

## **4.9 Cultural Resources and Archaeology**

This section evaluates potential impacts to cultural resources including archaeological, historic, and paleontological resources within the Project Site. Cultural resources represent and document activities, accomplishments, and traditions of previous civilizations and link current and former inhabitants of an area. Archaeological resources include areas where prehistoric or historic activity measurably altered the earth or deposits of physical remains (e.g., arrowheads, bottles) discovered therein. Architectural resources include standing buildings, districts, bridges, and other structures of historic or aesthetic significance.

Paleontological resources (fossils) are the remains or traces of prehistoric animals and plants, generally accepted to be more than 10,000 years old (SVP 1995). Fossils are important scientific and educational resources because they: 1) document the presence and evolutionary history of particular groups of organisms, many of which are now extinct; 2) enable the environments in which these organisms lived to be reconstructed; 3) allow the relative ages of the strata in which they occur to be determined; and 4) record geologic events that caused the sediments in which they were buried to be deposited.

The evaluation contained in this section is based on the following technical documents which were either supplied by the Applicant or prepared for this EIR:

- *An Archaeological Surface Survey at the Unocal San Luis Obispo Tank Farm*, prepared by Thor Conway in 2008.
- *Paleontological Identification and Evaluation Report for the Chevron San Luis Obispo Tank Farm Remediation and Redevelopment Project*, prepared by Brady and Associates Geological Services in 2010.
- *Archaeological Phase II Testing and Evaluation at the Chevron Tank Farm*, prepared by Garcia and Associates (GANDA) (Denardo and Greenlee 2011).
- *Updated Eligibility Recommendations for the Chevron San Luis Obispo Tank Farm*, prepared by GANDA (Denardo and Greenlee 2012).
- *Additional Archaeological Phase II Testing and Evaluation at the Chevron San Luis Obispo Tank Farm, San Luis Obispo County, California*, prepared by GANDA (Denardo et al. 2013).
- *Phase I Archaeological Survey of 1.7 Acres in the Caldwell Quarry Property, San Luis Obispo County, California*, prepared by Garcia and Associates, December 2012.
- *Archaeological Survey Report: Five Acres in the Quarry Area, San Luis Obispo, California*, prepared by Garcia and Associates, December 2012.

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These reports are not included in the Appendices of this EIR due to sensitivity of report content; they are, however, on file with the County Department of Planning and Building and City Community Development Department. Following the Phase I surface survey, Conway opined that “Each of the archaeological features at the Unocal San Luis Obispo Tank Farm requires subsurface testing to provide boundary definition, an assessment of the feature’s significance and further evaluation of the resource” (2008:36). Responding to that recommendation, the Applicant retained Garcia and Associates (GANDA) to prepare a Research Design for Phase II Subsurface Testing at Chevron’s San Luis Obispo Tank Farm. That document proposed to assess the historical significance of the previously recorded archaeological property identified as P-40-041195 (the Union Oil Company Tank Farm), comprised of some 57 historic archaeological features, approximately 287 historic isolated finds, and several prehistoric isolated finds.

The Phase II work plan focused on approximately 35 historic archaeological features, one prehistoric feature, seven groups of historic isolated finds, and two prehistoric isolated finds that are likely to be impacted by Project-related ground disturbance. GANDA proposed more thorough documentation and/or subsurface testing at each of these locations to further define their boundaries and content and to assess their historical significance according to the requirements of CEQA. The Phase II work plan was peer reviewed by the City, County, and EIR consultant team, and was subsequently implemented by GANDA to determine which features were eligible to the California Register of Historical Resources and how they would be impacted by the proposed Project. The Phase II archaeological study was restricted to areas where soil disturbances would occur as the result of the proposed remediation and restoration activities. Other archaeological features that would be avoided during Project development are to be addressed in a long-term management plan.

### **4.9.1 Environmental Setting**

#### **4.9.1.1 Regional Geology and Paleontology**

The Project area lies on the western slope of the Santa Lucia Range within the central Coast Range Geomorphic Province. Geologically, the underlying rocks form a locally unique assemblage known as the Santa Maria basin (Hall 2007). The Santa Maria basin was formed by right-lateral, strike-slip faulting and concurrent deposition of marine sediments in a subsiding, fault-bounded depression during over several million years in mid-Tertiary time. A change in the tectonic regime resulted in regional compression, forming large-scale folds and reverse faults, and later uplift and tilting related to the tectonics of the present transpressional continental margin.

The Santa Maria basin is floored by Mesozoic rocks of the Franciscan complex, Coast Range ophiolite, and Great Valley sequence. Around the margins of the basin (and within it) are thick sections of marine and non-marine sedimentary rocks ranging in age from upper Oligocene through Pleistocene, many of which are fossiliferous. The thickness of the deformed fill in the central part of the basin probably approaches 15,000 feet.

The region is structurally complex, consisting of sub-parallel northwest-southeast trending faults and folds, and tilted blocks. These structures form deep canyons and steep mountain ranges

which in places extend to the coastline. Many of the faults and folds are active, producing surface displacement in the marine and fluvial terraces, offset stream courses, and abrupt mountain fronts (Hall and Prior 1975).

The Pleistocene history of the Project area is marked by glacially controlled sea level fluctuations and tectonic uplift during which the shoreline advanced and retreated as much as 30 miles across the continental shelf (Hall 2007). Sea level advance cut a system of marine terraces, 12 of which are exposed in the Point San Luis area 8-9 miles southwest of the Project Site. These terraces range in age from 83,000 to 49,000 years, and reach elevations of 79 feet above modern sea level. The formations that compose these terraces are the most paleontologically productive in the region.

The only fossil resources likely to occur at the Project Site are of Quaternary (Pleistocene) age. The Quaternary is the most recent of the three Periods of the Cenozoic Era in the geologic time scale. It follows the Tertiary Period, spanning from about 2,588,000 years ago to the present. The Quaternary includes two geologic epochs: the older Pleistocene--sometimes known as the "Ice Ages"-- and the younger Holocene, which began approximately 10,000 ybp (years before present).

The Pleistocene epoch began approximately 1,800,000 ybp. On the basis of vertebrate fauna from the nonmarine, late Cenozoic deposits in the San Francisco Bay region, two major divisions of Pleistocene-age fossils are recognized in California: the older Irvingtonian and the younger Rancholabrean (Woodburne 2004). The Rancholabrean fauna includes bison and other large mammals such as mammoths, mastodons, camels, horses, and ground sloths, as well as other species alive today.

Jefferson et al. (1992) reported three vertebrate localities along the coast within 9 miles of the Project Site. These localities occur in Pleistocene fluvial deposits overlying marine terraces, and include assemblages of the Rancholabrean mammals *Equus* sp. and *E. occidentalis* (horse); *Camelops* sp. and *C. hesternus* (camel); *Bison antiquus* and *B. latifrons* (bison), and *Mammuth americanum* (mammoth). Other, more distal localities in San Luis Obispo County are noted as well (University of California Berkeley database).

The Los Angeles County Museum of Natural History (LACM) data base records mastodon (Mammutidae) remains recovered 16 miles northwest of the Project Site, northwest of Morro Bay and just north of Chorro Creek in stream gravels at a depth of 6 feet (LACM 5903). A specimen of mammoth (*Mammuthus*) was recovered 12 miles southeast of the Project Site from a shallow depth in Arroyo Grande Creek east of Lopez Lake (LACM 5790) (Brady 2008).

#### **4.9.1.2 Prehistory**

Archaeological evidence demonstrates that Native American groups have occupied the Central Coast for at least 10,000 years. A refined chronology of this period in the Central Coast area (Jones 2007; Jones et al. 1994, 2009; Jones and Waugh 1995) divides that time frame into seven periods – Paleoindian/Paleocoastal (10,000 to 8,000 B.C.), Millingstone (8,000 B.C. to 3,500 B.C.), Early Period (3,500 B.C. to 600 B.C.), Middle Period (600 B.C. to 1,000 A.D.), Middle/Late Transition (A.D. 1,000 to 1250), and Late/Protohistoric (A.D. to 1250-1769).

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The earliest evidence of human occupation in the region comes from archaeological sites along the coast (Breschini and Haversat 1982; Greenwood 1972). Following Davis et al. (1969), Moratto (1984) used the term Paleocoastal to refer to coastal occupations preceding those with milling technology. Assemblages associated with this tradition contain various flaked stone tools but lack ground stone implements. Sites containing remains of this tradition are extremely rare. Moratto (1984: 108) suggested that the lowest levels of two local sites, CA-SLO-2 and CA-SLO-585, contain such components; Erlandson (1994) added CA-SBA-931 to that short list. One researcher postulates that these groups descended from local Paleoindians who developed adaptations to marine resources (Erlandson 1994).

Jones et al. (2008) tentatively identified four discrete occupational components at CA-SLO-2 spanning the past 10,000 years (between 8300 B.C. and A.D. 1769), making it the second oldest coastal midden on the California mainland (older sites are known on the Channel Islands; Erlandson 1991, 1994; Orr 1968). Greenwood (1972) reports milling implements associated with a radiocarbon date of 8410 +/- 190 B.P. at CA-SLO-585 and proposes that milling equipment was used earlier along the coast than previously believed. Findings at CA-SLO-1797 (the Cross Creek Site) and CA-SLO-1756 (the Salinas River Crossing Site) for the Coastal Branch Aqueduct, Phase II (Fitzgerald 1998, 2000) lend support to Greenwood's (1972) interpretation. Both sites show affinity with the Milling Stone Culture recognized in central and northern California (Fitzgerald 1993, 2000; McGuire and Hildebrandt 1994; True et al. 1979). Radiocarbon dates recovered from CA-SLO-1797, in particular, suggest that use of milling equipment in San Luis Obispo County occurred as early as 10,300 BP. (Fitzgerald 1998, 2000).

Sites with well-developed middens, suggesting more stable settlements, first appeared during the Millingstone Period, between 8000 and 3500 B.C. (Breschini et al. 1983). Many sites in the region date to this period. Ground stone milling tools, dominated by handstones and milling slabs, composes a significant portion of artifact assemblages, suggesting that procuring small seeds was an important subsistence activity (Glassow et al. 1988). However, archaeological deposits at CA-SLO-165 in Morro Bay reflect a diet dominated by fish and shellfish (Jones et al. 1994:189). Erlandson (1988, 1991) reports an emphasis on seeds and shellfish for the Santa Barbara/Vandenberg AFB region, Glassow (1992) proposes that marine mammals and fish were preferred, and Wallace (1978) theorizes that terrestrial mammals were the primary focus. Jones et al. (1994:189) suggest that these discrepancies likely reflect increased mobility between maritime and inland settings during this period.

Scholars argue about the impetus for the adaptive shift into the Early Period (3500-600 B.C.) (Jones 2004). Some contend that immigrants from western Alaska, eastern California, or the Channel Islands brought new technologies to the Central Coast (Harrison 1964; Warren 1968; Lathrop and Trioke 1984), while others attribute the change to technological evolution by local inhabitants (Glassow 1997; Erlandson 1997). Changes in invertebrate faunal remains at sites near major coastal estuaries reflect climatic changes along California's coastline, including rising sea levels, at the beginning of this period. An increase in Pismo clams and other sandy shore shellfish at CA-SLO-165 (Morro Bay) (Mikkelsen et al. 2000) and CA-SLO-877 (San Luis Obispo Bay) suggests that rising sea levels replaced rocky intertidal zones with sandy beaches. Archaeological deposits near Elkhorn Slough, a prominent estuary farther north on Monterey Bay, show a major occupational hiatus during this time, suggesting that this habitat was substantially altered (Jones and Jones 1992; Patch and Jones 1984). Adaptive responses to

expanded population and constricted land use are evident in settlement changes. Sites dating to this period evince more settled, but not permanent, occupation and increased logistical organization for procurement activities such as hunting, fishing, and specialized processing (Jones et al. 1994:62; Jones and Waugh 1995:132).

Major technological innovations occur during this period, including introduction of the mortar and pestle, an increase in marine hunting equipment, and the tomol, or plank canoe. This period also saw the development of interregional exchange, reflected by a dramatic increase in shell beads and obsidian.

Between 600 B.C. and A.D. 1000 (the Middle Period), there is continued subsistence intensification and an increase in technological and economic complexity. Changes during this period include an increase in diet breadth (with an emphasis on fish and nuts crops), greater exploitation of seasonal resources, initial efforts at food storage (Glassow and Wilcoxon 1988; King 1990a), and adoption of the bow and arrow. Marked changes in ornaments and other artifacts during this time have prompted some researchers to argue that social ranking and status differentiation became more pronounced (King 1990a). However, others contend that prominent changes in socioeconomic complexity did not occur until later (Arnold 1992; Jones and Waugh 1995). Increases in the quantity and diversity of obsidian and bead artifacts suggest that trade networks were used regularly during this time.

