

4.5 CULTURAL RESOURCES

This section analyzes potential impacts to cultural resources that would be caused by implementation of the proposed project. This includes impacts to prehistoric archaeological sites, historic-era structures, and buildings, and the potential for newly discovered archaeological resources, which could potentially be impacted by construction and use of the Specific Plan Area and/or off-site improvement areas. Information sources used in preparation of this section include literature and data review, background research, pedestrian survey, and an Extended Phase I (XPI) study conducted by SWCA (2022). Due to the sensitive nature of archaeological resources, which can be damaged or destroyed through uncontrolled public disclosure of information, specific resource locations are not disclosed in this EIR. The SWCA cultural resource report, however, is on file with the County and is available for review by qualified persons.

4.5.1 Existing Conditions

Please refer to Chapter 2, *Project Description*, and Chapter 3, *Environmental Setting*, for a complete description of the proposed project and setting. The following discussion is provided as a framework for the types of known cultural resources, and the types that may occur, within the Specific Plan Area.

4.5.1.1 Prehistoric Overview

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (ca. 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact) (SWCA 2022). The Archaic is further divided into Lower (6000–3000 B.C.), Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

The study area lies in the Central Coast Archaeological Region, which is one of eight arbitrary organizational divisions of the state. This region extends southward from Monterey Bay through Big Sur to Morro Bay, and includes southern Santa Cruz and Santa Clara Counties, all of San Benito and Monterey Counties, and most of San Luis Obispo County.

Several chronological sequences have been devised to understand cultural changes within the Central Coast Region subsequent to the Paleoindian and Milling Stone Periods. Examples of the Paleoindian Period in the region are limited to two fluted projectile points, one of which was found in the Nipomo foothills, southeast of the project area (Mills et al. 2005, as cited in SWCA 2022). The Milling Stone Period (ca. 6500–3500 B.C.) was first described by Wallace (1955, 1978, as cited in SWCA 2022) as part of his synthesis of earlier studies and development of a comprehensive southern California coastal region sequence, a chronological scheme that is still widely used today. Initially, Central Coast researchers relied on the cultural sequences developed for the San Francisco Bay area to the north, the Central Valley to the east, and the Santa Barbara region to the south. Breschini and Haversat (1980, as cited in SWCA 2022) proposed the Sur and Monterey Patterns to describe Central Coast occupations dating younger than 5,000 years. Jones and Waugh (1995, as cited in SWCA 2022) presented an integrated Central Coast sequence after the development of cultural resource management in the 1980s and ensuing excavations of numerous archaeological sites. Three periods are presented in their prehistoric sequence subsequent to the Milling Stone Period: Early, Middle, and Late Periods.

More recently, Jones and Ferneau (2002:213, as cited in SWCA 2022) updated the sequence following the Milling Stone Period, as follows: Early, Early–Middle Transition, Middle, Middle–Late Transition, and Late Periods. We rely here on the Jones and Ferneau (2002, as cited in SWCA 2022) chronological

sequence for the Prehistoric Period within the Central Coast Region subsequent to the Paleoindian and Milling Stone Periods. It has become apparent that the archaeology of the Central Coast Region subsequent to the Milling Stone Period is distinct from that of the Bay Area and Central Valley, although the region has more in common with the Santa Barbara Channel area during the Middle and Middle–Late Transition Periods, but few similarities during the Late Period (Jones and Ferneau 2002:213, as cited in SWCA 2022). See also Jones et al. 2007 for a similar approach.

4.5.1.2 Ethnography

The project lies within the territory of northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa) (Gibson 1983; Kroeber 1925, as cited in SWCA 2022). The term Chumash initially applied only to the people living on Santa Cruz Island (King 1994:6, as cited in SWCA 2022). Chumash now refers to the entire linguistic and ethnic group of societies that occupied the coast between San Luis Obispo and northwestern Los Angeles County, including the Santa Barbara Channel Islands, and inland to the western edge of the San Joaquin Valley. Neighboring groups included the Salinan to the north, the Southern Valley Yokuts and Tataviam to the east, and the Gabrielino (Tongva) to the south. Chumash place names in the project vicinity include *Pismu* (Pismo Beach), *Tematatimi* (along Los Berros Creek), ~~and~~ *Tilhini* (near San Luis Obispo), and *Nipumu* (Greenwood 1978:520, as cited in SWCA 2022).

The Chumash spoke six closely related Chumashan languages, which have been divided into two broad groups—Northern Chumash (consisting only of Obispeño) and Southern Chumash (including Purisimeño, Ineseño, Barbareño, Ventureño, and Island Chumash) (Mithun 2004:389, as cited in SWCA 2022). While Island Chumash was the most divergent of the five southern languages, Ventureño may have had the most internal variation, with at least six distinct dialects. The Chumashan language currently is considered an isolate stock with a long history in the Santa Barbara region (Mithun 2004:304, as cited in SWCA 2022).

The earliest European visits to the Chumash region began with Cabrillo, Vizcaíno, and other naval explorers to the southern California coast in the 1500s. The first land expedition through the project area occurred in A.D. 1769 when Gaspar de Portolà led an overland expedition from the newly established settlement at San Diego to the San Francisco Bay. The first permanent, non-indigenous settlement in the area occurred with the founding of Mission San Luis Obispo in 1771, and soon numerous troop and supply trains passed through Chumash lands on the way from San Diego to more northerly missions and outposts. Within Chumash lands, additional Franciscan missions were founded at La Purísima, Santa Ynez, Santa Barbara, San Buenaventura, and San Fernando. When the pueblo of Los Angeles was established in 1781, the Ventureño Chumash were recruited as laborers.

Chumash subsistence varied between coastal and inland resources, but like many indigenous Californian groups, the acorn was a dietary staple for the mainland Chumash. Acorns were gathered in the autumn and stored in villages, where they were ground to a meal, leached, and then cooked daily. In addition to acorns—mainly from the coast live oak—other nuts, such as pine nuts and walnuts, were collected. Chumash diet also included cattail roots, fruits and pads from cacti, and bulbs and tubers of plants such as amole (Miller 1988:89, as cited in SWCA 2022). Yucca stalks were harvested and roasted, and the buds and flowers also were gathered. Staples included small hard seeds of several annual and perennial plants, such as grass, chia and other sages, and buckwheat. Seasonal resources included berries (blackberry, elderberry, grape, madrone, laurel, and wild cherry), mushrooms, and cress.

The effect of mission influence upon local native populations was devastating. The dissolution of their culture alienated them from their traditional subsistence patterns, social customs, and marriage networks. European diseases, against which they had no immunity, reached epidemic proportions, and Chumash populations were decimated (Johnson 1987, as cited in SWCA 2022). The increase in agriculture and the spread of grazing livestock into their collecting and hunting areas made maintaining traditional lifeways

increasingly difficult. Although most Chumash eventually submitted to the Spanish and were incorporated into the mission system, some refused to give up their traditional existence and escaped into the interior regions of the state, as refugees living with other tribes. With the secularization of mission lands after 1834, traditional Chumash lands were distributed among grants to private owners. Only in the area of Mission Santa Barbara and Mission San Fernando Rey de España were several small ranchos granted to neophytes of these missions, providing a secure home and gardens for a few people.

