

4.7 CULTURAL AND PALEONTOLOGICAL RESOURCES

This section evaluates the proposed project's potential impacts to cultural and paleontological resources. Cultural resources are sites, buildings, structures, objects, and districts over 50 years old¹ that may have traditional or cultural value for the historical significance they possess. Paleontological resources include fossil plants and animals and evidence of past life such as trace fossils and tracks (Bates and Jackson 1984). The California Environmental Quality Act (CEQA) requires that effects to cultural and paleontological resources by discretionary projects be considered in the planning process.

The findings and information in this section summarize the results of technical studies prepared for the proposed project by Cultural Resource Management Services, Paso Robles (Lober 2006); Gibson's Archaeological Consulting, Paso Robles (Gibson 2005); and LSA Associates, Inc., Point Richmond (Jones 2008). The technical studies are contained in Appendix G.

4.7.1 Cultural Resources Setting

This section describes the baseline conditions and cultural setting for the project area, as determined and developed by a records search at the Central Coast Information Center, a literature review, consultation with potentially interested parties, and a field survey.

Records Searches.

Central Coast Information Center. A records search was completed by the Central Coast Information Center (CCIC) of the California Historical Resources Information System, University of California, Santa Barbara, of the project area and a 0.25-mile (mi) radius on May 16, 2007. The CCIC, an affiliate of the State of California Office of Historic Preservation, is the official State repository of cultural resources records and reports for San Luis Obispo County.

No cultural resources are recorded within or immediately adjacent to the project area. Previous cultural resources studies have included the proposed 550-acre (ac) Development project site, the proposed wastewater pipeline route along Mission Street, the proposed potable water pipeline route extending under the United States Route 101 (US 101) freeway from the Development project site to 20th Street in San Miguel and then connecting to the San Miguel CSD and existing water zone, and the proposed improvements to the interchange at Mission Street/US 101. Gibson (2005) conducted an archival records search and an archaeological survey for the proposed 550 ac Development project site. No archaeological sites were identified as a result of Gibson's study, and additional study for archaeological resources was not recommended. Pruett (1996) conducted a cultural resources survey for a proposed 12-mile gas pipeline extending from Paso Robles to Camp Roberts. The survey included that portion of Mission Street where a wastewater pipeline is proposed as part of the current project. Pruett did not identify any cultural resources within the current project area, and no additional study for cultural resources within the Mission Street component of the project area was recommended. Bertrando (2002) conducted a cultural

¹ Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource (California Office of Historic Preservation 2006a:3; CCR Title 14(11.5) §4852 (d)(2)).

resources study for a proposed development of approximately 22 ac northwest of 19th and Mission Streets, which included a segment of the proposed potable water pipeline between US 101 and the Southern Pacific Railroad along 20th Street. Bertrando identified remnants of circa (c.) 1940s–1960s overflow military housing on the property, including paths, roads, porches, and discrete concentrations of discarded trash. Bertrando concluded that none of these remains, however, are significant resources under CEQA, and no further study or protection of cultural resources was recommended. Lober (2006) conducted a cultural resources study for the Mission Street/US 101 access road improvements proposed by the current project. The study did not identify any cultural resources within the current project area, and additional study for cultural resources was not recommended.

Three prehistoric archaeological sites—CA-SLO-505, CA-SLO-1271, and CA-SLO-2004—are recorded within 0.25 mi of the proposed Development project site or off-site project components. CA-SLO-505 consists of chert and obsidian flakes, groundstone, and heat-affected rock; CA-SLO-1271 consists of chert artifacts and heat-affected rock; and CA-SLO-2004 consists of chert flakes and a contracting-stem projectile point.

Literature Review. LSA reviewed publications and maps for archaeological, historical, ethnographic, and environmental information about the project area and its vicinity.

A concrete-lined reservoir is within the Development project site, and archival research was conducted in order to assess the reservoir's historical significance. Research was conducted at the San Luis Obispo County Assessor's and Clerk/Recorder's offices; the Local History Room of the San Luis Obispo County Library, San Luis Obispo; and the San Luis Obispo County Historical Society's Public Research Room, San Luis Obispo County Historical Museum, San Luis Obispo. The research was conducted to determine whether the reservoir (1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (2) is associated with the lives of persons important in our past; (3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (4) has yielded, or may be likely to yield, information important in history (CEQA Guidelines Section 15064.5(a)(3)). In addition, two recently published studies, *Water Conveyance Systems in California* (JRP Historical Consulting Services and California Department of Transportation 2000) and *A Historical Context and Archaeological Research Design for Agricultural Properties in California* (California Department of Transportation 2007), were reviewed to determine whether the concrete-lined reservoir could be evaluated within the context of established historical themes or research questions.

No archaeological or ethnographic sites within or immediately adjacent to the project area were indicated by the literature review. Significant archaeological deposits associated with Mission San Miguel, however, have been identified south of the proposed wastewater treatment plant expansion area, across the street from Mission San Miguel between Mission Street and the Salinas River.

Historical maps and aerial photos show buildings and structures older than 50 years in the project area. A north-south-trending unimproved road appears on the 1919 United States Army Corps of

Engineers *San Miguel, California* 15-minute topographic map in the E ½ of the NW ¼ of Section 17. This same map also depicts a building, possibly within the proposed Wastewater Treatment Plant expansion site in the NW ¼ of Section 16. A 1937 aerial photograph of the Development project site shows that the reservoir in the NE ¼ of the NW ¼ of Section 17 had been constructed and that much of the area east of the northerly flowing creek in Sections 8 and 17 of the Development project site was planted with orchards or vineyards (Sutton 2004:Appendix B). By 1947 (United States Geological Survey [USGS] *San Miguel, California* 15-minute topographic map), the existing road infrastructure, as depicted on the most recent (1979) USGS *San Miguel, California* 7.5-minute topographic map, had been constructed on the proposed Development project site.

The archival research indicated that the concrete-lined reservoir is not associated with significant historical events; historical figures; distinctive characteristics of a type, period, region, or method of construction; the work of an important creative individual; high artistic values; nor can it yield information important in history.

Consultation.

Historical Societies. On May 10, 2007, LSA sent a letter describing the project and map depicting the project to the San Luis Obispo County Historical Society and Mission San Miguel Arcangel requesting information or concerns regarding historical sites in the project area. No responses to the letters were received, and follow-up telephone calls were made. A summary of these follow-up calls is presented below.