The beginning of the second millennium is marked by a progressive decline in climatic conditions. The Middle/Late Transition period (between A.D. 1000 and 1250) in the Santa Barbara Channel region is associated with the rapid emergence of complex social and political organizations and craft specialization. These changes are likely part of an adaptive response to environmental degradation and rising population densities. Arnold (1992) speculates that elevated ocean temperatures circa A.D. 1150 led to a decline in maritime activities, which in turn prompted the emergence of craft specialization. Evidence for analogous sociopolitical changes in the northern Chumash region is absent at this time; however, lacking the opportunity for maritime intensification available in the channel region, effects of the changing environment farther north are reflected by a shift in settlement practices away from the coast as populations focused on inland resources (Jones and Waugh 1995:132; Lebow 2000). In addition, exchange relationships deteriorated during this time as evidenced by the absence of imported obsidian after A.D. 1000 (Jones et al. 1994). Jones and Waugh (1995:13) suggest intergroup hostilities during this period based on evidence from burials at CA-SLO-175.

The archaeological record for the Late Period/Protohistoric (A.D. 1250-A.D. 1769) is highly variable along the Central Coast. In the Santa Barbara region, large permanent villages mark the shoreline and trade was extensive between the mainland and the Channel Islands. This period also is marked by increasing social and political complexity resulting in a complete economic reorganization to regulate the growing Chumash society (King 1990a:106). Artifact assemblages associated with this period are not well defined farther north, and the lack of radiocarbon dates limits assessments of occupation length (Jones et al. 1994:183). However, investigations suggest that the San Luis Obispo coastal region underwent a major transformation in land use during this time. Both CA-SLO-175 (Little Pico Creek) and CA-SLO-165 (Morro Bay) show evidence of a decrease in occupation after A.D. 1250 (Jones et al. 1994; Jones and Waugh 1995). Other sites, including CA-SBA-2767, CA-SLO-1303 (Jones et al. 1994), CA-SLO-7, CA-SLO-8, and

CA-SLO-2 (Breschini and Haversat 1988; Greenwood 1972), contain assemblages that similarly reflect intensive short-term occupation for procurement of specialized resources. Farther north, in the Big Sur and Monterey regions, this pattern is mirrored by the abandonment of residential bases along the coast for locations farther inland. Jones and Waugh (1995:132) surmise that this shift represents a dietary change and a greater reliance on storable commodities like acorns.

### 4.9.1.3 Ethnography

San Luis Obispo is within the area historically occupied by the Northern (Obispeño) Chumash, the northernmost of the Chumash people of California (Gibson 1991; Greenwood 1978; Kroeber 1976). The Northern Chumash occupied land from the Pacific coast east to the Coast Ranges and from the Santa Maria River north to approximately Point Estero. Chumash material culture, social organization, traditions and rituals, and cosmology have been described by many scholars including Blackburn (1975), Grant (1993), Greenwood (1978), Hudson and Blackburn (1982–1987), Hudson and Underhay (1978), Hudson et al. (1978), Johnson (1988), King (1990), Woodman et al. (1991).

Various lines of historical and archaeological evidence indicate that the general population density in the northern Chumash region was far less at the time of contact than in earlier prehistoric times, and the native population at Mission San Luis Obispo was never as high as at the more southerly missions at Santa Barbara, Lompoc, and Santa Ynez (Greenwood 1978). The Indian population at Mission San Luis Obispo reached its peak of 919 in 1803, as most of the Northern Chumash abandoned their native villages and moved into the mission or its outposts. By the time of secularization in 1834, missionization, disease, and destruction of the native subsistence base had forced the Chumash to give up most of their traditional lifeways. Only 170 Chumash remained at the mission in 1838.

Trade was an important and fairly common practice for Northern Chumash and their neighbors, the Purisimeño to the south and Salinan to the north. Chumash groups traded for pottery and obsidian toolstone from the inland Yokuts (Greenwood 1978:523), while the Salinans traded with the Yokuts for salt, obsidian, hides, and freshwater fish (Hester 1978:500). Trade relationships afforded groups friendly access to otherwise unobtainable resources. For example, the Yokuts allowed coastal groups to fish the lakes in their territory; in return, Chumash and Salinan groups provided access to the ocean shoreline (Greenwood 1978:523; Hester 1978:500).

Most of what is known about prehistoric settlement patterns has been derived from archaeological evidence. It appears Northern Chumash groups lived in permanent villages along the coast and major inland drainages but not in the rugged Coast Range (Greenwood 1978:520–521). However, task-specific sites likely occurred in the mountains and along minor seasonal creeks and streams. Chumash housing seems to have included small round structures with domed roofs and some evidence for subterranean construction (Greenwood 1978:521). Landberg (1965:26) states that Chumash villages typically consisted of several dome-shaped houses built from poles and grass thatching, and one or more sweathouses. In addition, evidence also suggests that twin or split villages encountered on either side streams or other features may reflect the sociopolitical complexity of a half (moiety) system of kinship based on two unilateral descent

groups that together make up a tribe or society (Greenwood 1978:521). The limited information available on Northern Chumash subsistence is derived from Mission Period practices that imply a hunting and gathering lifestyle. The primary vegetal food was acorns; hunting was focused on large and small game such as deer, bear, and rabbit (Greenwood 1978:522). However, prior to missionization, they likely used a rich array of maritime resources, as evidenced by C-shaped shell fishhooks, bone awls, notched pebble net sinkers, and other materials recovered from coastal sites.

Conversely a great deal is known about other Chumash groups, particularly those along the Santa Barbara Channel (Barbareño), who enjoyed marine resources over a long period of time (Grant 1978:509-512; Greenwood 1978:522). Balsa and plank canoes provided the channel Chumash with transportation to outlying resources, although no evidence of canoe use by the Obispoño has been encountered (Landberg 1965:3). Harvesting and fishing techniques were used to recover shoreline and tide pool fish species. Fishing was accomplished using J-shaped and circular shell hooks, nets, traps, and poles (Greenwood 1978:522). Ground stone implements and projectile points recovered from Chumash sites indicate hunting and collecting also were important subsistence activities. Plant and animal resources, and possibly external relations, likely drew prehistoric peoples to the interior coastal areas like San Luis Obispo.

Chumash groups used both coiling and twining methods to manufacture baskets for collecting, preparing, and serving food; they used similar techniques to make hats (Grant 1978:517). The Chumash used beads to decorate baskets (Greenwood 1978:522). Steatite apparently was an important material, especially along the coast; fewer steatite objects have been found in areas away from the coast. Additionally, of the Chumash played bone or wooden musical instruments (Greenwood 1978:523).

The decimation of Indian populations and disintegration of prehistoric cultures as a result of missionization is a profound event in the history of the coastal region (Greenwood 1978: 523). Much information was lost as a result, and the old records available from the missions do not provide great insight into pre-mission lifestyles of the Chumash, groups of the coastal region.

#### **4.9.1.4 History**

##### **Spanish Incursion — The Mission Era (1772 to 1850)**

The era of Chumash contact with Europeans began with the initial Spanish exploration of California in 1542. In 1769 the Portolá expedition traveled overland from San Diego to Monterey, journeyed inland to Morro Bay, and passed through the San Luis Obispo area again on their return voyage in 1770. Mission San Luis Obispo de Tolosa, founded in 1772, was the first Spanish establishment in Chumash territory.

The first structures at the Mission San Luis Obispo de Tolosa were a temporary church constructed of timber and tule, a granary, and a log-and-tule house for the soldiers of the mission guard. In 1773, Francisco Palóu brought five families of Baja California Indians to the mission, and huts were erected to house them. A new church was built in 1774. A newly constructed aqueduct emptied into a large reservoir that was supposedly located “near the settlement, at the right of the road now called Monterey Street,” but “was filled with debris when a street was cut through next to it” (The Monitor 1938).

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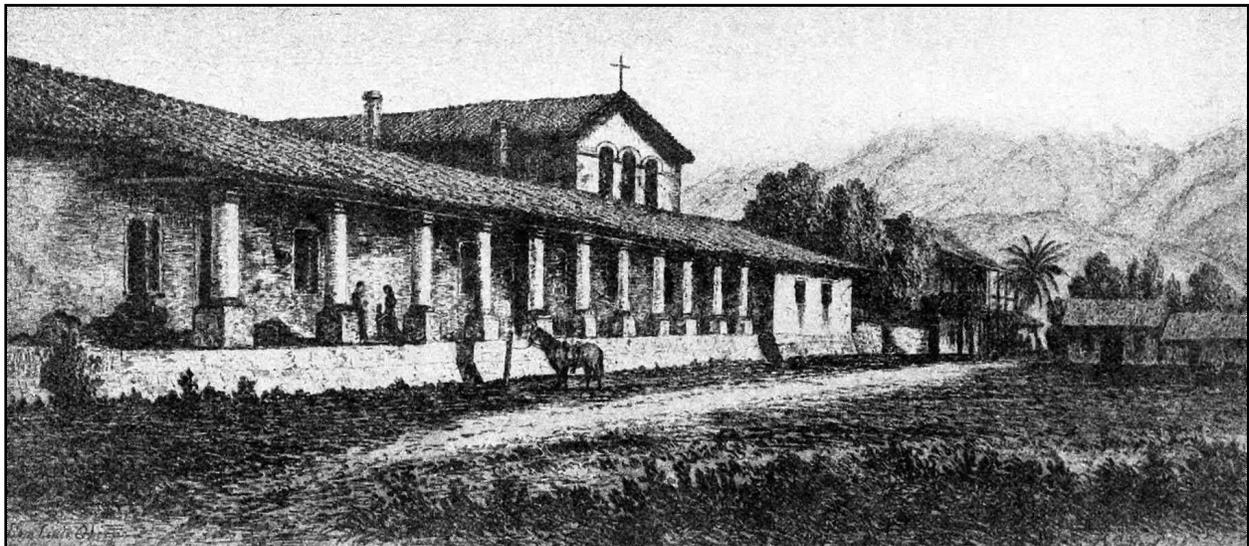
After several fires, a new church was completed in 1793 (see Figure 4.9-1); it still stands today, dominating the landscape of Mission Plaza along Chorro Street. A cemetery lies outside of the eastern wall of the chapel. Scholars estimate that more than 2,600 Native Americans and a few Hispanics were buried in this cemetery before it was closed shortly after 1853. Additions to the eastern side of the church in 1893 and 1948 uncovered burials and Native American artifacts within the projected cemetery area (Tognazzini 1993, Kocher 1972).

The mission garden (or vineyard) was south of San Luis Obispo Creek and surrounded by a stone wall that roughly followed Broad, Buchon, and Santa Rosa Streets. This was the second-largest vineyard in the California mission chain, with 44.66 acres of grapes planted prior to 1800 (Bertrando and Bertrando 2003, Kocher 1972).

Other construction projects completed in the 1790s included living quarters for the padres, dwellings and workshops for five guards and their families, and the first grist mill (Kocher 1972, Webb 1952). The water-powered mill was supposedly located “farther up Monterey Street from the large reservoir, to the left of the road and by the side of San Luis Creek” (The Monitor 1938). Another source pinpoints the mill’s location on San Luis Obispo Creek “where the White House now stands.” The White House, built in 1912, was located at 860 Higuera Street. When the mill remains were uncovered, one millstone purportedly was still lying by the creek, and the old mill had a “fine stone floor” (Mission San Luis Obispo 1937).

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**Figure 4.9-1** Drawing of Mission San Luis Obispo, 1793



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In 1800, Father Martinez began an aggressive construction program that would complete and beautify the Mission quadrangle. Construction over the next 11 years included a weaving room, a wall to enclose the quadrangle, more than 80 permanent Mission Indian houses (measuring 20 feet by 17 feet) made of adobe and roofed with clay tiles, dormitories, a hospital, a second grist

mill, additional reservoirs, a community kitchen, two granaries, and a corral (Englehardt 1933; Kocher 1972; Mitchell 1930; The Monitor 1938; Webb 1952). Because there are no known maps of the Mission facilities, the exact location of these structures is unknown. However, construction and archaeological work in the City has uncovered pieces to this puzzle. Most recently, a portion of one of the Mission reservoirs was uncovered on Chorro Street, between Palm and Mill Streets, during trenching for a sewer line lateral (Bertrando 2007). A portion of the Mission's orchard wall was uncovered near the Broad Street northbound on-ramp to U.S. Highway 101. The Mission Indian housing was described as two low rows of buildings along both sides of Chorro Street. One row of these dwellings formed the outer wall of the cemetery, and the dwellings are purported to have remained in place until 1875.

A simple adobe wall with a gateway to the cemetery connected this row of Indian houses with the vestibule, or portico, of the church building (Monitor 1938). When the Quintana Building (later the Blackstone Hotel) was constructed in 1876, remains that have been identified as Mission-era soap and tallow vats were reportedly uncovered near the entrance of 986 Chorro Street (Webb 1952).