Most Chumash managed to maintain a presence in the area into the early twentieth century as cowboys, farm hands, and town laborers. The Catholic Church provided some land near Mission Santa Inés for ex-neophytes. This land eventually was deeded to the U.S. government in 1901 as the 127-acre Santa Ynez Reservation. Since the 1970s, Chumash descendants living in the city of Santa Barbara and the rural areas of San Luis Obispo, Santa Barbara, and Ventura Counties have formed social and political organizations to aid in cultural revitalization to protect sacred areas and archaeological sites and to petition for federal recognition. Today, the Santa Ynez Band of Chumash Indians is the only federally recognized Chumash tribe.

4.5.1.3 Existing Cultural Resources

4.5.1.3.1 RECORDS SEARCH

On June 7, 2021, SWCA requested a records search from the Central Coast Information Center (CCIC) of the California Historical Resources Information System (CHRIS), located at the Santa Barbara Museum of Natural History. The records search included any previously recorded cultural resources and investigations within a 0.25-mile radius of the project area.

In addition to official maps and records on file at the CCIC, the following inventories, publications, and technical studies were consulted as part of the record search:

- National Register of Historic Places – Listed Properties
- California Register of Historical Resources
- California Inventory of Historical Resources
- California State Historical Landmarks
- California Points of Historical Interest
- California Office of Historic Preservation Historic Property Directory and Determinations of Eligibility

Prior Cultural Resources Studies

The CCIC records search data revealed that there are 55 previously conducted cultural resources studies within a 0.25-mile radius of the project area, 14 of which overlap with approximately 90% of the project area (Table 1).

Table 4.5-1. Previous Cultural Resources Studies within 0.25 Mile of the Project Area

CCIC Report Number	Title of Study	Author	Year	Proximity to Study Area*
SL-00036	<i>Summary Archaeological Report, Nipomo Sewer Project – Clean Water Grant, Project No. C-06-1255</i>	Spanne, L.W.	1977	Outside (within 0.25-mile radius)
SL-00335	<i>Yeager Property, Sandydale Road</i>	Dills, C.	1981	Outside (within 0.25-mile radius)
SL-00342	<i>Archaeological Potential of Proposed Project on Sandydale Road, Nipomo</i>	Dills, C.	1981	Within
SL-00362	<i>Archaeological Survey of the Miller Property on Willow Road, Nipomo, California</i>	Hoover, R.	1982	Outside (within 0.25-mile radius)
SL-00366	<i>Archaeological Reconnaissance on Sandydale Road, Near Nipomo, California</i>	Hoover, R.	1982	Outside (within 0.25-mile radius)
SL-00373	<i>An Archaeological Surface Reconnaissance of the Cannon Property on Sandydale Road, Nipomo</i>	Hoover, R.	1982	Outside (within 0.25-mile radius)
SL-00394	<i>An Archaeological Survey at the Southeast Corner of Inge and Pomeroy Roads, Nipomo</i>	Hoover, R.	1982	Outside (within 0.25-mile radius)
SL-00428	<i>Archaeological Evaluation, Arlt Property, Nipomo Mesa</i>	Hoover, R.	1981	Outside (within 0.25-mile radius)
SL-00662	<i>Letter Report: Archaeological Surface Reconnaissance at 520 Cory Street, Nipomo</i>	Hoover, R.	1983	Outside (within 0.25-mile radius)
SL-00670	<i>Letter Report: Archaeological Potential of Nipomo Property on Sandydale Road</i>	Dills, C.	1977	Within
SL-00702	<i>Cultural Resources Survey and Impact Assessment for Tentative Tract No. 1475 in Nipomo, San Luis Obispo County, California</i>	Singer, C.	1987	Outside (within 0.25-mile radius)
SL-00703	<i>Cultural Resources Survey and Impact Assessment for Tentative Tract No. 1458 in Nipomo, San Luis Obispo County, California</i>	Singer, C.	1987	Outside (within 0.25-mile radius)
SL-00704	<i>Letter Report: Cultural Resource Survey and Impact Assessment for Tentative Tract 1320 at 710 Pomeroy Road, Nipomo, San Luis Obispo County, California</i>	Singer, C.	1985	Outside (within 0.25-mile radius)
SL-00705	<i>Letter Report: Archaeological Survey of the Hamilton Property in Nipomo (TPM CO85-058)</i>	Singer, C.	1985	Outside (within 0.25-mile radius)
SL-00706	<i>Letter Report: Report on Archaeological Survey of Property on Calimex Street in Nipomo (Tentative Parcel Map CO 85-091)</i>	Spanne L.	1985	Outside (within 0.25-mile radius)
SL-00708	<i>Letter Report: Two-acre Property of Harry Miller</i>	Hoover, R.	1984	Outside (within 0.25-mile radius)
SL-00753	<i>Archaeological Survey Report for the Proposed Pomeroy Road Improvement Project from Tefft Avenue Northerly to Willow Road</i>	Hoover, R.	1987	Outside (within 0.25-mile radius)
SL-00805	<i>Archaeological Potential of the Pomeroy Road Project</i>	Dills, C.	1988	Outside (within 0.25-mile radius)

Dana Reserve Specific Plan Environmental Impact Report
Section 4.5 Cultural Resources