San Luis Obispo County Historical Society (Society). On June 6, 2007, LSA contacted the Society via telephone and left a voicemail message requesting that the Society contact LSA if it had information or concerns about historical sites in the Development project site and off-site construction areas. The Society returned LSA's telephone call on June 6, 2007, stating that it had no concerns about the proposed project.

Mission San Miguel Arcangel (Mission). On June 6, 2007, LSA contacted the Mission via telephone to determine whether it had information or concerns about historical sites in the project areas. The receptionist stated that she was not sure whether the Mission had concerns or information regarding historical sites in the project areas. On December 4, 2007, LSA sent a letter to Mission Guardian, Brother William Short, again requesting whether the Mission had information or concerns about historical sites in the project areas. Brother William Short responded in a letter on January 21, 2008, that, based on his review of Wallace Ohles book, *The Lands of Mission San Miguel*, "it would seem that the area indicated for the "San Miguel Ranch Project" is not associated in that work with significant Mission building or housing activities during the colonial period. Of course, all the land currently being considered in your project were once property of Mission San Miguel, so there is no guarantee that some items of the historical resource variety might not be found during the development of the project. We would be most interested in conserving them in the Mission Museum should they be found during your work."

Native American.

Native American Heritage Commission (NAHC). On May 10, 2007, LSA faxed a letter and map depicting the project area to the NAHC in Sacramento requesting a review of its Sacred Lands File for any Native American cultural resources that might be affected by the proposed project. Also requested were the names of Native Americans organizations or individuals that may have knowledge of cultural resources in the area. NAHC is the official state repository of Native American sacred site location records.

Katy Sanchez, NAHC Program Analyst, responded in a faxed letter on May 17, 2007, that a review of the Sacred Lands File did not “indicate the presence of Native American cultural resources in the immediate project area.”

Salinan Representatives. On May 21, 2007, LSA sent a letter describing the project and map depicting the Development project site and off-site construction areas to Salinan representatives in San Luis Obispo County identified by the NAHC, requesting information or concerns they may have about cultural sites in the project areas. No responses to the letters were received, and follow-up was conducted by telephone calls and e-mails. A summary list of all follow-up contacts is presented in the Cultural and Paleontological Resources technical report completed for this study (see Appendix G).

Three of the representatives contacted by telephone responded to LSA’s request for information. Judith Bomar Grindstaff stated that she had no concerns regarding the proposed project. John W. Burch with the Salinan Tribe of Monterey, San Luis Obispo, and San Benito Counties, referred LSA to Patti Dunton, whom Mr. Burch said sent a response letter to LSA regarding the proposed project. Shirley Macagni with the Salinan Tribe of Monterey, San Luis Obispo, and San Benito Counties stated that she passed the information request to Patti Dunton, who would call LSA if she had any concerns about the proposed project. No letter or telephone call has been received from Patti Dunton to date.

Additional letter and telephone contacts were made to Mr. Burch to inquire as to the status of Patti Dunton’s response letter. On August 15, 2008, Mr. Burch stated via telephone that Patti Dunton no longer works for the Salinan Tribe of Monterey, San Luis Obispo, and San Benito Counties and does not speak for the tribe on consultation requests. Mr. Burch also stated during that telephone call that the project area was sensitive for prehistoric and historic deposits and requested that the tribe be contacted when archaeological monitoring occurs. Mr. Burch said he would send an e-mail to LSA stating his concerns within a week. No e-mail from Mr. Burch has been received to date. On August 28, 2008, the tribe e-mailed LSA on behalf of John Burch, stating that the tribe’s cultural resources specialist would like to visit the project area. The e-mail stated that, “Because it [the Development site] is a high point overlooking the Salinas River we have concerns it could be a sacred or religious site.” LSA subsequently e-mailed the tribe a copy of Robert Gibson’s (2005) archaeological survey report (which identified no archaeological sites) of the property and requested that the tribe review the report and decide whether the tribe would like to visit the Development project

site. LSA contacted the tribe multiple times to determine whether its cultural resource specialist would like to visit the Development project site. On October 24, 2008, John Burch telephoned LSA to say that he had reviewed the Gibson (2005) report and would like to arrange a site visit. LSA met with Salinan tribal members John Burch, Patti Dunton, Chris Molina II, and Gary Pierce; and John Knight of RRM Design Group, a representative of the project proponent, at the Development project site on November 7, 2008. At the meeting, Mr. Knight discussed the proposed site development and noted that the hilltops and seasonal drainages would not be developed. Mr. Burch indicated that San Miguel was one of the more populated areas prehistorically and served as a “crossroads” for people traveling through the area. Mr. Burch noted the possibility of subsurface archaeological deposits, and the Tribe requested that monitoring be done. LSA stated that Gibson’s (2005) study did not support full-time monitoring but that “spot-check” monitoring could be done at key construction times. Mr. Burch stated that monitoring during initial earthmoving should be done and that periodic spot-checking would be needed. Mr. Burch submitted a letter on behalf of the Salinan Tribe on November 12, 2008, recommending weekly spot checks by a qualified archaeologist and a Salinan monitor during all ground-disturbing activities to ensure that previously unknown cultural resources are not impacted during project construction. Mr. Burch also recommended that a Salinan monitor be on site during all testing and evaluating conducted as part of Phase II testing (if required).

Senate Bill 18 (SB 18) Tribal Consultation. On March 17, 2006, the County of San Luis Obispo sent letters to local tribal representatives and organizations identified by the NAHC as eligible to consult with local governments pursuant to California Government Code §65352.3 (adopted pursuant to the requirements of SB 18). No requests for consultation have been received to date. Section 4.7.3, Regulatory Setting, explains the SB 18 consultation process.

Field Survey. Gibson’s Archaeological Consulting (Gibson 2005) and LSA (Jones 2008) conducted field studies of the proposed 550-acre Development project site. Gibson (2005) conducted a pedestrian survey to identify archaeological sites, and Jones (2008) conducted a field review to identify and evaluate historical built environment features.

Cultural resources surveys have also been conducted of off-site project components. Cultural Resource Management Services (Lober 2006) surveyed the proposed Mission Street/US 101 interchange area, and LSA (Jones 2008) conducted cultural resources surveys of the proposed Wastewater Treatment Plant expansion site, the Tenth Street access road, and the potable water pipeline corridor.