The beginning of the nineteenth century also marked the zenith of the Mission Indian population at San Luis Obispo, with 961 Native Americans residing there in 1805 (Mission San Luis Obispo 1937). The Mission grounds were further expanded to accommodate this population. Expansion of the Mission grounds included a large olive grove, likely planted around 1810, between Higuera Street and the low marshy lands in the vicinity of what is now of Marsh Street (Bertrando and Bertrando 2003).

Maintenance in 1812 included new wheels for the grist mill and reroofing and new construction of houses for Mission Indians. Expansion continued between 1814 and 1819, with new dormitories for girls and unmarried women and for boys and single men, two additional rooms for the missionaries, 11 houses for Mission Indians, a new granary, lofts in the existing granaries, and a new wing measuring 263 feet long. This new wing completed the quadrangle (Englehardt 1933).

In 1822 California became a Mexican Territory, and the mission lands gradually became private ranchos via new Mexican land grants. In 1834, the proclamation for secularization was issued, and the Mission was essentially disbanded. By that time, missionization, disease, and destruction of the native subsistence base had virtually eliminated the Chumash and their culture. By 1838, only 170 Native Americans, including Chumash, Salinans, and Yokuts remained at the Mission (Greenwood 1978).

#### **Early Settlement (1850 to 1875)**

When California achieved statehood in 1850, immigrants were mainly interested in the riches to be found in the gold fields of the Sierra Nevada. Newcomers were able to find some semblance of the culture they left behind in the northern part of the State and the San Francisco Bay area, but southern California was seen as a wild, untamed country full of lawlessness. As a result, the population of the newly formed San Luis Obispo County grew slowly. The 1850 census lists 336 residents, but ethnicity is not recorded. However, over 230 were born in California, suggesting Native American and/or Mexican heritage. Fifty-five were born in Mexico, 20 were born in America, and 26 were European immigrants. The population makeup must have remained

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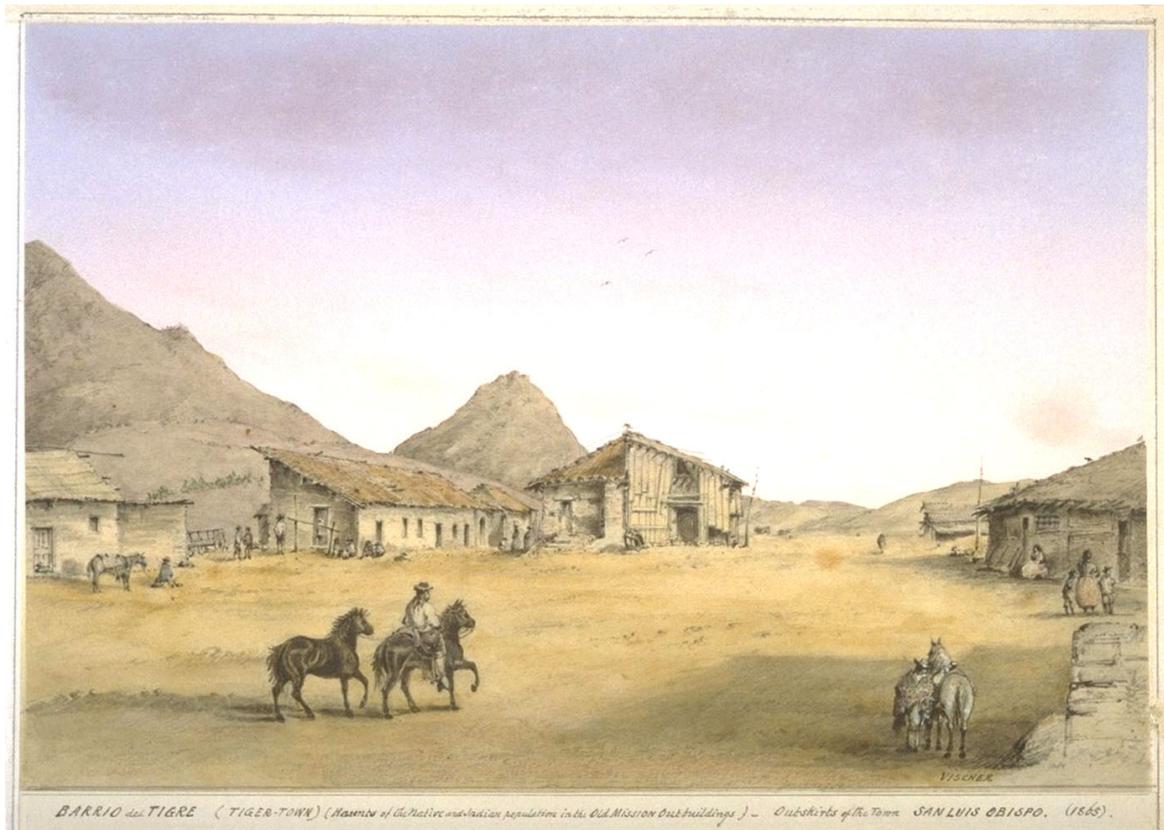
unchanged through most of that decade, because in 1856, Henry Miller observed about 150 houses, inhabited principally by Native Americans and Mexicans (Miller 1856).

A cholera epidemic in the 1850s decimated the Native American population. At least 70 Native Americans are said to have died from the disease, and many who were not affected fled the area and were not seen again. The effect of this disaster is noticeable in the 1860 census, which listed only 162 Indians within a town population of 1808.

Disaster hit the county between 1862 and 1864 when great droughts killed hundreds of thousands of sheep and cattle, bankrupting Hispanic families who had acquired large ranchos. These families were forced to sell out to Euro-American entrepreneurs who were quickly arriving in the area (Krieger 1988). Those new arrivals spurred development within the sleepy town depicted in an 1865 lithograph (see Figure 4.9-2). With the influx of Euro-American landholders, growth came rapidly, and by 1868 housing demand far exceeded supply.

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**Figure 4.9-2** Lithograph of San Luis Obispo, 1865



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#### **Growth of Industry and Commerce (1875 to 1900)**

In 1875, 2,500 residents were concentrated in a 4-square-mile area, with the outskirts sparsely settled. The city waterworks maintained a 2-mile open flume that carried water from springs above the town to a stone and cement reservoir. This water was then distributed through 5 miles of pipes that ran below all principal streets. The architecture was described as “rather primitive

but of late marked improvement.” There were more buildings of a more permanent nature, and many who had been renting were now building. Rental housing, with “reasonable rents at \$10 to \$25 per month according to size and location,” was in demand, and there was a limited supply (Cooper 1875). Some of the first new buildings were constructed along Monterey Street, including the Quintana Building and the Sauer Bakery. The city waterworks serviced residences near the town center; residences elsewhere were supplied by individual wells. In 1875, Paulson reported four hotels, six livery stables, and one newspaper, the Weekly Tribune. He told how the City “commands trade up and down the coast and at least 100 miles to the interior” (Paulson 1875).

Access to the outside world was through the Coast Line Stage. This company carried U.S. mail for Wells Fargo and Co. to points north and south of the city. Passenger coaches also ran from the city to the harbor, and a tri-weekly stage between the city and Cambria connected with the communities of Morro, Old Creek, and Cayucos. Additionally, a telegraph from San Francisco to Santa Barbara ran through San Luis Obispo, with an additional line from the city to the port (Cooper 1875).

The narrow-gauge Pacific Coast Railway from Port Harford to Los Alamos, which first ran in 1876, made San Luis Obispo the commercial center of the region and provided access for passenger steamer service. The City of San Luis Obispo was incorporated on March 20, 1876, and a codified system of ordinances was prepared and enacted. At the time of the 1880 census, there were 2,500 residents in the City. Just 3 years later, the number was said to have increased to 3,000 (Angel 1883).

By the turn of the Century several events had continued to spur the growth of the City. In 1901 the City was served by the Pacific Coast Railway and mainline Southern Pacific (Krieger 1988). The completion of a rail line that allowed travel and shipment of goods to the south meant greater opportunities for selling and buying of commodities. The establishment of California Polytechnic State University (Cal Poly) in 1903 as a vocational school on 281 acres also was a great draw for the City. By this time San Luis Obispo had a population of 4,500. In 1909 San Luis Obispo's population had reached 6,500 residents with the central city containing four banks, six churches, and a system of schools including kindergarten and primary through high school and manual training. It also boasted three semi-weekly papers and a developing infrastructure of gas, water, sewer, and electricity.

San Luis Obispo continued to grow steadily as a principally agricultural community into the early twentieth century. With the advent of the automobile and efficient highway systems, San Luis benefitted from its position in the "middle kingdom", equidistant between Los Angeles and the Bay Area. Commercial building in the downtown area gradually spread as the surrounding ranches were subdivided and developed. By the 1940s, the economy started to diversify and, with the end of World War II, the population continued to expand, mirroring the rest of southern California.

### 4.9.1.5 Chevron Tank Farm (Project Site)

The Project Site occupies the former Unocal San Luis Obispo Tank Farm. Plat maps dating to 1867 and 1875 and the 1874 San Luis Obispo map do not show any structures on the property. It appears the area was never settled due to its marshy nature. In 1897 the land that would become the tank farm was still largely undeveloped as depicted in Harford & Chapman's Subdivision map (Denardo and Greenlee 2011). In 1900, the property and surrounding parcels remained unchanged. By the early twentieth century, the Project Site was part of the San Luis Obispo Suburban Tract, purchased by wealthy San Francisco entrepreneur Josephe Donohoe Grant. County deed records reveal that J. D. Grant acquired the Project Site and the surrounding land, a total of 1586-acres, from Bank of America on May 16, 1881 for the sum of \$40,000 (Denardo and Greenlee 2011). In January of 1906, Grant hired A. F. Parsons to survey the large tract and to divide it into plots of varying sizes.

As a result of the early 20th Century California petroleum boom, oil producers in the San Joaquin Valley required access to ports on the west coast to ship unrefined product both north to San Francisco and south to Los Angeles. Steamships docking at Port San Luis provided a valuable opportunity to transport and distribute the increased capacity being produced (Conway 2008:6). To transport the unrefined product from the San Joaquin Valley oil fields to the coast, Union Oil and other independent producers built the Producers Pipeline in 1909-1910. However, local capacity was needed to store the oil until it could be loaded onto ships. To accomplish this, Union Oil acquired the Project Site and the first storage tanks were erected in 1910. The pipeline went into operation in March 1910, carrying 30,000 barrels a day to its terminus at the San Luis Obispo Tank Farm (Rivers 2000:85), making the farm's role pivotal in the delivery of oil to sea ports. Increased storage was needed in 1914, so Union Oil expanded the tank farm's capacity with four steel tanks of 55,000 barrels each. When completed, the tank farm contained 36 steel tanks of 55,000 barrels each, two mammoth reservoirs of a million and a half barrels each, and two concrete tanks of one million barrels each (Conway 2008:11).

The Project Site's place in the history of the development of the oil industry in California is not confined to storage and distribution. On April 7, 1926, lightning struck several of the reservoirs at the tank farm sparking a major conflagration. Photographs of the unprecedented event attest to it being one of the more significant disasters in the history of oil in California (Conway 2008:11). The initial explosion and subsequent fire affected six reservoirs and blackened and burned nearby agricultural fields and farm houses. A father and son, Alonzo and William Seeber, died in the explosion. In addition to the two deaths, oil flowed from the tank farm to the Pacific Ocean and the intensity of the fire created its own local weather system. Despite suppression efforts by the facility staff, over the next four days the fire spread to the other reservoirs and to 12 of the existing 15 steel tanks from a combination of burning embers and boil-overs. Most damaging were the boil-overs, where the heated oil flowed out of the reservoirs and onto the ground surrounding the tanks. By April 11, 1926, all but a few thousand of the 6 million barrel inventory burnt to coke that spread across the Project Site. This release is considered responsible for most of the numerous surface occurrences of highly weathered and burned petroleum that cover the ground in topographically low areas of the Project Site.

The tank farm was slowly withdrawn from operation during the later decades of the twentieth century, and by the late 1990s it was formally decommissioned. Chevron purchased Unocal,

including the Project Site in August 2005. The Project Site now is surrounded by urban development within the City of San Luis Obispo and the San Luis Obispo County Regional Airport (SLOCRA).