CCIC Report Number	Title of Study	Author	Year	Proximity to Study Area*
SL-00826	<i>Archaeological Surface Reconnaissance of the 5.1 Acre Bogunda Parcel, North Camino Caballo, Nipomo</i>	Sawyer, W.	1987	Outside (within 0.25-mile radius)
SL-00830	<i>Letter Report: Archaeological Potential of Sandy Dale Property</i>	Dills, C.	1988	Outside (within 0.25-mile radius)
SL-00838	<i>Letter Report: Archaeological Potential of Draper/Ybarra Properties, Nipomo</i>	Dills, C.	1988	Outside (within 0.25-mile radius)
SL-00998	<i>Archaeological Surface Reconnaissance of the 13.08 Acre Hernandez Parcel, TPM No. 1713, West Camino Caballo, Nipomo, California</i>	Sawyer, W.	1989	Outside (within 0.25-mile radius)
SL-01046	<i>Archaeological Surface Reconnaissance of the Five Acre Rogers Parcel, North Camino Caballo, Nipomo, California</i>	Sawyer, W.	1989	Outside (within 0.25-mile radius)
SL-01078	<i>Archaeological Surface Reconnaissance of the Four Acre Weber/Smith Parcel, Sandy Dale Road, Nipomo, California</i>	Sawyer, W.	1986	Outside (within 0.25-mile radius)
SL-01567	<i>Archaeological Potential of Project Between Thompson and Hetrick Roads, Nipomo</i>	Dills, C.	1990	Within
SL-01735	<i>Archaeological Potential of O'Roark Project Near Sandydale and Frontage Road (0690)</i>	Dills, C.	1990	Outside (within 0.25-mile radius)
SL-01793	<i>Draft Environmental Impact Report: State Water Project, Costal Branch, Phase II and Mission Hills Extension</i>	Pandora, Snethkamp, Michals, Lauren, and Julia Costella	1989	Outside (within 0.25-mile radius)
SL-01975	<i>Archaeological Potential of Lot Split on Sandydale Road, Nipomo (0767)</i>	Dills, Charles E.	1991	Outside (within 0.25-mile radius)
SL-02298	<i>Preliminary Cultural Resources Reconnaissance of Two Pipeline Segments in Nipomo and San Luis Obispo, San Luis Obispo County, California</i>	Runnings, A. and T. Haversat	1991	Outside (within 0.25-mile radius)
SL-02494	<i>Cultural Resource Investigation of the Proposed Water Distribution System for the Summit Station Assessment District, Nipomo Community Services District</i>	Parker, John	1993	Outside (within 0.25-mile radius)
SL-02509	<i>Results of Archaeological Monitoring for the Unocal Pipeline Replacement Project North of Nipomo, SLO</i>	Gibson, Robert O.	1993	Outside (within 0.25-mile radius)
SL-02853	<i>Cultural Resource Investigation of the Nix Parcel 832 Calimex Place Nipomo, CA</i>	Parker, John	1995	Outside (within 0.25-mile radius)
SL-03254	<i>Supplemental Cultural Resources Survey for a Water Line Project in Nipomo Valley, San Luis Obispo County, California</i>	Singer, Clay	1997	Within
SL-03516	<i>Cultural Resource Investigation of the Reineke Parcel, 857 Calimex Place, Nipomo</i>	Parker, John	1998	Outside (within 0.25-mile radius)
SL-03574	<i>An Archaeological Surface Survey of the Hesse Nursery, Live Oak Ridge Road, Nipomo Area, San Luis Obispo, County, California</i>	Conway Thor	1998	Outside (within 0.25-mile radius)

Dana Reserve Specific Plan Environmental Impact Report
Section 4.5 Cultural Resources

CCIC Report Number	Title of Study	Author	Year	Proximity to Study Area*
SL-03633	<i>Cultural Resource Monitoring of the Septic System Installation for the Gibbs/Windsor Mobile Home Sales Lot, 325 Frontage Road, Nipomo</i>	Parker, John	1999	Within
SL-03672	<i>Cultural Resource Investigation of the Gibbs/Windsor Mobile Home Sales Lot, 325 N. Frontage Road, Nipomo</i>	Parker, John	1999	Within
SL-03685	<i>Results of Phase One Archaeological Surface Survey and Archival Record Checks for Two Proposed Locations for Lucia Mar Unified School District, Nipomo High School Project, Nipomo, San Luis Obispo County, CA</i>	Gibson, Robert O.	1998	Outside (within 0.25-mile radius)
SL-03802	<i>Cultural Resource Investigation of the Ellis Parcel 536 Pomeroy Road, Nipomo APN 091-325-002</i>	Parker, John	1999	Outside (within 0.25-mile radius)
SL-04309	<i>Phase 1 Archaeological Survey of 738 Pomeroy Road, Nipomo, San Luis Obispo County</i>	Conway, Thor	2001	Outside (within 0.25-mile radius)
SL-04352	<i>Inventory and Assessment of Cultural Resources for the Willow Road Extension Project, Nipomo Mesa, San Luis Obispo County, CA</i>	Gibson, Robert O. and Jeff A. Parson	1997	Within
SL-04353	<i>Archaeological Inventory and Assessment of Cultural Resources for the Willow Road Extension Project, Nipomo, San Luis Obispo County, CA</i>	Gibson, Robert O.	1996	Within
SL-04405	<i>Result of Phase One Surface Survey for the 42 Acre Mehlschau Parcel at Hetrick Road and Willow Road, West of Highway 101, Nipomo, San Luis Obispo County, CA</i>	Gibson, Robert O.	2001	Outside (within 0.25-mile radius)
SL-04564	<i>Cultural Resources Inventory of the Nipomo Native Garden Corner of Camino Caballo and Pomeroy Avenue, Nipomo, CA</i>	Bertrando, E.	2001	Outside (within 0.25-mile radius)
SL-05082	<i>Positive Archaeological Survey Report for the Willow Road Extension Project, County of San Luis Obispo, California</i>	Pletka, Scott and Nicole Pletka	2003	Within
SL-05127	<i>A Phase I Archaeological Surface Survey at 884 Calimex Place, Nipomo, San Luis Obispo County</i>	Conway, Thor	2004	Outside (within 0.25-mile radius)
SL-05286	<i>Archaeological Survey Report Willow Road Extension Project City of Nipomo, County of San Luis Obispo, California</i>	Pletka, Scott and Nicole Pletka	2003	Within
SL-05287	<i>Archaeological Survey Report: Willow Road/US 101 Interchange Project City of Nipomo, County of San Luis Obispo, California</i>	Pletka, Scott and Nicole Pletka	2003	Within
SL-05416	<i>A Phase I Archaeological Survey of the Centner Center Property, Sandydale Drive, Nipomo, San Luis Obispo County</i>	Conway, Thor	2004	Within
SL-05878	<i>Results of Archaeological Monitoring at the Southwest Corner of North Frontage Road and Sandydale Road in Nipomo, San Luis Obispo County, CA</i>	Gibson, Robert O.	1983	Outside (within 0.25-mile radius)
SL-06067	<i>Supplementary Phase I Survey and Archaeological Evaluation (Phase II) Report, Willow Road Extension Project Community of Nipomo, County of San Luis Obispo, California, CA-SLO-1767, CA-SLO-2271, P-40-038219, P-40-038220, LSA-RAJ334-I-5, and LSA-RAJ334-I-6</i>	Strudwick, Ivan H. Pletka Scott, and Nicole Pletka	2005	Within
SL-06184	<i>Results of an Archival Records Review and Phase One Archaeological Surface Survey On About a 16 Acre Portion of a Parcel (APN# 091-301-061), at 660 Cherokee Place Nipomo Mesa, Arroyo Grande, CA</i>	Gibson, Robert O.	2006	Within

CCIC Report Number	Title of Study	Author	Year	Proximity to Study Area*
SL-06220	<i>A Phase I Archaeological Surface Survey at 526 North Oakglen, Nipomo, San Luis Obispo County</i>	Conway, Thor	2007	Outside (within 0.25-mile radius)
SL-06506	<i>Willow Road Extension Phase 1, Nipomo, California, San Luis Obispo County, California</i>	Price, Barry A.	2009	Outside (within 0.25-mile radius)
SR-02740	<i>Final Report of Archaeological Investigations for Reaches 5B and 6, Coastal Branch Aqueduct, Phase II</i>	Lebow, C., et al., and Applied Earthworks	2001	Outside (within 0.25-mile radius)

* The project area expanded after the records search was submitted and some studies that were mapped by the CCIC as outside the project area are now "Within."