Farm roads and a concrete-lined reservoir, which are depicted on the 1948 topographic map and a 1937 aerial photograph, were identified in the development area. The roads are unimproved and appear to be regularly graded. The reservoir is no longer in use.

An isolated chert flake and an approximately 53 foot (ft) (N-S) x 53 ft (E-W) locus of debris were identified in the Wastewater Treatment Plant expansion site. The chert flake was identified in the western part of the Wastewater Treatment Plant expansion site on a bench terrace adjacent to the Salinas River. The debris was identified on a slope at the edge of the bench terrace and the Salinas

River floodplain and consisted primarily of bricks, but flat glass, nondiagnostic bottle glass fragments, and rusted metal were also observed. This locus of debris may be associated with a building once at or near this location, as depicted on the 1947 and 1948 *San Miguel, California* USGS maps.

No other cultural resources were identified on the proposed Development project site or at off-site project components.

Prehistoric Setting. Although there have been numerous archaeological excavations in San Luis Obispo and Monterey Counties, most have occurred at coastal sites. Knowledge of cultural sequences and lifeways of prehistoric inhabitants from interior San Luis Obispo County is, therefore, based largely on research of coastal sites.

Jones and Haney's (2005) chronology for Native American sites along the San Antonio and Nacimiento drainages west of the project area may also apply to the Upper Salinas Valley. The chronology, based on excavations conducted between 1983 and 1990 on the Big Sur coast, [has been applied to the Central Coast region, including the Salinas Valley \(Jones et al. 2007\)](#) and consists of the Paleoindian and Millingstone periods (pre-3500 BC), Early Period (3500–600 BC); Middle Period (600 BC–AD 1000); Middle/Late Transition Period (AD 1000–1250); and Late Period (AD 1250–1769).

The Millingstone culture, associated with occupation prior to 3500 BC, consisted of populations whose subsistence practices relied heavily on edible plants and seeds, with hunting being of secondary importance. Millingstone assemblages often include milling slabs, handstones, crude core tools, and large side-notched projectile points.

During the Early Period, populations diversify their subsistence base and are more sedentary than during the Millingstone, as indicated by the presence of permanent residential bases. Archaeological sites dating from this period have included Rossi square-stemmed and contracting-stemmed projectile points, milling slabs, handstones, and a few mortars and pestles.

The Middle Period shows significant continuity from the [Early Period](#), as suggested by a similar groundstone assemblage and the persistence of contracting-stemmed projectile points. In contrast to previous periods, however, significant increases in dietary richness and diversity are evident.

During the Middle/Late Transition Period, many sites occupied during earlier periods were abandoned and other sites were occupied for the first time, a situation possibly indicative of population displacement resulting from the in-migration of Salinan and Esselen groups (Jones 2008). Artifacts occurring during the Highland Phase for the first time included small leaf-shaped and Desert side-notched projectile points, hopper mortars, and new *Olivella* bead types.

Archaeological sites dating from the Late Period are more plentiful than those from earlier periods and occur in a broader range of elevations and distances inland, suggesting increased population and social complexity and exploitation of new habitats (Jones and Haney 2005:38).

Research near the project, on Fort Hunter Liggett and Camp Roberts, have identified Early Period archaeological sites. At CA-MNT-1918, northwest of the San Miguel Urban Area, Jones and Haney (2005) identified a habitation site containing midden; abundant Monterey chert debitage; several projectile points, including Rossi Square-stemmed and contracting-stemmed points; and handstones. Dating evidence suggests CA-MNT-1918 was occupied from 3500 to 1000 BC. Closer to the project on Camp Roberts, Breschini and Haversat (1988:133) obtained a radiocarbon date from a shell bead of c. 700 BC from CA-SLO-1180, suggesting occupation of the Camp Roberts area during the Middle Period.

Ethnographic Setting. The San Miguel area is ethnographically attributed to the Salinan. Salinan territory at the time of Euro-American contact is estimated to have included the Pacific Coast from Lucia south to near Morro Bay, from the coast inland approximately 50 mi, and the Salinas River watershed from its headwaters north to Soledad (Jones 2008).

Linguistically, Salinan is included within the Hokan stock of Native American languages, possibly the most ancient language group in California. The Salinan spoke two dialects: Antoniaño and Miguelino, spoken in the vicinity of Missions San Antonio and San Miguel, respectively. The project area was within the territory of the Miguelino.

Based on San Antonio and San Miguel Mission records, the population of the Salinan at the time of European contact was estimated to be between 2,000 to 3,000 persons (Jones 2008). The population was likely organized into independent land-holding entities called tribelets. Tribelets typically consisted of a principal village that was occupied year-round and smaller satellite settlements occupied by certain families or during certain seasons. In general, Salinan inland sites were situated near freshwater sources, such as along creeks, river banks, and floodplains. The principal village of the Miguelino was at either present-day Cholame or, possibly, at the site of Mission San Miguel (Jones 2008).

Village structures included houses, semisubterranean sweathouses, and dancehouses, the latter of which is not described in the literature (Jones 2008). Houses were quadrangular and supported by a framework of poles. Thatched bundles of tule or rye were used for the roof, and the walls were made of tule. Semisubterranean sweathouses were constructed by excavating a 4 ft wide x 1 ft deep hole, over which brush, deer skins, and mud were erected to form a hemispherical structure.

Technology of the Salinan included basket weaving and a wide range of tools and implements fashioned from stone. Stone mortars and pestles were used for processing acorns and other plant food. Locally available Monterey chert was used to make arrow points, scraping tools, knives, and choppers (Jones 2008). Bone and shell was used to make awls, personal adornments, and fishhooks (Jones 2008).

The Salinan have been described as “completely omnivorous” (Jones 2008). Acorns were a staple food, and various seeds, roots, berries, and greens were also collected. Salinan along the coast relied heavily on a wide variety of marine resources, while those in the interior likely fished for trout and suckers in streams and for salmon in the Salinas River (Jones 2008). Small animals, including snakes, rabbits, birds, and yellow-jacket larvae were consumed. Large mammals such as deer, bear, and antelope also constituted an important component of the Salinan diet.

