant to Section 15064.5 of CEQA or under Section 106 of NHPA (36 CFR 800). Therefore, the Project would not cause a substantial adverse change in the significance of an historic-period archaeological resource. Lastly, the six linear rock wall features located along the western Project boundary were determined not eligible for the NRHP, CRHR, or the City's Master List of Historic Resources. The potential loss of these

features either through Project construction or operation would not contribute to the loss of a historical resource or contributing factor to the potential historic district (Chattel, Inc., 2018; Appendix F).

However, the Project would result in the demolition and permanent loss of three contributors to the potential Froom Ranch Dairy historic district (i.e., the shed, bunkhouse, and old barn). While these structures are not individually significant historic resources, they contribute to the historic setting and integrity of the Froom Ranch Dairy complex based upon their association with the Froom family, connection to the historic dairy operation, character-defining features of Craftsman-style or vernacular architecture, and good integrity. The Applicant-prepared HRE characterizes these structures as secondary contributors to the historic district and concludes their demolition would not affect the integrity or historic value of the historic district; however, per NRHP Bulletin 15, a district possesses a significant concentration, linkage, or continuity of site, buildings, structure, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources both contributing and non-contributing. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. A district can encompass both features that lack individual distinction (such as the shed, bunkhouse, and old barn) and individually distinctive features, such as the four individually eligible historic structures (U.S. Department of the Interior 1991).

The loss of the shed, bunkhouse, and old barn would reduce the concentration of physical features that make up the character and appearance of the Froom Ranch Dairy complex. While the proposal for relocation and reconstruction of the Froom Ranch Dairy complex would continue to retain sufficient integrity to convey its significant association with the dairy industry and the Froom family, the Project would result in the loss of historic materials and character defining features that existed during the resource's period of significance. With application of the City's Historic Preservation Guidelines criteria for historic resources, Section 14.01.070 (3)(C), demolition of the shed, bunkhouse, and old barn would reduce the degree to which the Froom Ranch Dairy complex retains its design, setting, workmanship, and "feeling" (aesthetic or historical sense of a particular period).

Additionally, relocation and reconstruction of the dairy barn away from a fault line, and reconstruction of the four structures would potentially preserve this cultural resource from future seismic impacts. However, grading and earthmoving would occur within 50 feet of

the Froom Ranch Dairy historic structures prior to their relocation and restoration. Relocation of the four significant historical structures would occur during Phase 3 of the Project construction period, exposing the structures to construction equipment vibration hazards throughout previous phases. Phase 4 construction vibration could potentially also impact the buildings after they are relocated. Ground vibrations could weaken the surrounding soils, causing adverse impacts to the existing building foundations and structural supports.

The Project would potentially damage existing historic buildings proposed to be relocated, rehabilitated, and reused and would substantially degrade the integrity of the potential Froom Ranch Dairy historic district through the loss of contributing structures. In addition, there is potential for incompatibility between the proposed adjacent development of the Madonna Froom Ranch and the relocated structures, resulting in potential effects on the character and quality of historic resources, particularly the main residence. Therefore, impacts to historic resources are *potentially significant*.

Mitigation Measures

MM CR-9 *The Applicant shall retain a qualified professional historic architect meeting the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61) to review and comment on design and construction drawings and monitor construction to ensure conformance with the Secretary of the Interior's Standards. The role of the historic architect shall include collaboration on a range of items relating to materials selection, construction methods, design of exterior and interior alterations, and monitoring of construction activities. The historic architect and Applicant shall resolve any unforeseen circumstance in a manner that conforms with the Secretary of the Interior's Standards.*

The qualified professional historic architect shall work with the Applicant team to ensure:

a) Deteriorated historic features would be repaired to the greatest extent feasible. Where features are deteriorated beyond repair, they would be replaced to exactly match the old.

b) All character-defining features are retained.

c) *Physical treatments to historic material would use the gentlest means possible and would not damage material.*

d) *Reconstruction would be clearly identified as a contemporary re-creation.*

e) *Interpretative signage would clearly provide information regarding the history of the buildings and their reconstruction.*

Artifacts, features, and other materials recovered through this process shall be described, illustrated, and analyzed fully in a technical report of findings; the analysis shall include comparative research with other sites of similar age. In addition to the technical report, the findings from this research shall be published in an appropriate scientific journal. The Applicant shall fund all technical reporting and subsequent publication.