#### **4.9.1.6 Prior Cultural Resource Inventories**

In 2008 a literature review and pedestrian cultural resources survey of the 332-acre Project Site was conducted (Conway 2008). The literature review found that the Project Site had not been surveyed previously for cultural resources, but nineteen cultural resources studies had been conducted within 1/4-mile surrounding the Project Site. The subsequent reconnaissance-level survey identified and recorded fifty-seven historic-period cultural features and 287 isolated artifacts (Conway 2008). Of these isolated finds, eight were prehistoric in nature, with the remainder dating from the ranching period (1870-1910) through the construction and operation of the tank farm (1910-1950). The majority of the fifty-seven historic-period cultural features identified during the study were associated with events occurring on the Project Site between 1910 and 1950, including construction and operation of the tank farm by a large labor force living and working on the land; the explosion of the tank farm in 1926 and its clean up; and subsequent operation and eventual decommissioning of the facility. Conway concluded that the 332-acre Project Site constituted a large historic-period archaeological site that was formally designated with the Primary Number P-40-041195. Though he did not formally evaluate the significance of P-40-041195, Conway (2008) speculated that the resource may be significant under CEQA and made a general recommendation for Phase II archaeological subsurface testing of each feature, stipulating that features within or adjacent to Project impact areas would receive the most intensive testing.

Phase II archaeological testing was conducted to evaluate P-40-041195 using the significance criteria of the California Register of Historical Resources (CRHR) (Pub. Res. Code §5024.1) (Denardo and Greenlee 2011; Denardo et al. 2013). To guide the recommended testing and site evaluation, in 2009 they conducted further background research and reviewed the present environmental setting, the area's ethnographic setting, its archaeological context, and Conway's historical overview. They also prepared a site-specific research design for testing and evaluation. The focus of the proposed testing was 35 historic archaeological features, 7 groups of historic isolated finds, and 2 prehistoric isolated finds that have the potential to be impacted by Project-related ground disturbance; however, during the course of additional historic research for the research design, they identified an additional 15 features requiring inventory (GANDA 2010).

Between September 7 and December 2, 2010, GANDA excavated and documented twenty-four historic features, one prehistoric feature, six groups of isolates, and two prehistoric isolated finds within P-40-041195. They employed a combination of backhoe trenching, shovel test pits (STP), test excavation units (TEUs), and photo documentation, and only tested features or groups of isolates within areas of direct impact. Following receipt of USACE permits, GANDA carried out additional testing at eleven more features and one group of isolated finds in August and September 2012. GANDA has issued a memorandum indicating that they completed this work (Denardo and Greenlee 2012) and a full report on their findings was completed in 2013 (Denardo et al. 2013). Table 4.9-1 provides a synopsis of the recorded tank farm features and testing procedures.

#### 4.9 Cultural Resources and Archaeology

**Table 4.9-1 Chevron Tank Farm Features and Testing Procedures**

Recorded Features	Location vis-à-vis Proposed Impacts	Testing Procedures
1) Concentration of historic bricks and artifacts	SE Quad outside impact areas	None
2) Concentration of historic bricks	SE Quad near Remediation Area	None
3) Possible historic building site with bricks and artifacts	SE Quad within Remediation Area	Backhoe testing (2). Hand excavation of one TEU (1) to investigate intact deposits.
4) Historic drainage pipe and broken concrete	SE Quad outside impact areas	None
5) Historic concrete pad	SE Quad within Remediation Area	Backhoe testing (1) to investigate base.
6) Concentration of historic bricks and artifacts	SE Quad outside impact areas	None
7) Scattered group of historic artifacts	SE Quad outside impact areas	None
8) Large historic trash dump	SE Quad outside impact areas	None
9) Historic trash dump	SE Quad outside impact areas	None
10) Historic trash dump (machine shop dump)	SE Quad partially within Staging Area	Backhoe Testing (2)
11) Historic trash dump	SE Quad within Remediation Area	Excavation of STPs (12)
12) Historic trash dump	SE Quad outside impact areas	None
13) Historic trash dump	SE Quad outside impact areas	None
14) Historic trash dump	NE Quad outside impact areas	None
15) Historic concrete foundation with bricks	NW Quad outside impact areas	None
16) Historic trash dump	SW Quad outside impact areas	None
17) Concentration of historic bricks	SW Quad outside impact areas	None
18) Historic concrete foundation with bricks	SW Quad outside impact areas	None
19) Historic boiler tank with heavy brick scatter	SW Quad partially within Remediation Area	Photographic documentation of boiler. Backhoe testing (2) of brick clusters. Hand excavation of one TEU (1) to investigate intact deposits.
20) Historic brick scatter	NE Quad within Borrow Area and Development Area	Excavation of STPs (10)
21) Large historic trash dump	SE Quad within Borrow Area and Development Area	Backhoe testing (2) to remove debris. Hand excavation of two TEUs (2) to investigate intact deposits.
22) Solidified oil with embedded historic artifacts	NE Quad outside impact areas	None
23) Historic concrete pad with redwood planks, barbed wire, and solidified oil	SE Quad outside impact areas	None
24) Historic concrete pad with bricks	SW Quad within Remediation Area	Backhoe testing (1)
25) Historic concrete pad with shaft	NE Quad outside impact areas	None
26) Historic concrete pad	NE Quad outside impact areas	None
27) Historic brick scatter with embossed bricks	NE Quad within Borrow Area and Development Area	Backhoe testing (2) to remove debris and investigate possible association with Features 20 & 21. Hand excavation of two TEUs (2) to investigate intact deposits.

**Table 4.9-1 Chevron Tank Farm Features and Testing Procedures**

Recorded Features	Location vis-à-vis Proposed Impacts	Testing Procedures
28) Historic concrete pad	NE Quad outside impact areas	None
29) Historic concrete pad	NE Quad outside impact areas	None
30) Historic concrete pad	NE Quad outside impact areas	None
31) Large historic trash dump	NE Quad outside impact areas	None
32) Historic trash dump	NW Quad west of Restoration Area	None
33) Concentration of historic concrete, fire bricks, & structural bricks	NE Quad within Restoration Area	Excavation of STPs (6)
34) Three historic horseshoes	NE Quad north of Restoration Area	Controlled surface collection and excavation of one STP (1)
35) Concentration of historic redwood planks	NE Quad north of Restoration and Remediation Areas	None
36) Historic trash scatter	NE Quad within Restoration Area	Controlled surface collection and excavation of one STP (1)
37) Scatter of historic concrete and bricks	NW Quad within Restoration Area	Backhoe Testing (1)
38) Scatter of historic concrete and bricks	NW Quad within Restoration Area	Backhoe Testing (1)
39) Historic concrete and pipe fragments	NW Quad within Feature 64 and Restoration Area	None
40) Concentration of historic scrap iron	NW Quad outside impact areas	None
41) Attached historic redwood planks from large gate, platform or structure	NW Quad outside impact areas	None
42) Historic linear concentration of rocks along northern property boundary	NW Quad outside impact areas	None
43) Concentration of historic fence posts with machine cut nails	NE Quad within Restoration Area	Photographic documentation and mapping
44) Historic concrete dam with an opening mechanism	NE Quad outside impact areas	None
45) Concentration of historic bricks, concrete fragments and rocks	NW Quad within Restoration Area	Backhoe Trench (1)
46) Concentration of historic bricks and concrete fragments	NW Quad within Restoration Area?	None
47) Concentration of historic bricks, glass, bones, and scrap iron	NW Quad within Restoration, Development, and Remediation Areas	Excavation of STPs (9)
48) Concentration of historic glass, redwood lumber, ceramics, and rocks	Conway described location near Tank #80544, not labeled on any map	None
49) Large historic trash dump	Conway described location near wetland in north portion of property, not labeled on any map	None
50) Cluster of historic	Conway described location near	None

#### 4.9 Cultural Resources and Archaeology

**Table 4.9-1 Chevron Tank Farm Features and Testing Procedures**

Recorded Features	Location vis-à-vis Proposed Impacts	Testing Procedures
concrete blocks	Tank #80544, not labeled on any map	
51) Large historic trash dump	NW Quad within Restoration and Remediation Areas	Backhoe testing (2) to determine depth and size.
52) Scatter of historic bricks	NW Quad north of Restoration Area	None
53) Pile of historic concrete rubble with shellfish and bottle glass	NW Quad outside impact areas	None
54) Historic trash dump	NW Quad within Remediation Area	Backhoe Testing (1)
55) Historic trash dump	NW Quad outside impact areas	None
56) Historic redwood fence section	NW Quad within Remediation, Restoration, and Staging Areas	Photographic documentation and mapping.
57) Historic trash scatter	NW Quad within Remediation Area	Backhoe Testing (1)
58) Historic Reservoir #2	NE Quad, contains smaller Remediation Area	Photographic documentation and mapping.
59) Historic Reservoir #3	SE Quad within larger Remediation Area	Photographic documentation and mapping.
60) Historic Reservoir #7	SW Quad within larger Remediation Area	Photographic documentation and mapping.
61) Historic Reservoir #6	SW Quad partially within Staging Area	Photographic documentation and mapping.
62) Historic Reservoir #5	SW Quad (Cultural Map 3) within larger Remediation Area	Photographic documentation and mapping.
63) Historic Tank # 55534	NW Quad (Cultural Map 1) near Staging and Remediation Areas	Photographic documentation and mapping.
64) Historic Tank # 55526	NW Quad within Restoration Area	Photographic documentation and mapping.
65) Historic Storage Tank	NW Quad partially within Restoration Area	Photographic documentation and mapping.
66) Historic Storage Tank	NW Quad partially within Restoration Area	Photographic documentation and mapping.
67) Historic Storage Tank	NW Quad within Restoration Area	Photographic documentation and mapping.
68) Historic Storage Tank	NW Quad partially within Restoration Area	Photographic documentation and mapping.
69) Historic Storage Tank	NW Quad within Restoration Area	Photographic documentation and mapping.
70) Historic Tank #80546	NE Quad partially within Restoration Area	Photographic documentation and mapping.
71) Historic Storage Tank	NE Quad near Staging Area	Photographic documentation and mapping.
72) Historic Reservoir #4	NE Quad within Development and Borrow Areas	Photographic documentation and mapping. Backhoe testing (1) outside southwest corner.
73) Prehistoric Shell Scatter	Southwest Quad Near Remediation Area	Controlled surface collection and excavation of STPs (15) and two TEUs (2)
Isolate Group #1 (#58-60, 62-67, 90-96, 100, 102-119). Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Controlled Surface Collection
Isolate Group #2 (#80-85) Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Backhoe testing (1)
Isolate Group #3 (#88, 212- 220) Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Backhoe testing (1)
Isolate Group #4 (#221, 225, 242, 243) Brick and Concrete Scatter	Northwest Quad within Remediation and Restoration Area	Excavation of STPs (3)
Isolate Group #5 (#253,	Northeast Quad within Remediation	Backhoe testing (1)

**Table 4.9-1 Chevron Tank Farm Features and Testing Procedures**

Recorded Features	Location vis-à-vis Proposed Impacts	Testing Procedures
255, 287) Historic Artifacts	and Restoration Area	
Isolated Group # 6 (#132, 161, 189-192, 203-204, 208-209) Historic Artifacts	Northeast Quad within Remediation and Restoration Area	Backhoe testing (2) and controlled surface collection to determine feature boundaries.
Isolated Group #7 (#121-131, 133-135, 137-139, 158-160, 162, 188, 193-201, 207) Historic Artifacts	Northeast Quad within Remediation and Restoration Area	Excavation of STPs (18) to determine association with Features 20 & 27
#211 Chert core prehistoric tool	Northeast Quad within Remediation and Restoration Area	Excavation of STPs (4 )
#256 Franciscan chert tool with edge use	Northeast Quad within Remediation and Restoration Area	Excavation of STPs (4 )

On October 25, 2012, GANDA conducted a Phase I archaeological pedestrian survey of three parcels located just north of the Project Site. These parcels are in the vicinity of the flower mound and could be impacted by the remediation component of the proposed Project. GANDA archaeologists surveyed the Project’s Area of Potential Effects (APE), which comprises about seven acres adjacent to the northeast corner of the Project Site. The results of the survey indicate no archaeological sites or other cultural materials are present within the three properties surveyed.

Because of the presence of prehistoric Native American remains within Project Site, the EIR consultant retained a qualified archaeological consultant (Applied Earth Works (Æ)) who initiated outreach to local Native American representatives. A letter was sent to the Native American Heritage Commission (NAHC) on September 30, 2009 requesting a search of their Sacred Lands File. The NAHC responded on October 12, 2009 that there were no listings in the Sacred Lands File relevant to the Project Site. However, the NAHC response included a list of individuals who might have knowledge of cultural resources within the Project area (see Table 4.9 -2). Letters were sent to these contacts on November 24, 2009. Æ placed follow-up phone calls to each of these tribal representatives on December 7, 2009. Results of these calls are summarized in Table 4.9-2.

**Table 4.9-2 Native American Contacts for the Chevron Tank Farm Project**

Contact Name	Affiliation	Response to Phone Call
Adelina Alva-Padilla	Santa Ynez Tribal Elders Council	Spoke to Freddie Romero. No concerns with project. Referred to local Northern Chumash tribal representatives for consultation.
Vincent Armenta	Santa Ynez Band of Mission Indians	Spoke to Willie Wyatt, Tribal Administrator. He will consult with the Tribal Council. No further response received.
Frank Arredondo	Chumash	Left message. No response received.
Sam Cohen	Santa Ynez Band of Mission Indians	Referred us to Willie Wyatt, current Tribal Administrator.