Previously Recorded Cultural Resources

The CCIC records search data revealed that 13 previously identified cultural resources are within a 0.25-mile radius, three of which (P-40-002132, P-40-002271, and P-40-002273) overlap with the Specific Plan Area (Table 4.5-2). Further review of Gibson’s site forms for P-40-2132 reveal mention of an additional resource (P-40-001053) located approximately 200 meters from P-40-002132. This resource, however, although purportedly within the Specific Plan Area, was not included in the CCIC’s records search results. Subsequent to the receipt of the records search results, SWCA obtained a copy of the site forms for P-40-001053, which as plotted by the CCIC, is actually 0.5 mile east of the project area on the opposite side of US 101. Review of the site forms places this resource in the current location of P-40-002273; therefore, it is possible P-40-00-1053 and P-40-002273 are the same resource. For the purposes of this document, temporary site designations have been assigned where appropriate.

Table 4.5-2. Previously Recorded Cultural Resources within 0.25 Mile of the Project Area

Primary Number	Trinomial	Resource Description	NRHP Eligibility Status	Recorded By and Year	Proximity to Study Area
P-40-001319	CA-SLO-1319H	Historic: Road	Unknown/ Not Evaluated	Jim Schmidt and John Patton (1989)	Outside (within 0.25-mile radius)
P-40-001417	CA-SLO1417	Prehistoric: Lithic scatter; habitation debris	Unknown/ Not Evaluated	Charles E. Dills and Jamie Karl (1985)	Outside (within 0.25-mile radius)
P-40-001620	CA-SLO-1620	Prehistoric: Lithic scatter; habitation debris	Unknown/ Not Evaluated	R.O. Gibson, Mark Vigil (1993)	Outside (within 0.25-mile radius)
P-40-002131	CA-SLO-2131	Prehistoric: Lithic scatter; hearth/pit	Unknown/ Not Evaluated	R.O. Gibson (1997)	Outside (within 0.25-mile radius)
P-40-002132	CA-SLO-2132	Prehistoric: Lithic scatter; hearth/pit	Unknown/ Not Evaluated	R.O. Gibson (1997)	Within
P-40-002133	CA-SLO-2133	Prehistoric: Lithic scatter; hearth/pit	Unknown/ Not Evaluated	R.O. Gibson (1997)	Outside (within 0.25-mile radius)
P-40-002150	CA-SLO-2150	Prehistoric: Habitation debris	Unknown/ Not Evaluated	R.O. Gibson (2001)	Outside (within 0.25-mile radius)

Primary Number	Trinomial	Resource Description	NRHP Eligibility Status	Recorded By and Year	Proximity to Study Area
P-40-002271	CA-SLO-2271	Prehistoric: Unknown	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Within
P-40-002273	CA-SLO-2273	Prehistoric: Lithic scatter	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Within*
P-40-002276	CA-SLO-2276	Prehistoric: Isolated shell fragment	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Outside (within 0.25-mile radius)
P-40-038218	-	Prehistoric: Isolated shell fragment	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Outside (within 0.25-mile radius)
P-40-038219	-	Prehistoric: Isolated shell fragment	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Outside (within 0.25-mile radius)
P-40-038220	-	Prehistoric: Isolated retouched chert flake	Unknown/ Not Evaluated	Nicole and Scott Pletka (2003)	Outside (within 0.25-mile radius)

Note: NRHP = National Register of Historic Places

* The project area expanded after the records search was submitted and although CA-SLO-2273 was mapped as outside the project area, it is now "Within."

P-40-002132

Prehistoric archaeological resource P-40-002132 was originally recorded by Robert Gibson in 1997. When originally recorded, the site consisted of a low-density lithic scatter of Monterey chert, two chert cores, one denticulate scraper, and weathered and burnt marine shell fragments. A second concentration was identified between the resource and US 101 and was designated as Locus B. In 2005 Gibson revisited the resource and subsurface testing was conducted within Locus A. Testing within Locus B was not conducted at the time due to objections by the property owner. Six shovel test pits (STPs) and one 1- by 1-meter test unit were excavated within Locus A. All STPs were excavated to 80 to 100 centimeters below the surface (cmbs) and augered to a total depth of 200 cmbs, while the test unit was excavated to a depth of 100 cmbs. Of the six STPs excavated, three yielded cultural materials and the excavation unit yielded 10 chert flakes, 10 fragments of mammal bone, and carbon spotting in the 40 to 80 cmbs level.

P-40-002271

Archaeological resource P-40-002271 was originally recorded in 2003 by LSA Associates. When originally recorded, the site consisted of a sparse scatter of Pismo clam (*Tivela stultorum*) shell fragments adjacent to Willow Road. As no diagnostic artifacts were present at the time of recording, the age of the resource could not be determined; however, this resource is undoubtedly historic in nature. Historic-era Pismo clam scatters are common to the area.

P-40-002273

Prehistoric archaeological resource P-40-002273 was originally recorded in 2003 by LSA Associates. When originally recorded, the resource consisted of a sparse lithic scatter of Monterey chert flakes and one biface preform fragment. Additionally, one retouched flake fragment was identified within the site boundary. No features, fire affected rock, or cultural soil were identified at the time of recordation.

4.5.1.3.2 NATIVE AMERICAN COORDINATION

SWCA contacted the California Native American Heritage Commission (NAHC) by email on July 8, 2021, requesting a review of the Sacred Lands File. The NAHC responded on July 29, 2021, indicating that the results of the search were positive. No additional information was provided regarding the positive results. The NAHC also provided a list of 11 Native American groups or representatives and recommended contacting each for any information they may have regarding cultural or tribal resources in the project area. Tribal consultation is described in detail in Section 4.18, *Tribal Cultural Resources*, of this EIR.

4.5.1.3.3 FIELD SURVEY

SWCA Archaeologists Morgan Bird, Tom Wheeler, and Leroy Laurie conducted an intensive pedestrian survey between July 1 and 9, 2021, using transects spaced no more than 15 meters apart over the entire Specific Plan Area, as well as the off-site location of the proposed extension of North Frontage Road to connect to the southeastern corner of the Specific Plan Area. The entire area surveyed was accessible and surface visibility was variable, ranging from poor (0%–25%) to excellent (75%–100%). In areas of diminished surface visibility, particular attention was paid to exposed rodent burrows and spoils. Overall surface visibility was sufficient for the identification of resources.

All areas of exposed ground surface were examined for prehistoric artifacts (e.g., chipped stone tools and production debris, stone milling tools), historic artifacts (e.g., metal, glass, ceramics), soil discoloration that might indicate the presence of a cultural midden, linear features, soil depressions, and other features indicative of the former presence of historic structures or buildings (e.g., foundations).

Survey Results

The pedestrian survey relocated two (P-40-002132 and P-40-002273) of the three previously documented resources within the Specific Plan Area. Archaeological resource P-40-002271 was not relocated. Its documented location is within an area of dense vegetation growth and the resource was potentially destroyed during the construction of Willow Road. In addition, the survey identified a resource in the purported location of Gibson's mention of P-40-001053, which, as discussed above, is plotted incorrectly by the CCIC and is possibly in the same location as P-40-002273. For the purposes of this report, the resource was assigned the new temporary designation DR-001.