The establishment of Missions San Antonio de Padua in 1771 and San Miguel in 1797 disrupted the traditional lifeways of the Salinan and resulted in precipitous population decline. Once the Salinan entered the missions, they were prohibited from pursuing their traditional lifeways. Instead, they were taught agriculture, stock-raising, and employed at weaving (Jones 2008). Estimated to be between 2,000 to 3,000 individuals at the time the missions were established, the Salinan population declined to fewer than 700 by 1831 (Jones 2008).

Historical Setting. Euro-American exploration of the San Miguel area first occurred in 1795, when Father Buenaventura Sitjar of Mission San Antonio surveyed for a new mission site between San Luis Obispo and San Antonio with a group of military men (Jones 2008). A location with ample water and building materials was selected, which became the site of Mission San Miguel in 1797, the 16th of 21 missions established in Alta California. Mission San Miguel lands encompassed an area approximately 37 mi from north to south and 95 mi from east to west (Jones 2008) and were used for crops and grazing.

In 1833 the Mexican congress passed the Secularization Act, which directed the breakup of California's 21 missions as a means to transfer mission lands to settlers. In 1836 Ygnacio Coronel, a former soldier in the Spanish army, was appointed administrator of Mission San Miguel's confiscated lands.

During the early nineteenth century, it is likely that the only buildings in what is now the town of San Miguel were associated with the mission and the Rios-Caledonia Adobe, the latter constructed by mission neophytes in 1835. In later years the town was developed north of the mission and the Rios-Caledonia Adobe.

San Miguel's development was due largely to its location in the Salinas Valley where several tributaries and valleys converge. By the late 19th Century, numerous transportation routes, which followed these tributaries and valleys, converged on San Miguel (Jones 2008). Prior to the arrival of the Southern Pacific Railroad in 1886, transportation to and from the San Miguel area was reached by stagecoaches on "impassable, crooked, undulating and excessively long dirt roads" (Stanley 1976:59). With the arrival of the railroad in town, however, regular and reliable transport of mail, newspapers, produce, mercantile goods, and passengers to points north and south was achieved.

The railroad spawned new development. The December 3, 1886, edition of *The Inland Messenger* noted that 40 new houses existed in San Miguel (Jones 2008), and a post office was established the following year. By the 1890s the town had 3 hotels, 2 livery stables, 3 blacksmith shops, 5 churches, 10 saloons, and houses of prostitution (Jones 2008).

The town's "Golden Years" followed the arrival of the railroad and ended during the drought year of 1898 (Jones 2008). The drought brought an end to the town's early economic prosperity, with businesses closing and surrounding ranches losing thousands of cattle and horses.

Soon following the "Golden Years," the Army considered Nacimiento Ranch adjacent to San Miguel for use as a camp. The army did not, however, develop the Camp Nacimiento Replacement Training Center, later renamed Camp Roberts, until after the onset of World War II in 1939. Overseeing the

development of the Camp, Lieutenant Colonel Oliver Marston established his headquarters in an office in San Miguel at the Bank of America building in San Miguel (Jones 2008). The first trainees arrived at Camp Roberts in March 1941. By mid-1944, the Camp's population had soared to 43,000 troops and included two intern camps for German and Italian prisoners of war (Jones 2008). Overflow military housing was constructed in San Miguel during World War II to accommodate the large influx of troops to the camp.

By the end of World War II, local businesses had atrophied until only the west side of Main Street contained shops that served local ranches and a small population (Jones 2008). US 101 was rerouted west of the current town in the 1960s, further diminishing commercial activity.

Today, San Miguel supports a population of just over 1,400 residents. Commercial activity in town is centered, as it has been for over a century, adjacent to the railroad. As was the case since the mission period, much of the area surrounding the town is used for agriculture.

4.7.2 Paleontological Resources Setting

This section describes the baseline conditions and paleontological setting for the project area, as determined and developed by a fossil locality search at the University of California Museum of Paleontology (UCMP), a literature review, and a field survey.

Fossil Locality Search. A fossil locality was conducted on March 13, 2007, by the staff at the UCMP, Berkeley. The search results identified one fossil locality in the vicinity of the project, UCMP V6546, containing an astragalus (ankle bone) from a camel. The locality description, however, is unclear as to the exact location of the fossil, stating, "Astragalus of cameloid from Fd. [found?] below 18 ft of sand and gravel, R.R. station, San Miguel, San Luis Obispo Co." (Jones 2008). The San Miguel railroad station is less than 1 mi from the proposed residential/commercial development and off-site construction areas.

Literature Review. LSA reviewed paleontological and geological literature relevant to the project area and its vicinity. This review identified the residential development project area as being underlain by the Paso Robles formation, which is known to contain fossils. Pliocene marine fossils have been recovered from the base of the Paso Robles formation, providing the first fossil diagnostic evidence of its age, as well as fossil sea lions (Jones 2008). The wastewater treatment plant expansion area is underlain by two formations of Quaternary (less than 10,000 years old) alluvium, which can contain fossils.

Field Survey. An LSA paleontologist conducted a paleontological resources field survey of all portions of the project on November 19, 2007. Visibility was excellent at the time of the survey, as the majority of the ground surface had been recently plowed. The survey examined those areas where fossil-bearing geological units might be exposed, including creek channels, canyons, and hilltops.

No fossils were identified as a result of the field survey, although the presence of the fossil-bearing units (Quaternary Alluvium and Paso Robles Formation; see below) in the project area indicates a high possibility of fossils.

Paleontological Setting. The project area is underlain by (1) Holocene and Pleistocene alluvium, the latter of which can contain fossils; (2) the Paso Robles Formation, which can have abundant marine fossils; and (3) the Santa Margarita Formation, which contains abundant marine fossils. Pleistocene alluvium, the Paso Robles Formation, and the Santa Margarita Formation are sensitive for paleontological resources. The Santa Margarita Formation, however, underlies the project at considerable depth, and therefore, project impacts to paleontological resources of the Santa Margarita Formation are not anticipated. These geological formations are discussed below.

Alluvium and Older Alluvium. The wastewater treatment plant expansion area is located on alluvial deposits. This alluvium is composed of two members: alluvium and older alluvium. The alluvium is Holocene (less than 10,000 years old). The older alluvium is considered to be Pleistocene (10,000 to 1.5 million years old), but as it overlies the Paso Robles formation unconformably it may be Holocene. Both alluviums combined are at least 60 ft deep (Jones 2008).