## 4.9 Cultural Resources and Archaeology

**Table 4.9-2 Native American Contacts for the Chevron Tank Farm Project**

Contact Name	Affiliation	Response to Phone Call
Fred Collins	Northern Chumash Tribal Council	He expressed concerns regarding the quality of past fieldwork and documentation of resources and strongly requests Northern Chumash Tribal Council involvement in the review process for this project.
Beverly Salazar Folkes	Chumash/Tataviam/Fernandeño	Recommended Native American monitoring due to potential for buried remains.
Janet Garcia	Coastal Band, Chumash Nation	Left message. No response received.
Matthew Darian Goldman	Northern Chumash	Said he would review information and call back. No further response.
Randy Guzman-Folkes	Chumash/Tataviam/Fernandeño	Left message. No response received.
Diane Napoleone	Chumash	She expressed no concern with the project.
Lei Lynn Odom	Northern Chumash	Expressed concerns regarding the potential for Native American sites in the area, unregulated activities in the area, origin and disturbance of soils, and safety. Recommended monitoring and HAZWOPER training for tribal monitors.
Mona Olivas Tucker	Northern Chumash	Expressed concerns regarding the potential for Native American sites in the area, and recommended monitoring.
Julie Lynn Tumamait	Chumash	Left message. No response received.
Mark Steven Vigil	San Luis Obispo County Chumash Council	Left message. No response received.
Xielolixii	Chumash-Salinan	Left message. No response received.

### 4.9.1.7 Prior Paleontological Resource Inventories

In 2010 Dr. Roland Brady of Brady and Associates Geological Services completed a Paleontological Identification and Evaluation Report (PIR/PER) for the Project Site (Brady 2008). That report identified the geologic units underlying the Project Site and their potential to contain significant plant or vertebrate fossil resources, and assessed the Project's potential impacts on paleontological resources.

Three geologic units occur at or adjacent to the Project Site. The Jurassic Franciscan assemblage crops out solely in the small quarry in the northeast part of the Project Site; this unit is unfossiliferous and assigned a Potential Fossil Yield Classification (PFYC) sensitivity of **Class 1- Very low**. Pleistocene alluvium forms low hills south of the Project

Site and presumably underlies it at depth. This unit has produced significant fossils in the region, and has a PFYC of **Class 4a-Highly Sensitive**. Approximately 95% of the site is covered by Holocene river alluvium which, due to its young age, is not fossiliferous, so has a PFYC rating of **Class 1- Very low**. The Holocene alluvium extends to an estimated minimum depth of 8 feet.

Brady concluded that the proposed Project is anticipated to have little impact on fossil resources since most excavations planned for soil remediation will be less than 5 feet deep, so will probably not encounter paleontologically sensitive Pleistocene beds in the subsurface. Deeper excavations, however, could penetrate through the Holocene sediments and damage potential fossil resources in the underlying Pleistocene unit.

#### **4.9.2 Regulatory Setting**

Several state preservation laws guide actions that concern cultural and paleontological resources. These include the CEQA (Public Resources Code 21000 et seq.), Public Health and Safety Code (HSC), and Public Resources Code (PRC). At the local level, the City and County of San Luis Obispo require protection of archaeological, historical, and paleontological resources to the greatest extent feasible. All regulatory settings apply to the Project.

##### **4.9.2.1 Cultural Resources**

In Section 21084.1 of the Public Resources Code, CEQA equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment. “Historical resources” include archaeological sites and historical buildings and structures/complexes listed in or eligible for listing in the CRHR and, by reference, the National Register of Historical Places, California Historical Landmarks, Points of Historical Interest, and local registers. Any resource listed in, or eligible for listing in, the CRHR is presumed to be historically or culturally significant. A substantial adverse change is demolition, destruction, relocation, or alteration that would impair historical significance (Section 5020.1). Section 21084.1 further requires treatment of any substantial adverse change in the significance of a historical resource as a significant effect on the environment.

Where a project may adversely affect a unique archaeological resource, Public Resources Code Section 21083.2 requires the lead agency to treat that effect as a significant environmental impact and prepare an EIR.

##### **4.9.2.2 Codes Governing Human Remains**

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

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

### 4.9.2.3 City and County of San Luis Obispo Preservation Guidelines

The City of San Luis Obispo Historic Preservation Program Guidelines provide guidance on the management of the historic built environment. They were adopted by City Council Resolution No. 6158 (1987 Series) and became effective February 3, 1987. The Guidelines were amended by City Council Resolution No. 6857 to incorporate standards for rehabilitation that have been established by the U.S. Secretary of the Interior; they were updated in 1990 and again in 2008.

The Historic Preservation Program Guidelines define historical resources and historic districts, detail historic preservation benefits and services offered by the City, discuss the principles of historic preservation, and summarize the architectural review process. Additionally, these guidelines establish the roles and duties of the Cultural Heritage Commission (CHC), outline procedures for adding properties to the Master List of Historic Resources, and outline procedures for amending or establishing Historic Preservation Districts. The Master List of Historic Resources and the List of Contributing Properties within Historic Preservation Districts are appended to this document. The list was last updated in April 2008.

The CHC developed the City's Archaeological Resource Preservation Program Guidelines (part of the City's Environmental Guidelines) to guide assessment of a project's effects on archaeological sites and determine whether a project complies with CEQA's cultural resource requirements. These guidelines call for a three-step approach to identification, evaluation, and treatment of archaeological resources: preparation of an Archaeological Resource Inventory (ARI); Subsurface Archaeological Resource Evaluation (SARE); and Archaeological Resource Impact Mitigation (ARIM). These steps parallel the CEQA process.

Proposed projects are also evaluated for consistency with the County's following adopted goals and policies relating to cultural resources:

General Plan, Land Use Element:

- Policy LU 4.12, Building Conservation and Compatibility

General Plan, Conservation and Open Space Element:

- Policy COS 3.2, Historic and Architectural Resources
- Policy COS 3.3.1, Historic Preservation
- Policy COS 3.3.2, Demolitions
- Policy COS 3.3.3, Historical Documentation
- Policy COS 3.3.4, Changes to Historical Buildings
- Policy COS 3.4, Archaeological Resources
- Policy COS 3.5.1, Archaeological Resource Protection
- Policy COS 3.5.4, Archaeological Sensitive Areas
- Policy COS 3.5.5, Archaeological Resources Present
- Policy COS 3.5.6, Qualified Archaeologist Present

- Policy COS 3.5.7, Native American Participant
- Policy COS 3.5.8, Protection of Native American Cultural Sites

#### **4.9.2.4 Paleontological Resources**

Paleontological resources cannot be replaced once they are destroyed. Therefore, paleontological resources are considered nonrenewable scientific resources and are protected under CEQA. Section 15065(a)(1) of the CEQA Guidelines requires a lead agency to find that a project may have a significant environmental impact if it will “eliminate important examples of the major periods of California history or prehistory.” Further, in Section V(c) of Appendix G of the CEQA Guidelines, the “Environmental Checklist Form,” the question is posed: “Will the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?” To determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged). Therefore, mitigation of adverse impacts to paleontological resources is mandated by CEQA.

Section 5097.5 of the Public Resources Code affirms that no person shall willingly or knowingly excavate, remove, or otherwise destroy a vertebrate paleontological site or paleontological feature without the express permission of the overseeing public land agency. It further states that any development that would adversely impact paleontological resources shall require reasonable mitigation.

Paleontological resources also are addressed under the Conservation and Open Space Element of the County’s General Plan. Goal CR 4 states, “The County’s known and potential Native American, archaeological, and paleontological resources will be preserved and protected.” Policy CR 4.5 states, “Protect paleontological resources from the effects of development by avoiding disturbance where feasible.” In order to fulfill this goal, the County has set forth the following implementation strategies:

##### **Implementation Strategy CR 4.5.1 Paleontological Studies**

Require a paleontological resource assessment and mitigation plan to 1) identify the extent and potential significance of the resources that may exist within the proposed development and 2) provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain biological, paleontological, or other scientific resources.

##### **Implementation Strategy CR 4.5.2 Paleontological Monitoring**

Require a paleontologist and/or registered geologist to monitor site-grading activities when paleontological resources are known or likely to occur. The monitor will have the authority to halt grading to determine the appropriate protection or mitigation measures. Measures may include collection of paleontological resources, curation of any resources collected with an appropriate repository, and documentation with the County [San Luis Obispo County 2010: 4.15].

### 4.9.3 Significance Criteria

#### 4.9.3.1 Thresholds for Determining Significance

For projects financed by or requiring the discretionary approval of public agencies in California, CEQA requires that the effects of the project on paleontological, historical, and archaeological resources must be considered (Public Resources Code [PRC] Section 21083.2). Historical resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance (PRC Section 50201). The CEQA Guidelines (Section 15064.5) define three cases in which a property may qualify as a historical resource for the purpose of CEQA review:

- The resource is listed in or determined eligible for listing in the CRHR. Section 5024.1 defines eligibility requirements and state that a resource may be eligible for inclusion in the CRHR if it:
  1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  2. Is associated with the lives of persons important in our past;
  3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
  4. Has yielded, or may be likely to yield, information important in prehistory or history.

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

- The resource is included in a local register of historic resources, as defined in Section 5020.1(k) of the PRC, or is identified as significant in a historical resources survey that meets the requirements of section 5024.1(g) of the PRC (unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant).
- The lead agency determines that the resource may be a historical resource as defined in PRC Section 5020.1(j), 5024.1, or significant as supported by substantial evidence in light of the whole record.

In its standard guidelines for assessing and mitigating adverse impacts to paleontological resources, the Society of Vertebrate Paleontology (SVP 2010) noted that a fossil specimen is considered to be "significant" (having scientific importance) if it is:

- 1) identifiable, 2) complete, 3) well preserved, 4) age-diagnostic, 5) useful in paleoenvironmental reconstruction, 6) a type or topotypic specimen, 7) a member of a rare species, 8) a species that is part of a diverse assemblage, or 9) a skeletal element different from, or a specimen more complete than, those now available for that species.

The value or importance of different fossil groups varies depending on the age and depositional environment of the stratigraphic unit that contains the fossils, their abundance in the record, and their degree of preservation. SVP (2010) considers all vertebrate fossil occurrences as significant because they are so uncommon and only rarely will a locality yield a number of specimens of the same species. So, each new fossil specimen found provides important information about the characteristics or distribution of the species it represents. Fossil plants, unlike animals, are not mobile and are highly climatically diagnostic, so are particularly useful for paleoenvironmental reconstructions, and therefore, may be significant as well.

**4.9.4 Remediation Project Impacts and Mitigation Measures**

Impact #	Impact Description	Phase	Residual Impact
CR.1	Impacts to paleontological resources due to ground disturbance as a result of remediation activities.	Remediation	Class II

Absent specific agency guidelines, most professional paleontologists in California adhere to guidelines set forth by SVP in “Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources” (SVP 2010). These guidelines establish detailed protocols for the assessment of the paleontological resource potential (i.e., “sensitivity”) of a project area and outline measures to follow in order to mitigate adverse impacts to known or unknown fossil resources during project development. Per SVP recommendations, the EIR Consultant retained a qualified professional paleontologist to conduct an assessment of the Project Site.

Using baseline information gathered during the paleontological resource assessment, the paleontological resource potential of the geologic unit(s) (or members thereof) underlying the Project Site were assigned to one of four categories defined by SVP (2010). These categories include high, undetermined, low and no potential. The criteria for each sensitivity classification, and the corresponding mitigation recommendations, are summarized in Table 4.9-3 below.

If a project area is determined to have high or undetermined potential for paleontological resources following the initial assessment, then SVP recommends that a paleontological resources mitigation plan be developed and implemented during the construction phase of a project. The mitigation plan describes, in detail, when and where paleontological monitoring will take place and establishes communication protocols to be followed in the event that an unanticipated fossil discovery is made during project development. If significant fossil resources are known to occur within the boundaries of the project and have not been collected, then the plan will outline the procedures to be followed prior to the commencement of construction (i.e., pre-construction salvage efforts or avoidance measures including fencing off a locality). Should microfossils be known to occur in the geologic unit(s) underlying the Project area or suspected to occur, then the plan will describe the methodology for matrix sampling and screening.

The paleontological mitigation plan should be prepared by a qualified professional paleontologist and developed using the results of the initial paleontological assessment and survey. Elements of the plan can be adjusted throughout the course of a project as new information is gathered and

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conditions change, so long as the lead agency is consulted and all parties are in agreement. For example, if after 50 percent of earth-disturbing activities have occurred in a particular unit or area, and no fossils whatsoever have been discovered, then the project paleontologist can reduce or eliminate monitoring efforts in that unit or area.