4.5.1.3.4 EXTENDED PHASE 1

At DR-001, P-40-002132, P-002273, and within areas of identified isolated artifacts throughout the project area, 30-cm-diameter STPs were excavated in arbitrary 20-cm levels. All excavated sediments were screened through 1/8-inch hardware cloth (mesh), and screened soil was observed for evidence of intact archaeological features, artifact concentrations, human remains, or unique isolated finds. If cultural materials were present at 80 cmbs, an auger was excavated until two sterile levels had been identified.

All cultural materials were quantified, weighed, described in the field, and backfilled into their respective STPs along with the screened soils. No collection, curation, or laboratory analyses of recovered cultural materials were included in the XPI.

Extended Phase I Results

A total of 185 STPs were excavated within the three general site areas and immediate vicinity. The results indicate the majority of the resources' extent are limited to very low densities of surface artifacts and no diagnostic or datable materials were identified on the surface outside of the known site boundaries. These

isolated materials have no information potential and are not datable. Subsurface deposits, which indicate more focused use or occupation, were noted within each resource, but were confined to much smaller areas. The boundaries of P-40-002132 and P-40-002273 were refined as a result of the XPI.

4.5.1.3.5 DISCUSSION

The pedestrian survey of the project area revealed surface evidence of two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). The resource types identified (lithic scatters with limited quantities of formal artifact and ecofacts) are common along this corridor of Nipomo Creek and along the Nipomo Mesa. The sprawling nature of low-density surface scatters of non-diagnostic lithic artifacts presents challenges when determining a resource's physical boundary. One goal of the XPI was to attempt to refine the known extent of previously documented resources and to define the extent of new resources, both vertically and horizontally. Another goal was to determine if each resource contained areas of concentrated subsurface deposits that could potentially educate future study to determine resource significance and/or identify areas that should be avoided by future project activities.

The vast majority of STPs were negative in areas with low densities of surface artifacts and subsurface deposits were confined within each resource in much smaller areas. This indicates the areas with the most potential to yield important information are confined to the areas with higher artifact concentrations and the presence of subsurface materials.

4.5.2 Regulatory Setting

4.5.2.1 Federal

There are no federal regulations related to cultural resources applicable to the project.

4.5.2.2 State

CEQA requires a lead agency (in this case the County) to determine whether a project may have a significant effect on historical resources. Sections 21083.2 and 21084.1 of the Statutes of CEQA, PRC Section 5024.1, and Section 15064.5 of the State CEQA Guidelines were used as the guidelines for the cultural resources study. PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the CRHR is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term "historical resources" includes a resource listed in, or determined to be eligible for listing in, the CRHR; a resource included in a local register of historical resources; and any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines Section 15064.5(a)). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP).

According to PRC Section 5024.1(c)(1-4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

- (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 installation, or 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.

Under CEQA, if an archaeological site is not a historical resource but meets the definition of a “unique archeological resource” as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section. A unique archaeological resource is defined as:

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

Resources that neither meet any of these criteria for listing on the CRHR nor qualify as a unique archaeological resource under CEQA PRC Section 21083.2 are viewed as not significant. Under CEQA, “A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects” (PRC Section 21083.2(h)).

Impacts that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to historical resources from the proposed project are thus considered significant if the project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance, or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

4.5.2.2.1 CALIFORNIA HISTORICAL LANDMARKS

California Historical Landmarks (CHLs) are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must be approved for designation by the County Board of Supervisors (or the city or town council in whose jurisdiction it is located), be recommended by the State Historical Resources Commission, and be officially designated by the Director of the California Department of Parks and Recreation (DPR). The specific standards now in use were first applied in the designation of CHL #770; CHLs #770 and above are automatically listed in the CRHR.

To be eligible for designation as a landmark, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or

- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

4.5.2.2.2 CALIFORNIA POINTS OF HISTORICAL INTEREST

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. Points of historical interest designated after December 1997 and recommended by the State Historical Resources Commission are also listed in the CRHR. No historic resource may be designated as both a landmark and a point. If a point is later granted status as a landmark, the point designation will be retired. In practice, the point designation program is most often used in localities that do not have a locally enacted cultural heritage or preservation ordinance.

To be eligible for designation as a point of historical interest, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type within the local geographic region (city or county);
- It is associated with an individual or group having a profound influence on the history of the local area; or
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

4.5.2.2.3 CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

PRC Section 5097.91 established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. PRC Section 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

4.5.2.2.4 CALIFORNIA PUBLIC RECORDS ACT

Sections 6254(r) and 6254.10 of the California Public Records Act, within the California Government Code, were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to “Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.” Section 6254.10 specifically exempts from disclosure requests for “records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another State agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a State or local agency.”

4.5.2.2.5 CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 7050 AND 7052

HSC Section 7050.5 declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the County Coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

4.5.2.2.6 CALIFORNIA PENAL CODE SECTION 622.5

California Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands, but specifically excludes the landowner.

4.5.2.2.7 CALIFORNIA PUBLIC RESOURCES CODE SECTION 5097.5

PRC Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands.

4.5.2.3 Local

4.5.2.3.1 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County has a vital interest in preserving its many older buildings, and prehistoric and historic sites, which not only represent the heritage of San Luis Obispo County, but also help define the character of the region today. The LUO (Title 22 of the County Code) dictates the following regarding archaeological resources:

In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- Construction activities shall cease, and the County Environmental Coordinator shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator so proper disposition may be accomplished. If the remains are determined to be Native American, then the County Coroner must notify the Native American Heritage Commission within 24 hours.

4.5.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Cultural Resources

Table 4.5-3 lists applicable state, regional, and local land use policies and regulations pertaining to cultural resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Chapter 3, *Environmental Setting*. Also included in Table 4.5-3 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.5.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

Table 4.5-3. Preliminary Policy Consistency Evaluation

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
County of San Luis Obispo General Plan		
Conservation and Open Space Element		
<p>Policy CR 1.1 Cultural identity. Establish and support programs that enhance the county's sense of community and identity, such as the collection of oral histories, cultural and genealogical research, and the acquisition of collections of historic artifacts, documents, and memorabilia relevant to the history of the county.</p>	<p>The intent of this policy is to support and enhance the County's sense of community and identity.</p>	<p>Potentially Consistent. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community of Nipomo. Further, mitigation has been included to ensure implementation of the project does not result in adverse effects to known or unknown archaeological, historical, and tribal cultural resources.</p>
<p>Policy CR 2.3 Living resources. Preserve historic sites and buildings and recognize cultural and archaeological resources as "living resources" that are part of a continuing culture.</p>	<p>The intent of this policy is to preserve historic sites and buildings.</p>	<p>Potentially Consistent. The Specific Plan Area does not contain significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural resources during project construction. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community.</p>
<p>Policy CR 3.1 Historic preservation. The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage.</p>	<p>The intent of this policy is to preserve archaeological, historical, and tribal cultural resources.</p>	<p>Potentially Consistent. The Specific Plan Area does not contain any structures that could be considered significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural resources during project construction. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community.</p>
<p>Policy CR 4.2 Protection of Native American cultural sites. Ensure protection of archaeological sites that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed.</p>	<p>The intent of this policy is to ensure protection of archaeological sites that are culturally significant to Native Americans.</p>	<p>Potentially Consistent. In accordance with AB 52, tribal consultation with appropriate tribes was conducted for the proposed project. Mitigation has been identified to ensure the avoidance of known cultural resource sites and protection of unknown cultural and tribal cultural resources, including unidentified human remains, during project construction. In addition, Section 4.18, <i>Tribal Cultural Resources</i>, includes additional mitigation for protection of tribal cultural resources.</p>