Paso Robles Formation. The Paso Robles Formation is made up of Plio-Pleistocene (1.5 to 5.3 million years old) sediments composed mainly of conglomerate and sandstone (Burch and Durham 1970). The Paso Robles Formation is estimated to be 1,000 ft or more thick. It conformably overlies the Miocene-Pliocene (5.3 to 23.7 million years old) Santa Margarita sandstone formation (Jones 2008) and locally unconformably overlies the Miocene (1.5 to 23.7 million years old) Monterey Shale formation (Jones 2008). Although the Paso Robles Formation is predominantly nonmarine (Jones 2008), it has been known to contain locally abundant invertebrate marine fossils, as well as an isolated locality of a pinniped (seals and sea lions) 8 mi south of Santa Margarita. These fossils are similar to fossils found to the north, indicating the presence of a marine seaway in the area in the early Pliocene (5.3 million years ago) (Jones 2008).

Santa Margarita Formation. The Santa Margarita Formation is Miocene (5.3 to 23.7 million years old) thick-bedded calcareous sandstone rich in marine fossils (Burch and Durham 1970). This unit also contains areas of mudstone and conglomerate. It varies from 100–500 ft thick in different areas and conformably overlies the Miocene-aged Monterey Shale.

4.7.3 Regulatory Setting

This section describes the cultural resource requirements of the California Environmental Quality Act (CEQA), California Health and Safety Code, Public Resources Code (PRC), Historic Element and Agricultural and Open Space Element of the County General Plan, and the County's Building and Construction Ordinance.

CEQA Requirements. CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) listed in a local register of historical resources as defined in PRC Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project’s lead agency (Public Resources Code Section 21084.1 and State CEQA Guidelines Section 15064.5(a)). A historical resource consists of:

“Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. . . . Generally, a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources” State CEQA Guidelines Section 15064.5(a)(3).

In accordance with State CEQA Guidelines Section 15064.5(b), a substantial adverse change in the significance of a historical resource is a significant effect on the environment.

CEQA requires a Lead Agency to determine whether an archaeological cultural resource meets the definition of a historical resource, a unique archaeological resource, or neither (State CEQA Guidelines Section 15064.5(c)). Prior to considering potential impacts, the Lead Agency must determine whether an archaeological cultural resource meets the definition of a historical resource in State CEQA Guidelines Section 15064.5(c)(1). If the archaeological cultural resource meets the definition of a historical resource, then it is treated like any other type of historical resource in accordance with State CEQA Guidelines Section 15126.4. If the archaeological cultural resource does not meet the definition of a historical resource, then the lead agency determines whether it meets the definition of a unique archaeological resource as defined in CEQA Section 21083.2(g). In practice, however, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource. Should the archaeological cultural resource meet the definition of a unique archaeological resource, then it must be treated in accordance with CEQA Section 21083.2. If the archaeological cultural resource does not meet the definition of a historical resource or an archaeological resource, then effects to the resource are not considered significant effects on the environment (State CEQA Guidelines Section 15064.5(c)(4)).

CEQA also requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (State CEQA Guidelines Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) Section 15126.4 (a)(1)). California Public Resources Code Section 5097.5 also applies to paleontological resources (see below).

California Health and Safety Code Section 7050.5. California Health and Safety Code (HSC) Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the

county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Public Resources Code Section 5097.5. PRC Section 5097.5 provides for the protection of cultural and paleontological resources. This PRC section prohibits the removal, destruction, injury, or defacement of archaeological and paleontological features on any lands under the jurisdiction of State or local authorities.

Senate Bill 18 (SB 18) Tribal Consultation. California Government Code §65352.3 (adopted pursuant to the requirements of SB 18) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research's *Tribal Consultation Guidelines* (2005), "The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places."

County of San Luis Obispo. The County addresses cultural resources in its Historic Element (1974) and Agriculture and Open Space Element (1998) of the County General Plan and under Title 19 of the County Code. The sections of these documents relevant to the proposed project are described below.

1974 Historic Element. The Historic Element of the General Plan addresses historical and archaeological resources and provides background and guidance for establishing a countywide historic preservation program. Although recommendations presented in the Historic Element are meant to achieve a countywide planning and preservation program, some of the recommendations are relevant to the current project. Recommendations presented in the Historic Element include:

- *Known archaeological sites should not be publicized until disposition is determined by responsible agencies and procedures to follow about archaeological site finds are established. Guardianship and a policy program should be established early at sites.*
- *Governmental and private construction agencies dealing with major grading should advise and consult with designated archaeological resources personnel prior to construction.*
- *Designated archaeological sites should qualify for open space easements.*

- *In preparation of Environmental Impact Reports, the County should make use of scientific and conservation expertise to evaluate and recommend proper action for protection of archaeological resources.*

1998 (revised 2007) Agriculture and Open Space Element. The Agriculture and Open Space Element of the General Plan includes policies at OSP33 for the protection of archaeological and cultural sites that are potentially relevant to the current project.

b) *Protect archaeological and culturally-sensitive sites from the effects of discretionary development by avoiding disturbance where feasible.*

1. *If sensitive sites cannot be avoided, mitigate the impact of development to the maximum extent feasible.*
2. *Consult with Native Americans in the design of appropriate mitigations.*
3. *As a last resort, the use of fill to cap sites or the recovery of resources may be permitted.*

c) *Encourage acquisition by public agencies, historical, or conservation organizations of the most important archaeological and cultural sites from willing sellers.*

d) *Protect sensitive sites from vandalism and unauthorized collection of artifacts by educating the public as well as land owners about the importance of such sites and by admonishing or prosecuting violators, as described in chapter five of the Land Use Ordinance (LUO) and the County Coastal zone Land Use Ordinance (CZLUO).*

County Building and Construction Ordinance. The County's Building and Construction Ordinance includes standards for the treatment of archaeological resources and human remains unearthed or discovered during construction. Section 19.20.035 of the Ordinance states:

a) *Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building 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.*

b) *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 Department of Planning and Building and Environmental Coordinator so proper disposition may be accomplished.*

County Land Use Ordinance (LUO). The County's LUO applies to all new land uses required to obtain a land use permit. Section 22.10.040 of the LUO describes standards for the treatment of archaeological resources and human remains unearthed or discovered during construction. These standards are identical to those described at Section 19.20.035 of the Building and Construction Ordinance (see above).