**Table 4.9-3 Paleontological Sensitivity Categories**

Resource Potential	Criteria	Mitigation Recommendations
No Potential	Rock units that are formed under or exposed to immense heat and pressure, such as high-grade metamorphic rocks and plutonic igneous rocks.	No mitigation required.
Low Potential	Rocks units that have yielded few fossils in the past, based upon review of available literature and museum collections records. Geologic units of low potential also include those that yield fossils only on rare occasion and under unusual circumstances.	Mitigation is not typically required.
Undetermined Potential	In some cases, available literature on a particular geologic unit will be scarce and a determination of whether or not it is fossiliferous or potentially fossiliferous will be difficult to make. Under these circumstances, further study is needed to determine the unit's paleontological resource potential (i.e., field survey).	A field survey is required to further assess the unit's paleontological potential.
High Potential	Geologic units with high potential for paleontological resources are those that have proven to yield vertebrate or significant invertebrate, plant or trace fossils in the past or are likely to contain new vertebrate materials, traces, or trackways. Rock units with high potential also may include those that contain datable organic remains older than late Holocene (e.g., animal nests or middens).	Typically, a field survey as well as on-site construction monitoring will be required. Any significant specimens discovered will need to be prepared, identified, and curated into a museum. A final report documenting the significance of the finds will also be required.

Adapted from SVP (2010).

Rocks of the Franciscan mélange crop out in a small area at the northeastern corner of the Project Site. Because of its meta-igneous origin, the Franciscan serpentinite is not likely to contain significant fossil remains. Most of the Project Site is covered by Holocene alluvium that is too young to contain fossils. For these reasons the EIR consultant judged the surface sediments at the Project Site to have very low paleontological sensitivity (Brady 2009).

The only vertebrate fossils to potentially occur at the site would be those of Pleistocene age. Although no fossils have been reported from within or immediately adjacent to the Project Site, important Pleistocene marine and non-marine vertebrates have been recovered from less than 10 miles away. Older alluvium of Pleistocene age and similar in age and composition to other fossiliferous units in the region underlies the Holocene alluvium at the Project Site. This stratum

has a high potential to contain significant fossils, and these beds therefore have high paleontological sensitivity.

The depth to the Older Alluvium is unknown, and can only be determined from boreholes or trenching, but, based on adjacent topography and similar deposits, it is probably occurs between 6 and 8 feet below the current ground surface. Where excavations are less than 5 feet deep, there would be no impact potential to impact fossil resources because uppermost Holocene deposits, which cover 95% of the site, do not contain fossils. Remediation excavations would be limited to a depth of 5 feet below ground surface. Therefore, in areas of shallow excavations the impact on fossil resources would be less than significant.

Deeper excavations (greater than 5 feet) that could penetrate through the Holocene alluvium and cut into the underlying Pleistocene could encounter fossil resources. In areas where grading may extend into the Pleistocene deposits, the Project's impact could be potentially significant.

### **Mitigation Measures**

*CR-1a Prior to issuance of grading permits for the Project, the Applicant shall prepare a Paleontological Monitoring and Mitigation Plan to preserve and protect any fossil resources that may be uncovered during deep excavations at the Project Site. The Plan shall be prepared by a Principal Paleontologist who meets SVP professional qualification standards and shall be consistent with SVP Guidelines. The Plan shall include, at a minimum:*

- 1. Provisions for paleontological monitoring under the supervision of the Principal Paleontologist during all excavation greater than 5 feet deep;*
- 2. Descriptions of how salvage and/or preservation will be conducted if fossils are encountered;*
- 3. Standards for recording fossil localities in the field, analyzing and preparing recovered remains in the laboratory, and reporting results;*
- 4. Health and safety procedures to be implemented by monitors during work at the Project Site; and*
- 5. A curation agreement with qualified repositories for scientific research and public education.*

*Monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. In the event that a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected, if appropriate. Monitoring efforts may be reduced or eliminated at the discretion of the Principal Paleontologist if, after 50 percent of the excavations are completed, no fossil resources are encountered.*

*CR-1b If paleontological resources are discovered during any ground disturbing activities, the Applicant or their agents shall immediately cease all work activities within 50 feet of the discovery until the Provisions of the Paleontological Monitoring and Mitigation*

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*Plan (MM CR-1a) are implemented. Any required significance evaluation or fossil recovery shall be fully funded by the Applicant and completed under the supervision of a Principal Paleontologist who meets SVP professional qualification standards. Work in the area of the discovery shall not resume until authorization is received from the County or City Department of Planning and Building.*

*CR-1c The Applicant shall design and implement a Worker Education Program that shall be provided to all Project personnel who may encounter and/or alter paleontological resources, including construction supervisors and field personnel. No construction worker shall be involved in field operations without having participated in the Worker Education Program. The training shall be prepared by the Principal Paleontologist and shall provide a description of the fossil resources that may be encountered in the Project area, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the Project Paleontologist and on-site monitor(s). The training may be conducted concurrent with other environmental or safety awareness and education programs for the Project, provided that the program elements pertaining to paleontological resources is provided by a qualified instructor meeting applicable professional qualifications standards.*

#### **Residual Impacts**

Implementation of mitigation measures CR-1A through 1C would reduce impacts to paleontological resources to *less than significant with mitigation (Class II)*.

<b>Impact #</b>	<b>Impact Description</b>	<b>Phase</b>	<b>Residual Impact</b>
CR.2	Impacts to historical resources at the Project Site due to ground disturbance as a result of remediation activities.	Remediation	Class II

For the purposes of this EIR, the EIR consultant completed an independent desktop analysis of cultural resource impacts that involved several steps. First, the EIR consultant reviewed the prior historical and archaeological research (Conway 2008; GANDA 2010; Denardo and Greenlee 2011, 2012, Denardo et al. 2013) prepared by the Applicant's consultant to identify the relevant theme(s) in regional history that apply to the Project area and thus provide the general context for evaluation of the resources. In this approach, the Project Site is viewed as a single archaeological site comprised of multiple features and feature systems linked together by their function, age, and associations. As the Applicant's consultant observed, the site features may represent several historical themes of importance in California history (GANDA 2010).

The Applicant's consultant provided baseline data that were adequate to evaluate the historical and archaeological significance of Project Site, determine whether individual features within the site embody its significant qualities, and complete the impact assessment. The EIR consultant applied the CRHR significance criteria to establish whether or not the Project Site is associated with historically important events or individuals, is a good representation of the relevant historical themes, has unique or unusual technological or aesthetic qualities, and retains enough integrity to convey its significant associations and/or qualities.

Based upon the prior research, two historical themes emerge in the development of the Project Site: the development and growth of the petroleum industry in California from the early twentieth century to the present, and ranching and agriculture during the late nineteenth to early twentieth centuries. Most features at the Project Site are associated with the first of these themes; however, archaeological testing also identified three features associated with the initial ranching and agricultural uses of the Project Site. Additionally, the Project Site contains prehistoric archaeological remains associated with the theme of Native American occupation and land use (see Table 4.9-1).

The EIR Consultant has concluded that the entire Project Site (site P-40-041195) is a significant historical resource eligible for the CRHR under Criterion 1 because of its critically important role in the early development of the oil industry in California, one of the most important events in the State's economic history. The reasons for this determination include that fact that the Project Site was a pivotal node in the system that delivered crude oil from the San Joaquin Valley oil fields to refineries near Los Angeles and San Francisco, permitting the efficient storage, transportation, and processing of this vital resource. Additionally, the Project Site's historic significance is tied to the 1926 fire that nearly destroyed the existing infrastructure on the Project Site and was the greatest environmental catastrophe of its time and one of the most significant disasters in the history of oil development in California. The period of significance for the association with these events in the development of the petroleum industry is 1910-1950.

The physical features of the Project Site that define its character and evoke its significant historical associations are those that are linked clearly with the Project Site's role in the storage and distribution of crude oil. These defining characteristics are found principally in the remnants of the tanks and reservoirs that portray the site's original function and reflect the property's initial industrial development, growth, operation, and near destruction by catastrophic fire. The remnant tanks and reservoirs that express the Project Site's significant qualities have been designated Features 58-72 at the Project Site (see table 4.9-1).

The Project Site is also eligible for the CRHR because of its association with the theme of early ranching and agriculture; the period of significance for this theme is 1870-1910. Because archaeological deposits dating to this period have the potential to yield important information regarding this theme, the site is significant under Criteria 1 and 4 within this context. As a result of archaeological testing and evaluation, it was found that Features 21 and 27 embody the significant qualities of the site within this context (refer to Table 4.9-1) (Denardo and Greenlee 2011).

Based on data supplied by the Applicant's consultant and their own independent evaluation, the EIR consultant has concluded that 17 archaeological features within the Project Site are associated with the important historical themes described above and retain physical characteristics that express the site's historical significance. Another 28 archaeological features, isolates, and isolate groups within the Project Site lack the quantity or variety of artifacts required to express the significant qualities of the site, or cannot be linked to the relevant historical themes. Included among these are prehistoric Native American remains, which did not contain temporally or technologically diagnostic artifacts or other materials that can be used to place the features in time or provide other important new information about local or regional prehistory (Table 4.9-4).

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Thirty-seven features listed in Table 4.9-4 (below) are located outside of the direct impact area of the Project (i.e., remediation, restoration, or either the County or City Development Plans) and were not evaluated during the current investigations. For future site management purposes, these features also should be considered significant and treated accordingly. Finally, three features recorded by Conway (2008) (Features 48, 49, and 50, Table 4.9-1) were not depicted on the archaeological inventory maps and could not be identified or examined during the testing and evaluation phase. Table 4.9-4 lists the features, their locations vis-à-vis proposed impacts, and the CRHR significance determinations.

**Table 4.9-4 Project Site Features and CRHR Significance Determinations**

Recorded Features	Location vis-à-vis Planned Impacts	CRHR Significance Determination
1) Concentration of bricks and artifacts	SE Quad outside impact areas*	Unevaluated
2) Concentration of bricks	SE Quad outside impact areas*	Unevaluated
3) Possible building site with bricks and artifacts	SE Quad within Remediation Area	Not Significant
4) Drainage pipe and broken concrete	SE Quad outside impact areas*	Unevaluated
5) Concrete pad	SE Quad within Remediation Area	Not Significant
6) Concentration of bricks and artifacts	SE Quad outside impact areas*	Unevaluated
7) Scattered group of historic artifacts	SE Quad outside impact areas*	Unevaluated
8) Large trash dump	SE Quad outside impact areas*	Unevaluated
9) Trash dump	SE Quad outside impact areas*	Unevaluated
10) Trash dump (machine shop dump)	SE Quad partially within Staging Area	Not Significant
11) Trash dump	SE Quad within Remediation Area	Not Significant
12) Trash dump	SE Quad outside impact areas*	Unevaluated
13) Trash dump	SE Quad outside impact areas*	Unevaluated
14) Trash dump	NE Quad outside impact areas*	Unevaluated
15) Concrete foundation with bricks	NW Quad outside impact areas*	Unevaluated
16) Trash dump	SW Quad outside impact areas*	Unevaluated
17) Concentration of bricks	SW Quad outside impact areas*	Unevaluated
18) Concrete foundation with bricks	SW Quad outside impact areas*	Unevaluated
19) Boiler tank with heavy brick scatter	SW Quad partially within Remediation Area	Not Significant
20) Brick scatter	NE Quad within Borrow Area and Development Area	Not Significant
21) Large trash dump	SE Quad within Borrow Area and Development Area	Significant
22) Solidified oil with embedded artifacts	NE Quad outside impact areas*	Unevaluated
23) Concrete pad with redwood planks, barbed wire, and solidified oil	SE Quad outside impact areas*	Unevaluated
24) Concrete pad with bricks	SW Quad within Remediation Area	Not Significant
25) Concrete pad with well shaft	NE Quad outside impact areas*	Unevaluated
26) Concrete pad	NE Quad outside impact areas*	Unevaluated
27) Brick scatter with embossed bricks	NE Quad within Borrow Area and Development Area	Significant
28) Concrete pad	NE Quad outside impact areas*	Unevaluated
29) Concentration of bricks	NE Quad outside impact areas*	Unevaluated
30) Concrete pad	NE Quad outside impact areas*	Unevaluated
31) Large trash dump	NE Quad outside impact areas*	Unevaluated
32) Trash dump	NW Quad outside impact areas*	Unevaluated
33) Concentration of concrete, fire bricks, & structural bricks	NE Quad within Restoration Area	Not Significant
34) Three horseshoes	NE outside impact areas*	Unevaluated
35) Concentration of redwood planks	NE Quad outside impact areas*	Unevaluated
36) Trash scatter	NE Quad within Restoration Area	Not Significant
37) Scatter of concrete and bricks	NW Quad within Restoration Area	Not Significant