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
<p>Policy CR 4.3 Cultural resources and open space. The county supports the concept of cultural landscapes and the protection and preservation of archaeological or historical resources as open space or parkland on public or private lands.</p>	<p>The intent of this policy is to preserve cultural resources as open space or parkland.</p>	<p>Potentially Consistent. The DRSP includes site design and layout of the property intended to avoid the known cultural resources site and retain culturally sensitive areas in designated open space land.</p>
<p>Policy CR 4.4 Development activities and archaeological sites. Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection.</p>	<p>The intent of this policy is to ensure avoidance of known cultural resources.</p>	<p>Potentially Consistent. The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown culturally sensitive areas during project construction and operation.</p>
<p>Policy OS 1.1 Future open space protection. Continue to identify and protect open space resources with the following characteristics:</p> <ul style="list-style-type: none"> • Recreation areas • Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources • Archaeological, cultural, and historical resources • Scenic areas • Hazard area • Rural character 	<p>The intent of this policy is to preserve and protect cultural resources within open space areas.</p>	<p>Potentially Consistent. The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown cultural resource sites during project construction and operation.</p>

4.5.3 Thresholds of Significance

CEQA guides lead agencies to protect and preserve resources with cultural, historic, scientific, or educational value. State CEQA Guidelines Section 15064.5 provides significance threshold criteria for determining a substantial adverse change to the significance of a cultural resource. In addition, Appendix G of the CEQA Guidelines provides additional guidance in determining a project's impact on cultural resources. The information provided in the CEQA guidelines has been used to develop the significance criteria for cultural resources. The project would be considered to have a significant effect on cultural resources if the effects exceed the significance criteria described below:

- 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.
- c. Disturb any human remains, including those interred outside of dedicated cemeteries.

Each of these thresholds is discussed under Section 4.4.5, *Project-Specific Impacts and Mitigation Measures*, below.

4.5.4 Impact Assessment and Methodology

No historic structures or buildings are present within the project area; as such, this section focuses on impacts to archaeological resources. When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource. A substantial adverse change in the significance of a historical resource would occur if the project results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resources would be materially impaired. The significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its inclusion in, or eligibility for, inclusion in the CRHR;
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g), unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its eligibility for inclusion in the CRHR as determined by a lead agency for the purposes of CEQA.

Based on the results of the XPI, the County is assuming for the purposes of this project that DR-001, P-40-002132, and P-40-2273 are CRHR-eligible under Criterion D (*Has yielded, or may be likely to yield, information important in prehistory or history*). As such, for the purposes of this project, these archaeological resources (DR-001, P-40-002132, and P-40-2273) are considered historical resources under CEQA. Archaeological resource P-40-2271, as recorded, consists of a scatter of 11 “legal size” Pismo clam fragments. The size of the fragments indicates they are historic in nature and, due to the lack of context and data potential, are not considered either a unique archaeological resource or a historical resource. This resource is not CRHR-eligible and warrants no further consideration under CEQA.

4.5.5 Project-Specific Impacts and Mitigation Measures

Project-specific impacts include direct and indirect impacts. Direct impacts result from land modification directly and immediately caused by the construction, landscaping, operation, or maintenance of the proposed development. Indirect impacts also occur as a result of a specific project, but do not result from intentional ground disturbance. Common indirect impacts include erosion, vibration, unauthorized artifact collecting, and vandalism. As currently planned, the proposed project entails ground-disturbing construction activities during future construction phases. The remainder of this section discusses the potential impacts to cultural resources from the construction and occupation of the proposed development and related off-site improvements.

Because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Mitigation Measures CR/mm-2.1 through CR/mm-2.4.

WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO SECTION 15064.5?

Specific Plan Area

The Specific Plan Area encompasses approximately 288 acres of undeveloped land and there are no previously constructed buildings or structures within the site that could be eligible for listing as a historical resource. In addition, no historic resources have been identified within the surrounding area. A significant impact to historical resources could occur if there was potential for the proposed project to involve the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Since there are no historic resources or structures located within the DRSP or surrounding areas, future buildout of the Specific Plan Area would not require demolition, destruction, relocation, or alteration of any historical resources or structures. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource and *no impact* would occur.

Off-Site Improvements

CR Impact 1: Off-site improvements could result in adverse effects to historical resources. Impacts would be less than significant with mitigation (Class II).

The exact location of proposed off-site transportation improvements and NCSW water system and wastewater system improvements is currently not known; however, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, Willow Road, and Hetrick Avenue (among others; see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). As previously described, a significant impact to historical resources could occur if there was potential for the proposed project to involve the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways and other disturbed areas and would be installed at or below ground level. As a result, construction of off-site improvements would not be expected to require demolition, destruction, relocation, or alteration of any buildings or other structures. However, because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level. In order to ensure avoidance and minimization of impacts to historical resources, programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measure CR/mm-1.1 has been included to ensure avoidance and minimization of impacts to historical resources during installation of off-site improvements. With implementation of identified mitigation, impacts would be *less than significant with mitigation*.

CR Impact 1 (Class II)	
Off-site improvements could result in adverse effects to historical resources.	
Mitigation Measures	
CR/mm-1.1	<i>Historical Resources Evaluation.</i> <i>Prior to development of off-site improvements, <u>the applicant, in coordination with the Nipomo Community Services District, shall retain a County of San Luis Obispo-qualified architectural historian to</u> will conduct a review to determine the presence of historical resources and/or the potential for the improvements to affect historical resources and prepare a report that details the evaluation methodology, findings, and recommended mitigation</i>

CR Impact 1 (Class II)
<i>measures to avoid and/or minimize potential impacts. The report shall be submitted to the Nipomo Community Services District for implementation and to the County of San Luis Obispo Planning and Building Department for verification of compliance with this measure.</i>
Residual Impacts
<i>With implementation of Mitigation Measure CR/mm-1.1, impacts to off-site historical resources would be considered less than significant (Class II).</i>

WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO SECTION 15064.5?

Specific Plan Area

CR Impact 2: Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of known archaeological resources P-40-002132, P-40-002273, and DR-001. Impacts would be less than significant with mitigation (Class II).