Requirements and Timing. The historic architect shall submit a report documenting conformance with the Secretary of the Interior's Standards to the City for review and approval prior to issuance of any building permits for the Project. Artifacts, features, and other materials recovered through this process shall be described, illustrated, and analyzed fully in a technical report of findings; the analysis shall include comparative research with other sites of similar age. In addition to the technical report, the findings from this research shall be published in an appropriate scientific journal. The Applicant shall fund all technical reporting and subsequent publication. The historic architect shall notify the Applicant if any unforeseen circumstance arises during construction that could potentially result in nonconformance with the Secretary of the Interior's Standards.

Monitoring. The City shall ensure the report is reviewed and approved prior to issuance of grading permits for Phase 3. The historic architect shall participate in a pre-construction meeting with the general contractor and subcontractors and periodically monitor construction to completion of construction.

MM CR-10 *The Applicant shall retain a qualified professional photographer to prepare Historic American Building Survey (HABS) Level II documentation. This documentation shall record the existing appearance of all seven contributing buildings in large and medium format HABS photographs. All*

documentation components shall be completed in accordance with the Guidelines for Architectural and Engineering Documentation (HABS standards). The photographs shall consist primarily of large format, 4-inch by 5-inch, black and white negatives (one set), contact prints (one set) and 8-inch by 10-inch prints (two sets), archivally processed and printed on fiber-based paper. The set of original negatives shall be made at the time the photographs are taken. The original, archivally-sound negatives and prints shall be and distributed as follows: (1) the Library of Congress in Washington, DC through the National Park Service (one set of negatives and contact prints).

Requirements and Timing. The draft documentation shall be assembled and submitted to the qualified professional historic architect and the City for review and approval prior to submittal to the repository. The HABS documentation shall be completed prior to the issuance of grading permits for Phase 1.

Monitoring. A digital copy of the HABS documentation shall be reviewed by the City and approved prior to the issuance of grading permits.

MM CR-11 *The Applicant shall work with the City to develop an interpretive project that documents the potential historic district and its cultural and architectural heritage by means of a pamphlet. This pamphlet will highlight the former Froom Ranch Dairy, both primary and secondary contributors, in a social (Froom family) and industrial (dairy industry) context, with an emphasis on how these buildings were used on the dairy farm, and how this property relates to the larger dairy farm context in San Luis Obispo, the Central Coast, and California. Five hundred copies of the pamphlet shall be published. These professionally researched, written and printed materials shall be offered at no cost through the local museums and heritage organizations, and at the trailhead park. After the initial distribution of printed brochures, digital copies shall be available. Throughout the park, interpretive signs that provide information on building history and function (extant and demolished) shall also be incorporated.*

Requirements and Timing. The Applicant shall prepare and submit draft documentation to the City and Cultural Heritage Committee (CHC) for review and approval prior to the issuance of grading permits for Phase 3.

Monitoring. The pamphlet and interpretive signage shall be reviewed by the CHC and approved by the Community Development Director. The Parks and Recreation Commission shall review any interpretive signage proposed to be located within the park. The City Community Development Department shall ensure park designs incorporate interpretive signage consistent with approved documentation.

MM CR-12 *The Applicant shall reuse original material to the greatest extent feasible in the proposed work on the contributing structures to be relocated and/or reconstructed within the proposed public park (main residence, dairy barn, creamery/house, and granary). The Applicant and historic architect shall work with the City to prepare a marketing plan to offer to the public any salvaged historic materials not used during rehabilitation and reconstruction of the primary contributors, and demolition of the secondary contributors. As appropriate, unused or unretained historic materials will be offered to local historical societies and museums, then offered to architectural recycling before being disposed.*

Requirements and Timing. The Applicant shall prepare and submit draft documentation to the City for review and approval by the Community Development Director prior to the issuance of grading permits for Phase 3.

Monitoring. The marketing plan shall be reviewed and approved by the Community Development Director.

MM CR-13 *The Applicant and historic architect shall prepare design guidelines and a review process for new construction proximate to the main residence. New construction shall be undertaken in such a manner that the essential form and integrity of the main residence and its setting would be unimpaired. The design guidelines and review by City Community Development Director shall ensure new construction is compatible with main residence in material, features, size, scale and proportion, and massing.*

Requirements and Timing. The Applicant shall prepare and submit draft design guidelines to the City and CHC for review and approval prior to approval of entitlements and the issuance of grading permits for Phase 1.