4.7.4 Methodology

The existing conditions for cultural resources in the project area were determined through background research, consultation, and field survey, as described in Section 4.7.1. Background research was conducted to: (1) identify previously recorded or otherwise known cultural resources and cultural resource studies in or adjacent to the project area; and (2) obtain information about the archaeology, ethnography, and history of the project area. Background research consisted of records searches conducted at the CCIC of the California Historical Resources Information System and the NAHC, Sacramento, and a review of archaeological, ethnographic, and historical literature of the project area and vicinity. A surface archaeological reconnaissance and cultural resources field survey was conducted of the project areas to identify unrecorded cultural resources and assess the potential for subsurface cultural resources.

The existing conditions for paleontological resources in the project area were determined through background research and a field survey, as described in Section 4.7.2. Background research was conducted to: (1) identify previously recorded or otherwise known fossil localities in or adjacent to the project area; and (2) obtain information about the geological setting of the project area and the potential for geological formations underlying the project area for containing fossils. Background research consisted of a fossil locality search at the UCMP, Berkeley, and a review of geological and paleontological literature of the project area and vicinity. A surface paleontological resources survey was conducted of the project area to identify fossils and fossiliferous geological formations and sediments.

4.7.5 Impact Significance Criteria

The criteria of significance are thresholds for determining whether an impact is significant under CEQA. Implementation of the proposed project would have a significant impact on cultural resources if it would:

Threshold 4.7.1: Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. Specifically, substantial adverse changes include physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired;

Threshold 4.7.2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5;

Threshold 4.7.3: Directly or indirectly destroy a unique paleontological resource or site or unique geological feature; or

Threshold 4.7.4: Disturb any human remains, including those interred outside of formal cemeteries.

4.7.6 Project Impacts

Threshold 4.7.1: Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

Known Historical Resources. The background research and EIR field survey did not identify historical resources within or immediately adjacent to the project area (including the proposed Development project site and off-site construction areas). Therefore, implementation of the proposed project is not anticipated to impact any known historical resources. No mitigation is required.

Unknown/Buried Historical Resources. Archaeological sites that may qualify as historical resources under CEQA have been identified near the project area along the Salinas River, and there is a possibility of buried archaeological deposits within the Development project site and off-site components. The cultural resources field survey of the proposed Wastewater Treatment Plant Expansion site identified an isolated chert flake, indicative of general Native American use of the area, and a locus of surface debris possibly associated with a building at or near this location. While these deposits do not qualify as historical resources under CEQA, they do indicate a potential for buried archaeological deposits at this location. Such buried deposits may qualify as historical resources under CEQA (Section 15064.5(a)).

Potential impacts to significant archaeological deposits, if present, would likely occur during project ground-disturbing activities, such as grading and trenching, associated with development of the site. Under CEQA, archaeological sites are valued for scientific information and may constitute historical resources in accordance with CEQA, although sites can also have traditional or sacred values to Native Americans, as well as other cultural groups. Although there is no indication of archaeological deposits in the proposed Development project site or potable water/wastewater pipeline corridors, the possibility of encountering such deposits cannot be ruled out. Should significant archaeological deposits be encountered within the proposed Development project site or potable water/wastewater pipeline corridors, these shall be treated in accordance with Mitigation Measure 4.7.1 (Accidental Discovery). Mitigation Measures 4.7.2 (Preconstruction Archaeological Testing) and 4.7.3 (Archaeological Monitoring) shall be implemented at the Wastewater Treatment Plant Expansion site, given the potential for encountering subsurface archaeological deposits that may qualify as historical resources at this location. Mitigation Measure 4.7.2 would ensure that, should the historic period surface debris scatter include a subsurface component (e.g., a building foundation or a hollow-filled feature, such as a well), such archaeological deposits and features will be identified, evaluated, and effects mitigated, as appropriate, prior to project ground-disturbing activities at this location.

Potential Impact Summary: Class II. The proposed project may result in significant impacts to buried archaeological deposits if such deposits are unearthed or discovered during ground-disturbing

project activities. Implementation of Mitigation Measure 4.7.1 would reduce potential impacts to buried archaeological deposits on the proposed Development project site and potable water/wastewater pipeline corridors to a less than significant level. Implementation of Mitigation Measures 4.7.2 and 4.7.3 would reduce potential impacts to buried archaeological deposits on the Wastewater Treatment Plant Expansion site to a less than significant level.

Threshold 4.7.2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Known Archaeological Resources. The background research and field survey did not identify archaeological deposits that qualify as unique archaeological resources under CEQA either within or immediately adjacent to the proposed Development project site or off-site construction areas. Therefore, the proposed project is not anticipated to impact any known archaeological resources, and no mitigation is required.

Unknown/Buried Archaeological Resources. There is the possibility of buried prehistoric archaeological deposits within the project area, as indicated by prehistoric archaeological sites identified along the Salinas River, and within the vicinity of the Development project site and off-site construction areas. Such buried deposits may qualify as unique archaeological resources under CEQA (Section 21083.2(g)).

Potential impacts to presently unknown significant archaeological deposits would likely occur during project ground-disturbing activities associated with development of the site, such as grading and trenching. Under CEQA, archaeological sites are valued for scientific information, although sites can also have traditional or sacred values to Native Americans and other cultural groups. Should significant archaeological deposits be encountered, these shall be treated in accordance with Mitigation Measures 4.7.1 (Accidental Discovery) or 4.7.2 (Preconstruction Archaeological Testing) and 4.7.3 (Archaeological Monitoring).

Potential Impact Summary: Class II. The proposed project may result in significant impacts to buried archaeological deposits if such deposits are unearthed or discovered during ground-disturbing activities. Implementation of Mitigation Measure 4.7.1 would reduce potential impacts to buried archaeological deposits on the proposed Development project site and potable water/wastewater pipeline corridors to a less than significant level. Implementation of Mitigation Measures 4.7.2 and 4.7.3 would reduce potential impacts to buried archaeological deposit on the Wastewater Treatment Plant Expansion site to a less than significant level.

Threshold 4.7.3: Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Known Paleontological Resources. The background research and EIR field survey did not identify a unique paleontological resource, site, or geological feature within or immediately adjacent to the Development project site or off-site construction areas. Therefore, the proposed project is not

anticipated to impact any known unique paleontological resources or geological features, and no mitigation is required.