As described in Section 4.5.1, *Existing Conditions*, the Specific Plan Area contains two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). The specific grading and construction plan for future buildout of the Specific Plan Area is currently not known; however, the conceptual master development plan for the DRSP indicates that buildout of commercial, residential, and recreational land uses would occur over 82.7% of the 288-acre site and the remaining 17.3% of the site would be retained as open space (see Figure 2-9 in Chapter 2, *Project Description*). Therefore, it would be reasonably assumed that future ground-disturbing activities would encompass approximately 238.2 acres of the Specific Plan Area. As a result, proposed development of the Specific Plan Area has the potential to directly impact significant prehistoric archaeological resources (P-40-02132, P-40-002273, and DR-001). The results of the XPI revealed that the surface distribution of each resource is significantly larger than the portions of each that contain subsurface deposits and higher artifact and ecofact densities. As the surface components of P-40-002132, P-40-002273, and DR-001 lack the potential to yield important data (i.e., Criterion D), proposed mitigation measures are focused on the portions of the resources that contain subsurface deposits with the most data potential.

The conceptual site design and layout of the Specific Plan Area have been designed to integrate and retain the known cultural resources site and culturally sensitive areas in designated open space land, which would avoid disturbance to identified resources. Mitigation Measures CR/mm-2.1 and CR/mm-2.2 have been included to further ensure avoidance of known cultural resource sites and culturally sensitive areas present within the Specific Plan Area. Based on the extent of future buildout and associated ground-disturbing activities, there is potential for inadvertent discovery of unknown cultural resource sites if present within the Specific Plan Area. Mitigation Measure CR/mm-2.3 has been identified to ensure protection of unknown cultural resources through implementation of avoidance and minimization measures in the event of inadvertent discovery. Further, Mitigation Measure CR/mm-2.4 has been identified to require worker awareness training to ensure construction workers and other project personnel are made aware of known cultural resources, the potential for inadvertent discovery of unknown cultural resources, and the proper protocol to be implemented if cultural resources are encountered during construction activities. Implementation of the identified mitigation measures would ensure avoidance and

minimization of impacts to known and unknown cultural resource sites. Based on the proposed site design and implementation of identified mitigation measures, future buildout of the project site would not result in a substantial adverse change in the significance of known or unknown cultural resources within the Specific Plan Area. Therefore, impacts would be *less than significant with mitigation*.

CR Impact 2 (Class II)	
Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of known archaeological resources P 40 002132, P-40-002273, and DR-001	
Mitigation Measures	
CR/mm-2.1	<p>Environmentally Sensitive Areas. <i>The Extended Phase I study identified areas within each resource that contain subsurface deposits, which have higher potential to yield important information. Although abundant within the project area, non-diagnostic surface artifacts generally lack significant data potential. As such, the localized portions of each respective resource that contain evidence of subsurface deposits shall be avoided.</i></p> <p><i>These areas shall be labeled as Environmentally Sensitive Areas on construction plans for initial site preparation and infrastructure establishment, as well as construction plans for all future phases of the project. Highly visible temporary construction fencing shall be installed along the boundary and shall remain in place during initial ground disturbance. To the greatest extent feasible, no ground disturbance, construction worker foot traffic, storage of materials, or storage or use of equipment shall occur within 50 feet of the Environmentally Sensitive Areas. If an Environmentally Sensitive Area will be accessible by occupants or visitors to the development, the Environmentally Sensitive Area shall be clearly marked, and designated trails will be established to ensure that no future impacts to the Environmentally Sensitive Areas occur as a result of the project. Where feasible, native vegetation shall be planted and maintained in a way that protects off-trail activity within the Environmentally Sensitive Area(s) and minimizes impacts from planting, irrigation, and use for the life of the project.</i></p>
CR/mm-2.2	<p>Data Recovery Plan. <i>If a resource cannot be protected and avoided as an Environmentally Sensitive Area as described in CR/mm-2.1, the applicant shall retain a County of San Luis Obispo-qualified archaeologist to conduct and implement resource-specific data recovery prior to initial site preparation and infrastructure establishment, as well as prior to construction of all future phases of the project occurring within 50 feet of an Environmentally Sensitive Area. Prior to implementation of data recovery, a County-qualified archaeologist shall prepare a Data Recovery Plan outlining the goals and methods for conducting and reporting on the work. The Data Recovery Plan will include, but not be limited to:</i></p> <ol style="list-style-type: none"> 1. <i>Research design;</i> 2. <i>Excavation methodology;</i> 3. <i>Curation or repatriation plan;</i> 4. <i>Treatment of human remains;</i> 5. <i>Proposed sample size;</i> 6. <i>Proposed excavation locations; and</i> 7. <i>Coordination with local tribal groups.</i> <p><i>The Data Recovery Plan will be tailored to the level of physical disturbance at each resource (if any). As the full extent of proposed disturbance cannot be determined at this time, it is not practical to include the preparation of the Data Recovery Plan as part of this Environmental Impact Report. The Data Recovery Plan will be prepared in direct coordination with local tribal groups and shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval.</i></p>

CR Impact 2 (Class II)	
CR/mm-2.3	<p>Cultural Resources Protection Plan. In addition to the resource-specific Data Recovery program, a County of San Luis Obispo -qualified archaeologist shall prepare a Cultural Resources Protection Plan to ensure impacts to unknown resources are avoided or minimized during all future phases of the project, including off-site improvements. The Cultural Resources Protection Plan shall include, but not be limited to, the following provisions:</p> <ol style="list-style-type: none"> 1. List of personnel involved in the observation and oversight activities; 2. Description of how monitoring will occur; 2.3. <u>3.</u> Description of how tribal monitoring will occur in coordination with the Northern Chumash Tribal Council (NCTC) and yak tit'vu tit'vu yak ti'hini (ytt); 3.4. <u>4.</u> Description of frequency of monitoring (e.g., full-time, part time, spot checking); 4.5. <u>5.</u> Description of what resources are expected to be encountered; 5.6. <u>6.</u> Description of circumstances that would result in the halting of work at the project site (e.g., what is considered significant archaeological resources?); 6.7. <u>7.</u> Description of procedures for halting work on the site and notification procedures; 7.8. <u>8.</u> Description of reporting procedures; and 8.9. <u>9.</u> Consultation with appropriate Chumash tribal representatives. <p>The Cultural Resources Protection Plan shall outline how and when archaeological and/or tribal monitoring may occur during initial project activities. The intent of the Cultural Resources Protection Plan is to ensure avoidance of adverse impacts to resources protected as Environmentally Sensitive Areas and to ensure proper treatment in the case unknown resources are inadvertently discovered during project implementation.</p>
CR/mm-2.4	<p>Worker Awareness Training. Prior to construction activities, the applicant shall have a County of San Luis Obispo-qualified archaeologist and a tribal representative conduct a cultural resources training for all construction personnel, including the following:</p> <ol style="list-style-type: none"> 1. Review the types of archaeological artifacts that may be uncovered; 2. Provide examples of common archaeological artifacts to examine; 3. Review what makes an archaeological resource significant to archaeologists and local Native Americans; 4. Describe procedures for notifying involved or interested parties in case of a new discovery; 5. Describe reporting requirements and responsibilities of construction personnel; 6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and, 7. Describe procedures that would be followed in the case of discovery of disturbed and/or intact human burials and burial-associated artifacts.
Residual Impacts	
With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, impacts to known resources would be considered less than significant (Class II).	

Off-Site Improvements

CR Impact 3: Off-site improvements could result in adverse effects to archaeological resources. Impacts would be less than significant with mitigation (Class II).