**Table 4.9-4 Project Site Features and CRHR Significance Determinations**

Recorded Features	Location vis-à-vis Planned Impacts	CRHR Significance Determination
38) Scatter of concrete and bricks	NW Quad within Restoration Area	Not Significant
39) Concrete and pipe fragments	NW Quad within boundaries Feature 64 but outside Restoration Area*	Unevaluated
40) Concentration of scrap iron	NW Quad outside impact areas*	Unevaluated
41) Attached redwood planks from large gate, platform or structure	NW Quad outside impact areas*	Unevaluated
42) Linear concentration of rocks along northern property boundary	NW Quad outside impact areas*	Unevaluated
43) Concentration of old fence posts with machine cut nails	NE Quad within Restoration Area	Not Significant
44) Concrete dam with an opening mechanism	NE Quad outside impact areas*	Unevaluated
45) Concentration of bricks, concrete fragments and rocks	NW Quad within Restoration Area	Not Significant
46) Concentration of bricks and concrete fragments	NW Quad outside Restoration Area*	Unevaluated
47) Concentration of bricks, glass, bones, and scrap iron	NW Quad within Restoration, Development, and Remediation Areas	Not Significant
48) Concentration of glass, redwood lumber, ceramics, and rocks	Conway described location near Tank #80544, not labeled on any map*	Unevaluated
49) Large trash dump	Conway described location near wetland in north portion of property, not labeled on any map*	Unevaluated
50) Cluster of concrete blocks	Conway described location near Tank #80544, not labeled on any map*	Unevaluated
51) Large trash dump	NW Quad within Restoration and Remediation Areas	Not Significant
52) Scatter of bricks	NW Quad outside impact areas*	Unevaluated
53) Pile of concrete rubble with shellfish and bottle glass	NW Quad outside impact areas*	Unevaluated
54) Trash dump	NW Quad within Remediation Area	Not Significant
55) Trash dump	NW Quad outside impact areas*	Unevaluated
56) Redwood fence section	NW Quad within Remediation, Restoration, and Staging Areas	Not Significant
57) Trash scatter	NW Quad within Remediation Area	Not Significant
58) Reservoir #2	NE Quad, contains smaller Remediation Area	Significant
59) Reservoir #3	SE Quad within larger Remediation Area	Significant
60) Reservoir #7	SW Quad within larger Remediation Area	Significant
61) Reservoir #6	SW Quad partially within Staging Area	Significant
62) Reservoir #5	SW Quad (Cultural Map 3) within larger Remediation Area	Significant
63) Tank # 55534	NW Quad (Cultural Map 1) near Staging and Remediation Areas	Significant
64) Tank # 55526	NW Quad within Restoration Area	Significant
65) Storage Tank	NW Quad partially within Restoration Area	Significant
66) Storage Tank	NW Quad partially within Restoration Area	Significant
67) Storage Tank	NW Quad within Restoration Area	Significant
68) Storage Tank	NW Quad partially within Restoration Area	Significant
69) Storage Tank	NW Quad within Restoration Area	Significant
70) Tank #80546	NE Quad partially within Restoration Area	Significant

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**Table 4.9-4 Project Site Features and CRHR Significance Determinations**

Recorded Features	Location vis-à-vis Planned Impacts	CRHR Significance Determination
71) Storage Tank	NE Quad near Staging Area	Significant
72) Reservoir #4	NE Quad within Development and Borrow Areas	Significant
73) Prehistoric Shell Scatter	Southwest Quad Near Remediation Area	Not Significant
Isolate Group #1 (#58-60, 62-67, 90-96, 100, 102-119). Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Not Significant
Isolate Group #2 (#80-85) Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Not Significant
Isolate Group #3 (#88, 212- 220) Historic Artifacts	Northwest Quad within Remediation and Restoration Area	Not Significant
Isolate Group #4 (#221, 225, 242, 243) Brick and Concrete Scatter	Northwest Quad within Remediation and Restoration Area	Not Significant
Isolate Group #5 (#253, 255, 287) Historic Artifacts	Northeast Quad within Remediation and Restoration Area	Not Significant
Isolated Group # 6 (#121-131, 133-135, 137-139, 158-160, 162, 188, 193-201, 207) Historic Artifacts	Northeast Quad within Remediation and Restoration Area	Not Significant
Isolated Group #7 (#132, 161, 189-192, 203-204, 208-209)	Northeast Quad within Remediation and Restoration Area	Not Significant
#211 Chert core prehistoric tool	Northeast Quad within Remediation and Restoration Area	Not Significant
#256 Franciscan chert tool with edge use	Northeast Quad within Remediation and Restoration Area	Not Significant

\*Feature outside area of direct impact (ADI)

The entire Project Site is a significant historical resource eligible for the CRHR because of its association with several historical themes important in state and local history. The significant qualities of the site are embodied in numerous historical features distributed across the 332-acre Project Site. These features would be impacted by the remediation and restoration activities. Though complete avoidance is the preferred treatment alternative, avoidance is not feasible within the remediation and restoration footprint. As such impacts are potentially significant.

#### Mitigation Measures

*CR-2a Prior to issuance of applicable grading permits, the Applicant shall fund and implement a Phase III archaeological data recovery program at Features 21 and 27. The data recovery shall be directed by a Registered Professional Archaeologist (RPA) with expertise in historical archaeology, and shall be carried out in accordance with a Data Recovery Plan prepared in advance by the RPA and approved by the County of San Luis Obispo Department of Planning and Building. All artifacts and other remains shall be analyzed according to current professional standards. A final technical report shall be prepared that describes field and laboratory methods, results of technical analysis of recovered materials, and site interpretations. Artifacts, records, and other associated materials shall be deposited with an appropriate curation facility following completion of the work; the Applicant shall be responsible for all curation costs. A Chumash tribal representative shall monitor all excavation.*

CR-2b Presently 37 features are located outside the remediation areas of impact. However, if project design plans change to include these areas then prior to issuance of applicable grading permit, the Applicant shall fund and implement a Phase II/III archaeological data recovery program at Features 1, 2, 4, 6, 7-9, 12-18, 22-23, 25-26, 28-32, 34-35, 39-42, 44, 46, 48-50, 52, 53, and 55 . Without proper subsurface testing and evaluation, the significance of each of these features remains unknown. Therefore, for management purposes they are assumed to embody the site's significant qualities. The data recovery program at these features shall use a phased approach which first defines their significant qualities and then recovers a representative sample. The work shall follow the "consolidated approach" outlined in the City of San Luis Obispo Archaeological Resource Preservation Program Guidelines (October 2009 edition); the approach shall be described in detail in a Data Recovery Plan prepared in advance by the RPA and approved by the County of San Luis Obispo Department of Planning and Building. The work shall be directed by a Registered Professional Archaeologist (RPA) with expertise in historical archaeology. If the Applicant's Consultant completes a separate report on the testing and evaluation of these features, and it is reviewed by the EIR Consultant, then additional testing and/or mitigation may not be required for some of these features.

All artifacts and other remains recovered from these features shall be analyzed according to current professional standards. A final technical report shall describe field and laboratory methods, results of technical analysis of recovered materials, and site interpretations. Artifacts, records, and other associated materials shall be deposited with an appropriate curation facility following completion of the work; the Applicant shall be responsible for all curation costs. A Chumash tribal representative shall monitor all excavation.

CR-2c Prior to issuance of applicable grading permit, Features 58-72 shall be documented to Level 1 standards of the Historic American Engineering Record (HAER). The County of San Luis Obispo Department of Planning and Building shall ensure that HAER documentation is carried out by a qualified architectural historian who meets the Secretary of Interior's Professional Qualifications Standards for Architectural History. HAER documentation shall include a Historic Structure Report (HSR) prepared to National Park Service HABS/HAER standards and guidelines. All work shall be fully funded by the Applicant and approved by the County. The HSR shall include a set of measured drawings and large format black-and-white 8-by-10 inch archival quality prints and negatives produced by a professional photographer. The photographs should include a minimum of twelve views, including interior and exterior views of the character-defining elements of the remnant tanks and reservoirs, and existing drawings or historic views. All reports along with two sets of prints shall be submitted to the California State Library in Sacramento and the History Center of San Luis Obispo County.

CR-2d Prior to issuance of applicable grading permit, the Applicant shall insure that construction fencing is placed around the construction zone prior to the start of construction to protect the remaining unevaluated resources outside the Area of Direct Impact (ADI). Fencing shall ensure a minimum buffer of 20 feet around any

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*unevaluated cultural features (unless otherwise determined by a Registered Professional Archaeologist). Areas outside the protective fencing shall be designated as Environmentally Sensitive Areas (ESA). The fence installation shall be monitored by the RPA to insure no impact to any cultural resources, and shall be periodically inspected by an environmental monitor to ensure that it remains in place throughout the duration of construction.*

*CR-2e Prior to completion of the grading portion of the remediation component of the Project, the Applicant shall prepare a Cultural Resources Management Plan (CRMP) which is integrated with the long-range Open Space Management Plan. The CRMP shall be approved by the County in consultation with the City. The CRMP shall include, but not limited to, specification of policies and procedures to manage and protect cultural resources on the entire Project Site from impacts by future projects or use of the Project Site. The CRMP preparation and implementation shall be fully funded by the Applicant, developed by a Registered Professional Archaeologist (RPA), and shall be made applicable to the Project Site in perpetuity, through the recordation of restrictive covenants in a form approved by the County, in consultation with the City..*

*CR-2f Prior to completion of the grading portion of the remediation component of the Project and subsequent to completion of Phase III data recovery, the Applicant shall fund the preparation of public interpretive materials including, but not limited to, a plaque and display kiosks approved by the County in consultation with the City to be placed in an easily accessible location on the southern and northern parcels of the Project Site, and on a website or static exhibit suitable for display at The History Center, San Luis Obispo Public Library, and/or other appropriate public location within the City of San Luis Obispo.*

#### **Residual Impacts**

Implementing mitigation measures CR-2a through CR-2f would reduce the impact of the Project on the significant qualities of historical resource P-40-041195 (i.e., the Project Site) to *less than significant with mitigation (Class II)*.

Impact #	Impact Description	Phase	Residual Impact
CR.3	Inadvertent discovery of archaeological remains during remediation activities.	Remediation	Class II

The presence of isolated prehistoric and historic archaeological artifacts within the 332-acre Project Site may indicate that more substantial buried deposits are present, as archaeological sites or features may be buried with no surface manifestation. Therefore, ground disturbing activities associated with the Project have the potential to disturb or destroy previously unidentified buried archaeological materials, which would be a potentially significant impact.

**Mitigation Measures**

*CR-3a The Applicant will design and implement a Worker Education Program that will be provided to all Project personnel who may encounter and/or alter historical resources or unique archaeological properties, including construction supervisors and field personnel. No construction worker will be involved in field operations without having participated in the Worker Education Program. The Worker Education Program shall include, at a minimum:*

- 1. A review of archaeology, history, prehistory and Native American cultures associated with historical resources in the Project vicinity.*
- 2. A review of applicable state and local ordinances, laws and regulations pertaining to historic preservation.*
- 3. A discussion of site procedures to be followed in the event that unanticipated cultural resources are discovered during implementation of the Project.*
- 4. A statement by the construction company or applicable employer agreeing to abide by the Worker Education Program, City and County policies and other applicable laws and regulations.*

*The Worker Education Program may be conducted in concert with other environmental or safety awareness and education programs for the Project, provided that the program elements pertaining to cultural resources are provided by a qualified instructor meeting applicable professional qualifications standards.*

*CR-3b If prehistoric or historic-period archaeological resources are discovered during any ground disturbing activities, the Applicant or their agents shall immediately cease all work activities within 50 feet of the discovery and immediately notify the City or the County of San Luis Obispo Department of Planning and Building. A Registered Professional Archaeologist (RPA) shall evaluate the significance of the discovery prior to resuming any activities that could impact the resource. If the archaeologist determines that the find embodies the significant qualities of the Project Site or offers previously unidentified data potential, the area of concern as determined by the RPA shall be avoided or a data recovery plan shall be developed. Any required testing or data recovery and/or curation shall be fully funded by the Applicant and completed by a RPA prior to construction being resumed in the affected area. Work shall not resume until authorization is received from the County and City Department of Planning and Building.*

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### Residual Impacts

Implementation of mitigation measures CR-3a and 3b will reduce impacts to previously unidentified archaeological resources to *less than significant with mitigation (Class II)*.

Impact #	Impact Description	Phase	Residual Impact
CR.4	Inadvertent discovery of human remains during remediation activities.	<i>Remediation</i>	<i>Class II</i>

If human remains are encountered during grading, excavation, demolition or other ground disturbing activities, the disturbance of these remains would be a significant impact.

According to CEQA, “Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section (7050.5) Health and Safety Code.” The Public Resources Code (PRC) also ensures the protection of human remains (Sections 5097.94, 5097.98, and 5097.99). Therefore, the following mitigation measure is required.