Unknown/Buried Paleontological Resources. There is a possibility of buried paleontological deposits within the proposed Development project site and off-site construction areas. The Development project site and off-site construction areas are underlain by Pleistocene alluvium and the Paso Robles Formation, geological formations known to contain fossils. Locally, a camel fossil was identified at or near the San Miguel train station in either alluvium or the Paso Robles Formation, indicating the possibility of identifying additional fossils in the project area.

Potential impacts to paleontological resources would likely occur during project ground-disturbing activities associated with the initial development of the site where such activities as grading or trenching would occur below the project area's soil layers. Should a significant paleontological resource or site be encountered, it shall be treated in accordance with Mitigation Measure 4.7.4 (Paleontological Monitoring).

Potential Impact Summary: Class II. The proposed project may result in significant impacts to presently unknown buried paleontological resources. Implementation of Mitigation Measure 4.7.4 would reduce potential impacts to buried paleontological resources on the proposed project site (i.e., the proposed Development project site and all off-site infrastructure improvement areas) to a less than significant level.

Threshold 4.7.4: Disturb any human remains, including those interred outside of formal cemeteries.

The background research and EIR field survey did not identify human remains within or immediately adjacent to the Development project site or off-site construction areas. Therefore, the proposed project is not anticipated to impact any known human remains. Prehistoric archaeological sites often contain human remains, however, and there is the possibility of encountering buried archaeological sites containing human remains within the Development project site and off-site construction areas. Should human remains be encountered, these shall be treated in accordance with Mitigation Measure 4.7.5 (Discovery of Human Remains).

Potential Impact Summary: Class II. The proposed project may result in significant impacts to unknown buried human remains. Implementation of Mitigation Measure 4.7.5 would reduce potential impacts to unknown buried human remains on the proposed project site (i.e., the proposed Development project site and all off-site infrastructure improvement areas) to a less than significant level.

4.7.7 Cumulative Impacts

The cumulative study area for cultural and paleontological resources is the County of San Luis Obispo. The proposed project, in conjunction with other development in San Luis Obispo County, has the potential to cumulatively impact historic, archaeological, and paleontological resources; however,

it should be noted that each development proposal received by the County (and individual cities within the County) undergoes environmental review pursuant to CEQA. If there is a potential for significant impacts to historic, archaeological, or paleontological resources, an investigation would be required by the appropriate Lead Agency to determine the nature and extent of the resources and identify appropriate mitigation measures.

Historical and Archaeological Resources. No significant architectural historical resources are within or immediately adjacent to the Development project site or off-site construction areas. Therefore, the proposed project would not cause any significant contribution to cumulative impacts upon such resources.

No significant archaeological sites have been identified within or immediately adjacent to the Development project site or off-site construction areas. There is a potential, however, that subsurface archaeological sites that may qualify as either historical or unique archaeological resources could be impacted by project activities. Should historical or unique archaeological resources be discovered during project ground-disturbing activities, these would be treated in accordance with Mitigation Measure 4.7.1 or 4.7.2 and 4.7.3, as appropriate, which would reduce impacts to a less than significant level. Significant cumulative impacts to historical or archaeological resources are not anticipated to occur from implementation of the proposed project.

Paleontological Resources. No unique paleontological resources or sites have been identified within or immediately adjacent to the Development project site or off-site construction areas. There is a potential, however, that such resources could be impacted by ground-disturbing project activities within the geological formations known to contain fossils. Should paleontological resources be discovered during project ground-disturbing activities, these would be treated in accordance with Mitigation Measure 4.7.4, which would reduce impacts to a less than significant level. Significant cumulative impacts to paleontological resources are not anticipated to occur from implementation of the proposed project.

Human Remains. No human remains have been identified within or immediately adjacent to the proposed Development project site or off-site construction areas. There is a potential, however, that human remains could be impacted by project activities. Should human remains be discovered during project ground-disturbing activities, these would be treated in accordance with Mitigation Measure 4.7.5, which would reduce impacts to a less than significant level. Significant cumulative impacts to human remains are not anticipated to occur from implementation of the proposed project.

Potential Cumulative Impact Summary: Class III. Neither the proposed project nor other cumulative development projects are expected to result in significant impacts to historic, cultural, or paleontological resources, provided that appropriate evaluations are conducted on a case-by-case basis to determine whether the resources are “unique archaeological resources” or “historical resources,” and appropriate mitigation measures including but not limited to preservation in place, capping, or data recovery, are implemented prior to grading. Such evaluations are required to comply

with recommendations presented in the County's Historic Element, the Agriculture and Open Space Element, and the County Code. In addition, because the proposed project would not impact any known significant resources and potential impacts to unknown buried resources can be reduced to below a level of significance, the proposed project would not contribute to a cumulatively significant impact to cultural resources. Therefore, implementation of project mitigation measures and mitigation measures relevant to other projects in the County reduce any potential cumulative impacts related to cultural resources to a less than significant level.

4.7.8 Level of Significance Prior to Mitigation

The proposed project would not have a significant impact on known historical resources, archaeological resources, paleontological resources, or human remains on or near the proposed Development project site or off-site construction areas. Prior to mitigation, the project has the potential to cause a substantial adverse change in the significance of buried prehistoric or historical archaeological sites within the Development project site and off-site construction areas, including the proposed Wastewater Treatment Plant Expansion site, that may qualify as historical or archaeological resources. Prior to mitigation, the project has the potential to cause a substantial adverse change in the significance of buried paleontological resources within the Development project site and off-site construction areas, including the proposed Wastewater Treatment Plant Expansion site. Prior to mitigation, the project has the potential to disturb human remains, including those interred outside of formal cemeteries, within the Development project site and off-site construction areas.