The exact location of proposed off-site transportation improvements and NCSW water system and wastewater system improvements is currently not known; however, proposed off-site improvements are

anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road (among others; see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). A potentially significant impact could occur if proposed ground-disturbing activities were to disturb known or unknown cultural archaeological resources if present within the proposed disturbance area.

Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways, disturbed road shoulder areas within public ROW, and existing NCSO facilities (e.g., Southland WWTF), which would reduce the potential to uncover previously unidentified resources. However, based on required ground-disturbing activities for installation of off-site improvements and the archaeological sensitivity of the Nipomo area, there would still be potential to encounter cultural archaeological resources if present within the proposed disturbance areas. Because off-site improvements have not been designed and their precise location, construction techniques, etc. are not currently known, potential impacts are being evaluated at a programmatic level. In order to ensure avoidance and minimization of impacts to historical resources, programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1 have been included to ensure avoidance and minimization of impacts to cultural archaeological resources during installation of off-site improvements. Therefore, impacts would be *less than significant with mitigation*.

CR Impact 3 (Class II)	
Off-site improvements may result in adverse effects to archaeological resources.	
Mitigation Measures	
Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.	
CR/mm-3.1	<p>Retain Archaeologist. Prior to development of off-site improvements, a County of San Luis Obispo-qualified archaeologist shall be retained by the applicant, <u>in coordination with the Nipomo Community Services District</u>, to conduct a review of California Historical Resources Information System records search data to determine the presence of known resources and determine if the off-site improvement areas have been previously subject to archaeological study, and whether the study adequately addresses the potential for archaeological resources to occur within the disturbance area associated with implementation of the project.</p> <p>If it is determined a study has not been conducted or existing research does not meet California Environmental Quality Act requirements for the identification and treatment of California Register of Historical Resources-eligible resources, a new study shall be conducted. The study shall identify archaeological resources that have the potential to be impacted by future development and provide mitigation measures to avoid and/or minimize potential impacts. Additional tasks, such as Native American coordination, Phase II archaeological testing, Phase III data recovery, and historic research, shall be conducted as necessary. The study shall identify cultural resources that have the potential to be impacted by future development and identify resource-specific mitigation measures to avoid and/or minimize potential impacts. The study shall be submitted to the <u>Nipomo Community Services District for implementation</u> County of San Luis Obispo Planning and Building Department prior to initiation of site preparation for off-site improvements and to the <u>County of San Luis Obispo Planning and Building Department for verification of compliance with this measure</u>.</p>
Residual Impacts	
With implementation of Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1, impacts to off-site archaeological resources would be less than significant (Class II).	

WOULD THE PROJECT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF DEDICATED CEMETERIES?

Specific Plan Area

CR Impact 4: Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of unknown human remains. Impacts would be less than significant with mitigation (Class II).

Background review and pedestrian field surveys did not indicate the presence of known burial sites within the Specific Plan Area. As described in CR Impact 4, it would be reasonably assumed that future ground-disturbing activities would encompass approximately 238.2 acres of the Specific Plan Area. Based on the extent of future ground disturbance and the known archaeological sensitivity in the project vicinity, there would be some potential for inadvertent discovery of previously unidentified human remains. If human remains were encountered during grading, the potential for disturbance of these remains would be potentially significant. However, implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 would ensure avoidance and minimization of impacts related to inadvertent discovery of unidentified human remains during future construction activities. Further, the project would be required to comply with HSC Section 7050.5 and County LUO Section 22.10.040. These policies identify the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the NAHC. The NAHC would determine a Most Likely Descendant (MLD) to complete an inspection of the site within 48 hours of notification and recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. The project would also be required to comply with PRC Sections 5097.94, 5097.98, and 5097.99 for further protection of human remains. Based on implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 and required compliance with state and local policies related to inadvertent discovery of human remains, future buildout of the project would not result in significant adverse disturbance to human remains. Therefore, potential impacts would be *less than significant with mitigation*.

CR Impact 4 (Class II)
Future project-related ground-disturbing activities and indirect impacts related to the use and occupation of the Specific Plan Area could result in disturbance and destruction of unknown human remains.
<i>Mitigation Measures</i>
<i>Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.</i>
<i>Residual Impacts</i>
<i>With implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4, impacts to unknown resources, including human remains, would be less than significant (Class II).</i>

Off-Site Improvements

CR Impact 5: Off-site improvements could result in disturbance and destruction of unknown human remains. Impacts would be less than significant with mitigation (Class II).

Ground-disturbing activities associated with the development of proposed off-site improvements, including those within previously disturbed roadways, road shoulder areas, or existing disturbed NCS D facilities, have low potential to disturb human remains; however, the presence of human remains is always a possibility during earth-disturbing activities. Compliance with existing laws and implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4 would ensure avoidance and minimization of impacts related to inadvertent discovery of unidentified human remains during installation of off-site improvements. The project would be required to comply with HSC Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol to be implemented in the event of inadvertent discovery of human remains. The project would also be required to comply with PRC Sections 5097.94, 5097.98, and 5097.99 for further protection of human remains. Therefore, potential impacts would be *less than significant with mitigation*.

CR Impact 5 (Class II)
Off-site improvements could result in disturbance and destruction of unknown human remains.
Mitigation Measures
Implement Mitigation Measures CR/mm-2.3 and CR/mm-2.4.
Residual Impacts
With implementation of Mitigation Measures CR/mm-2.3 and CR/mm-2.4, impacts to unknown resources would be considered less than significant (Class II).

4.5.6 Cumulative Impacts

CR Impact 6: Project implementation may result in the cumulative disturbance and destruction of historic resources, including archaeological and historical resources pursuant to State CEQA Guidelines Section 15064.5, and human remains. Impacts would be less than significant with mitigation (Class II).

Implementation of the project could contribute to the cumulative degradation of significant cultural resources in the county. The destruction of cultural resources can have the potential for significant cumulative impacts that are inherently important to the descendants of native peoples and make the study of prehistoric and historic life unavailable for study by scientists. Given the prevalence of cultural resources within and in the immediate vicinity of the project area, and the number of construction activities that involve disturbance of archaeologically sensitive areas that are not regulated, it is likely that significant prehistoric and historic resources are often not identified and are permanently lost. For the proposed project, impacts to any known CRHR-eligible resources could occur, and mitigation measures are in place to reduce these potential impacts. Based on implementation of recommended mitigation measures, potential cumulative impacts resulting from the proposed project are considered *less than significant with mitigation*.

CR Impact 6 (Class II)
Project implementation may result in the cumulative disturbance and destruction of historic resources, including historical and archaeological resources pursuant to State CEQA Guidelines Section 15064.5, and human remains.
Mitigation Measures
<i>Implement Mitigation Measures CR/mm-1.1, CR/mm-2.1 through CR/mm-2.4, and CR/mm-3.1.</i>
Residual Impacts
<i>With implementation of Mitigation Measures CR/mm-1.1, CR/mm-2.1 through CR/mm-2.4, and CR/mm-3.1, cumulative impacts to known and potentially unknown cultural resources would be less than significant with mitigation (Class II).</i>