Monitoring. The design guidelines shall be reviewed by the CHC and approved by the Community Development Director.

MM CR-14 *Prior to commencement of Phase 1 construction, a City-approved qualified structural engineer and historical architect shall survey the existing foundations and other structural aspects of the main residence, creamery, dairy barn, and granary, and develop a preservation plan to protect the historic buildings from potential damage during construction activities.*

The qualified structural engineer shall identify any necessary temporary structural bracing for the historic structures to avoid damage to these resources during the duration of construction. The qualified structural engineer shall prepare a temporary historic structure stabilization plan identifying these techniques as necessary.

Requirements and Timing. The Applicant shall submit the preservation plan and temporary historic structure stabilization plan to the City for review and approval prior to recordation of the final map and issuance of grading and building permits for Phase 1 of construction. Prior to the issuance of Phase 4 building and grading permits, the Applicant shall submit the final Historic Structures Plan and temporary historic structure stabilization plan, with incorporation of any additional recommendations for repair, to the City for review and approval.

Monitoring. The City engineer shall review and approve the preservation plan prior to recordation of the final map and issuance of grading permits for Phase 1. The City-approved structural engineer shall periodically monitor vibration during vibration-causing construction activities to ensure excessive vibration does not occur and that temporary historic structure stabilization plan strategies are effective at avoiding vibration damage. The structural engineer shall halt construction activity if he/she deems construction activity may harm historical resources and shall modify or augment the temporary historic structure stabilization plan strategies accordingly.

Residual Impact

Implementation of MM CR-9 through -13 would ensure relocation and restoration of the four individually eligible historical resources would conform to the Secretary of the Interior's Standards, and MM CR-14 would address potential for construction vibration to disturb these buildings. Additionally, these measures would lessen impacts to the potential historic district by ensuring that relocation and reconstruction of the main residence, dairy barn, creamery, and granary would retain character-defining features that convey the district's historical significance, and that demolished historic structures would be thoroughly documented and curated. However, because the demolition of a portion of a historical district and relocation of a historical district represents an irreversible change to the historical resource, these impacts would remain *significant and unavoidable*.

3.5.3.4 Cumulative Impacts

For cultural resources, the geographic extent of cumulative impacts encompasses a relatively broad area as the significance or importance of any individual resource can only be judged in terms of its regional context and relationship to other resources. Thus, the significance of impacts on any given resource or group of resources must be examined in light of the integrity of the regional resource base. Because the number of cultural resources is finite, limited, and nonrenewable, any assessment of cumulative impacts must take into consideration the impacts of the Project on resources within the Project site; the extent to which those impacts degrade the integrity of the regional resource base; and impacts other projects may have on the regional resource base. If these effects, taken together, result in a collective degradation of the resources base, then those impacts are considered cumulatively considerable.

The cultural resource region of influence is the Obispeño Chumash culture area and historic context that encompasses the City and County. In this EIR, the cumulative impact analysis includes the Project and the list of past and future projects identified in Table 3.0-1, Cumulative Projects List, in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*.

Trends that have led to degradation of the regional archeological and historical resource base, which are expected to continue in the future, include continuing urban development in the County. Cumulative development would result in the permanent loss of known archeological resources and historical structures, including those located within the Avila Ranch Specific Plan and San Luis Ranch Specific Plan areas. In addition, cumulative

development such as that anticipated under the projects listed within Table 3.0-1 may uncover previously undisturbed archeological resources and could potentially result in damage or loss of such resources. However, in most cases project-specific impacts would be addressed on a project-by-project basis.

Cumulative projects would be required to comply with General Plan Policies COSE 3.5.5, 3.5.6, and 3.5.7, described in Section 3.5.3, *Regulatory Setting*, and would be subject to review by the CHC for conformance with guidelines for cultural resources protection. Further, cumulative projects would be subject to environmental review under CEQA, which requires avoidance of significant cultural resources whenever feasible; if avoidance is not feasible, then appropriate mitigation measures would be applied (CEQA Guidelines Section 15126.4).

The Project would result in a significant and unavoidable impact associated with the removal, relocation, and reconstruction of features associated with the historic Froom Ranch Dairy complex. As such, the Project would contribute to the cumulative loss of historic resources in the City, resulting in *significant and unavoidable* cumulative impacts.