4.7.9 Mitigation Measures

Mitigation Measure 4.7.1

Accidental Discovery. The Agriculture and Open Space Element Policy OSP33(b), Section 19.20.035(a) of the County Building and Construction Ordinance, and Section 22.10.040 of the County Land Use Ordinance, shall be implemented in the event that archaeological deposits are unearthed or discovered during ground-disturbing project activities. The following mitigation shall also apply in the event that archaeological deposits are discovered:

Prior to issuance of a construction permit/tract improvement plan, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the County Environmental Coordinator. The monitoring plan shall include at a minimum: (1) a construction worker training program, including instruction on identifying archaeological materials and the appropriate procedures to follow in the event that such materials are encountered during the project; (2) provisions for work stoppage if deposits of prehistoric or historical archaeological materials are encountered; (3) weekly "spot check" monitoring of the areas under disturbance by a qualified archaeologist (to be approved by the County Environmental Coordinator); initial observation of areas at initial disturbance activities may be warranted with a decreased level of observation as construction progresses; (4) provisions for

decreasing (or cessation) of monitoring, or increase in the level of monitoring based on observations and resource discovery; monitoring shall continue until, in the archaeologist's judgment and with the approval of the County Environmental Coordinator, cultural resources are not likely to be encountered; (5) a list of personnel involved in the monitoring activities; (6) a description of how the monitoring shall occur; (7) based on the existing surface surveys, no cultural resources are anticipated, but if deposits of prehistoric or historical archaeological materials are encountered during project activities, all work within 25 feet (ft) of the discovery shall be redirected and a qualified archaeologist contacted (if an archaeological monitor is not on site) to assess the find, consult with the County Environmental Coordinator, and make recommendations for the treatment of the discovery; a Salinan Tribal representative shall be contacted to review the find and consult with the archaeologist regarding recommendations for the treatment of the discovery; (8) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a "significant" archaeological site); (9) a description of procedures for halting work on the site and notification procedures; and (10) a description of monitoring reporting procedures.

Upon completion of all monitoring activities, the consulting archaeologist shall submit a report to the County Environmental Coordinator summarizing all monitoring activities and confirming that all recommended mitigation measures have been met.

Mitigation Measure 4.7.2

Preconstruction Archaeological Testing: Wastewater Treatment Plant Expansion Site. Prior to submittal of an application for a Conditional Use Permit (CUP), preconstruction archaeological testing shall occur within the Wastewater Treatment Plant Expansion area at the debris locus and immediate vicinity of the former building site if those areas are proposed to be affected by the Wastewater Treatment Plant expansion. The testing shall determine whether significant intact subsurface historic period archaeological deposits will be affected by ground-disturbing activities. The debris locus shall be recorded on the appropriate Department of Parks and Recreation (DPR) 523 forms as part of the preconstruction archaeological testing.

If subsurface archaeological deposits are encountered during preconstruction testing, a determination will be made whether such deposits are historical or archaeological resources for purposes of the California Environmental Quality Act (CEQA). If the deposit is not a historical or archaeological resource, no further protection of the resource is necessary. If the resource is eligible, the applicant shall delineate the archaeological site as an Environmentally Sensitive

Area on the project plans. All new development (e.g., access roads, driveways, utility trenches) shall be located outside the Environmentally Sensitive Area. If construction cannot avoid the Environmentally Sensitive Area, the [San Miguel Community Services District \(CSD\)](#) shall implement the recommendations of the archaeologist (as presented in a technical report of findings produced subsequent to the preconstruction testing).

Mitigation Measure 4.7.3

Archaeological Monitoring: Wastewater Treatment Plant Expansion Site. Prior to issuance of a construction or grading permit for the Wastewater Treatment Plant Expansion area, the applicant shall submit a monitoring plan, prepared by a qualified archaeologist, for the review and approval by the County Environmental Coordinator. The monitoring plan shall include at a minimum: (1) a list of personnel involved in the monitoring activities; (2) a description of how the monitoring shall occur; (3) a description of frequency of monitoring (e.g., full-time, part time, spot checking); (4) a description of which resources are expected to be encountered; (5) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a “significant” archaeological site); (6) a description of procedures for halting work on the site and notification procedures; and (7) a description of monitoring reporting procedures.

During all ground-disturbing construction activities, the [San Miguel Community Services District \(CSD\)](#) shall retain a qualified archaeologist (approved by the County Environmental Coordinator) and a Salinan tribal representative to monitor all earth-disturbing activities, per the approved monitoring plan. If any significant historical resources, archaeological resources, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The [San Miguel CSD](#) shall implement [required](#) mitigation [per](#) the County Environmental Coordinator.

Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the County Environmental Coordinator [and the San Miguel CSD](#) summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Mitigation Measure 4.7.4

Paleontological Monitoring: Development Project Site. Prior to issuance of construction or grading permits at the Development project site and off-site components, the applicant shall submit a monitoring plan, prepared by a qualified paleontologist, for the

review and approval by the County Environmental Coordinator. The monitoring plan shall include at a minimum: (1) a list of personnel involved in the monitoring activities; (2) a description of how the monitoring shall occur; (3) a description of frequency of monitoring (e.g., full-time, part time, spot checking); (4) a description of which resources are expected to be encountered; (5) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a “significant” paleontological resource); (6) a description of procedures for halting work on the site and notification procedures; and (7) a description of monitoring reporting procedures.

During all ground-disturbing construction activities, the applicant shall retain a qualified paleontologist (approved by the County Environmental Coordinator) to monitor earth-disturbing activities, per the approved monitoring plan. If any significant paleontological resources are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the paleontologist in the field) of the resource until such time as the resource can be evaluated by a paleontologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the County Environmental Coordinator.

Upon completion of all monitoring/mitigation activities, the consulting paleontologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all required mitigation measures have been met.

Mitigation Measure 4.7.5

Discovery of Human Remains. If human remains are encountered, these remains shall be treated in accordance with California Health and Safety Code Section 7050.5, County Building and Construction Ordinance Section 19.20.035(b), and County Land Use Ordinance Section 22.10.040(B).

If human remains are encountered by project activities, construction activities shall be halted and the construction supervisor shall notify the County Coroner and County Environmental Coordinator immediately. A qualified archaeologist shall also be contacted to assess the situation. If the remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The County shall ensure that the treatment recommendations of the consulting archaeologist and MLD are implemented prior to project

construction or actions that could adversely affect the remains in question.

Upon completion of the assessment, the archeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to San Miguel Ranch, LLC; the San Luis Obispo County Department of Planning and Building; and the Central Coast Information Center. The County Environmental Coordinator shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.

4.7.10 Level of Significance after Mitigation

Mitigation Measures 4.7.1 through 4.7.5 would reduce potential impacts to historical resources, archaeological resources, paleontological resources, and human remains to a less than significant level. No significant unavoidable project or cumulative impacts to cultural resources are anticipated with implementation of these measures.

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