### Mitigation Measures

*CR-4 If potential human remains are discovered, the Applicant or their agents shall comply with Section 15064.5 (e) (1) of the CEQA Guidelines and the Public Resources Code Section 7050.5. All work activities shall immediately cease in the area (within approximately 50 feet) of the discovery. A Registered Professional Archaeologist (RPA) shall inspect the remains and confirm that they are human, and if so shall immediately notify the County and City Departments of Planning and Building and contact the County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the Coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission (NAHC). As provided in Public Resources Code Section 5097.98, the NAHC shall identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent, in consultation with the County, City, and other Tribal representatives, makes recommendations for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.*

*Based on discussions with tribal representatives, fully funded by the Applicant, and subject to concurrence of the Most Likely Desendent (MLD), the following treatments of human remains shall be considered (in order of preference):*

- 1. Remains shall be left in place if at all possible through Project redesign;*
- 2. Remains shall be disinterred and reburied on the Project Site in a location not subject to further disturbance;*
- 3. Remains shall be disinterred and reburied in a location provided by the Applicant and/or the County.*

*Any disinterment of human remains shall be carried out with due care and respect, according to archaeological procedures. In situ Native American remains may be documented with drawings, measurements, and other non-destructive methods, but shall not be photographed or subject to destructive analysis without prior approval of the MLD.*

**Residual Impacts**

Implementing CR-4 would reduce the impact of potentially encountering and disturbing human remains during grading and excavation to *less than significant with mitigation (Class II)*.

**4.9.5 City Development Plan Impacts and Mitigation Measures**

The City Development Plan component of the proposed Project would result in impacts that are similar to construction impacts identified in Section 4.9.4 under the remediation portion of the Project. Those impacts include impacts to the sensitive historical resource, potential impacts to archaeological resources and potential impacts to human remains. Equally, the same mitigation measures and residual impacts would apply to the City Development Plan component of the Project. The City Development Plan also includes more rapid (phase 1) development in the eastern end of the Project Site, north of Tank Farm Road, and the northwest operations area.

**4.9.6 County Development Plan Impacts and Mitigation Measures**

The County Development Plan impacts would result in impacts that are similar to the construction impacts identified in Section 4.9.4 under the remediation portion of the Project. Those impacts include impacts to the sensitive historical resource, potential impacts to archaeological resources and potential impacts to human remains. Equally, the same mitigation measures and residual impacts would apply to the County Development Plan component of the Project.

**4.9.7 Cumulative Analysis**

The State CEQA Guidelines (Section 15130) require that the cumulative impacts of a proposed project be addressed in an EIR when the cumulative impacts could be significant. Cumulative impacts are the incremental effects of the proposed project that, added to the impacts of other closely related past, present, and reasonably foreseeable future projects, are found to be cumulatively considerable.

For cultural resources, the geographic extent of cumulative impacts encompasses a relatively broad area because the significance or importance of any individual resource can only be judged in terms of its regional context and relationship to other resources. Thus, the significance of impacts on any given resource or group of resources must be examined in light of the integrity of the regional resource base. Because the number of cultural resources is finite, limited, and non-renewable, any assessment of cumulative impacts must take into consideration the impacts of the

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proposed project on resources within the project area; the extent to which those impacts degrade the integrity of the regional resource base; and impacts other projects may have on the regional resource base. If these effects, taken together, result in a collective degradation of the resources base, then those impacts are considered cumulatively considerable.

For the proposed Project, the regional resource base is defined geographically, historically, and with reference to the specific relevant government jurisdictions. The geographic scope of the cumulative impact analysis takes in a region encompassing the City of San Luis Obispo and San Luis Obispo County. In this EIR, the cumulative impact analysis includes the Project and a list of past and future projects identified in Table 3-1 in Section 3.0.

The application of specific State regulations and County and City policies, actions, and development standards to other projects in the area would result in avoidance or minimization of impacts from those other actions. These regulations, policies, and standards require avoidance of significant historical resources whenever feasible; if avoidance is not feasible, then appropriate mitigation measures would be applied. Through these actions, the cumulative diminishment of the number of individual historical resources will be mitigated to less than significant levels. As such, cumulative impacts are considered less than significant with mitigation.

**4.9.8 Mitigation Monitoring Plan**

Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
CR-1a	<p>Prior to issuance of grading permits for the Project, the Applicant shall prepare a Paleontological Monitoring and Mitigation Plan to preserve and protect any fossil resources that may be uncovered during deep excavations at the Project Site. The Plan shall be prepared by a Principal Paleontologist who meets SVP professional qualification standards and shall be consistent with SVP Guidelines. The Plan shall include, at a minimum:</p> <ol style="list-style-type: none"> <li>1. Provisions for paleontological monitoring under the supervision of the Principal Paleontologist during all excavation greater than 5 feet deep;</li> <li>2. Descriptions of how salvage and/or preservation will be conducted if fossils are encountered;</li> <li>3. Standards for recording fossil localities in the field, analyzing and preparing recovered remains in the laboratory, and reporting results;</li> <li>4. Health and safety procedures to be implemented by monitors during work at the Project Site; and</li> <li>5. A curation agreement with qualified</li> </ol>	Review program, execution and final monitoring plan	Prior to land use clearance	County of San Luis Obispo Planning and Building

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	<p>repositories for scientific research and public education.</p> <p>Monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. In the event that a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected, if appropriate. Monitoring efforts may be reduced or eliminated at the discretion of the Principal Paleontologist if, after 50 percent of the excavations are completed, no fossil resources are encountered.</p>			
CR-1b	<p>If paleontological resources are discovered during any ground disturbing activities, the Applicant or their agents shall immediately cease all work activities within 50 feet of the discovery until the Provisions of the Paleontological Monitoring and Mitigation Plan (MM CR-1a) are implemented. Any required significance evaluation or fossil recovery shall be fully funded by the Applicant and completed under the supervision of a Principal Paleontologist who meets SVP professional qualification standards. Work in the area of the discovery shall not resume until authorization is received from the County or City Department of Planning and Building.</p>	Field verification	Upon discovery of resources	Applicant, contractor and County of San Luis Obispo, Planning and Building
CR-1c	<p>The Applicant shall design and implement a Worker Education Program that shall be provided to all Project personnel who may encounter and/or alter paleontological resources, including construction supervisors and field personnel. No construction worker shall be involved in field operations without having participated in the Worker Education Program. The training shall be prepared by the Principal Paleontologist and shall provide a description of the fossil resources that may be encountered in the Project area, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the Project Paleontologist and on-site monitor(s). The training may be conducted concurrent with other environmental or safety awareness and education programs for the Project, provided that the program elements pertaining to paleontological resources is provided by a qualified instructor meeting applicable professional qualifications standards.</p>	Review documentation	Prior to the start of remediation and construction efforts	Applicant and County of San Luis Obispo, Planning and Building
CR-2a	<p>Prior to issuance of applicable grading permits, the Applicant shall fund and implement a Phase III archaeological data recovery program at Features 21 and 27. The data recovery shall be directed by a Registered Professional Archaeologist (RPA) with</p>	Review program, execution and final technical	Prior to land use clearance	County of San Luis Obispo Planning and Building

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	expertise in historical archaeology, and shall be carried out in accordance with a Data Recovery Plan prepared in advance by the RPA and approved by the County of San Luis Obispo Department of Planning and Building. All artifacts and other remains shall be analyzed according to current professional standards. A final technical report shall be prepared that describes field and laboratory methods, results of technical analysis of recovered materials, and site interpretations. Artifacts, records, and other associated materials shall be deposited with an appropriate curation facility following completion of the work; the Applicant shall be responsible for all curation costs. A Chumash tribal representative shall monitor all excavation.	report		
CR-2b	<p>Presently 37 features are located outside the remediation areas of impact. However, if project design plans change to include these areas then prior to issuance of applicable grading permit, the Applicant shall fund and implement a Phase II/III archaeological data recovery program at Features 1, 2, 4, 6, 7-9, 12-18, 22-23, 25-26, 28-32, 34-35, 39-42, 44, 46, 48-50, 52, 53, and 55 . Without proper subsurface testing and evaluation, the significance of each of these features remains unknown. Therefore, for management purposes they are assumed to embody the site’s significant qualities. The data recovery program at these features shall use a phased approach which first defines their significant qualities and then recovers a representative sample. The work shall follow the “consolidated approach” outlined in the City of San Luis Obispo Archaeological Resource Preservation Program Guidelines (October 2009 edition); the approach shall be described in detail in a Data Recovery Plan prepared in advance by the RPA and approved by the County of San Luis Obispo Department of Planning and Building. The work shall be directed by a Registered Professional Archaeologist (RPA) with expertise in historical archaeology. If the Applicant’s Consultant completes a separate report on the testing and evaluation of these features, and it is reviewed by the EIR Consultant, then additional testing and/or mitigation may not be required for some of these features.</p> <p>All artifacts and other remains recovered from these features shall be analyzed according to current professional standards. A final technical report shall describe field and laboratory methods, results of</p>	Review Program, execution and final technical report	Prior to land use clearance	County of San Luis Obispo Planning and Building

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	technical analysis of recovered materials, and site interpretations. Artifacts, records, and other associated materials shall be deposited with an appropriate curation facility following completion of the work; the Applicant shall be responsible for all curation costs. A Chumash tribal representative shall monitor all excavation.			
CR-2c	Prior to issuance of applicable grading permit, Features 58-72 shall be documented to Level 1 standards of the Historic American Engineering Record (HAER). The County of San Luis Obispo Department of Planning and Building shall ensure that HAER documentation is carried out by a qualified architectural historian who meets the Secretary of Interior's Professional Qualifications Standards for Architectural History. HAER documentation shall include a Historic Structure Report (HSR) prepared to National Park Service HABS/HAER standards and guidelines. All work shall be fully funded by the Applicant and approved by the County. The HSR shall include a set of measured drawings and large format black-and-white 8-by-10 inch archival quality prints and negatives produced by a professional photographer. The photographs should include a minimum of twelve views, including interior and exterior views of the character-defining elements of the remnant tanks and reservoirs, and existing drawings or historic views. All reports along with two sets of prints shall be submitted to the California State Library in Sacramento and the History Center of San Luis Obispo County.	Review documentation	Prior to land use clearance	Applicant and the County of San Luis Obispo, Planning and Building
CR-2d	Prior to issuance of applicable grading permit, the Applicant shall insure that construction fencing is placed around the construction zone prior to the start of construction to protect the remaining unevaluated resources outside the Area of Direct Impact (ADI). Fencing shall ensure a minimum buffer of 20 feet around any unevaluated cultural features (unless otherwise determined by a Registered Professional Archaeologist). Areas outside the protective fencing shall be designated as Environmentally Sensitive Areas (ESA). The fence installation shall be monitored by the RPA to insure no impact to any cultural resources, and shall be periodically inspected by an environmental monitor to ensure that it remains in place throughout the duration of construction.	Field verification	Prior to the start of remediation and construction efforts	Applicant and County of San Luis Obispo, Planning and Building
CR-2e	Prior to completion of the grading portion of the remediation component of the Project, the	Review plan	Prior to remediation	Applicant and County of San

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	Applicant shall prepare a Cultural Resources Management Plan (CRMP) which is integrated with the long-range Open Space Management Plan. The CRMP shall be approved by the County in consultation with the City. The CRMP shall include, but not limited to, specification of policies and procedures to manage and protect cultural resources on the entire Project Site from impacts by future projects or use of the Project Site. The CRMP preparation and implementation shall be fully funded by the Applicant, developed by a Registered Professional Archaeologist (RPA), and shall be made applicable to the Project Site in perpetuity, through the recordation of restrictive covenants in a form approved by the County, in consultation with the City.		and construction efforts.	Luis Obispo, Planning and Building
CR-2f	Prior to completion of the grading portion of the remediation component of the Project and subsequent to completion of Phase III data recovery, the Applicant shall fund the preparation of public interpretive materials including, but not limited to, a small plaque and display kiosks approved by the County in consultation with the City. to be placed in an easily accessible location on the southern and northern parcels of the Project Site, and on a website or static exhibit suitable for display at The History Center, San Luis Obispo Public Library, and/or other appropriate public location within the City of San Luis Obispo.	Verify exhibit	Within one year of completion of the Phase III data recovery	Applicant and County of San Luis Obispo, Planning and Building
CR-3a	The Applicant will design and implement a Worker Education Program that will be provided to all Project personnel who may encounter and/or alter historical resources or unique archaeological properties, including construction supervisors and field personnel. No construction worker will be involved in field operations without having participated in the Worker Education Program. The Worker Education Program shall include, at a minimum: <ol style="list-style-type: none"> <li>1. A review of archaeology, history, prehistory and Native American cultures associated with historical resources in the Project vicinity.</li> <li>2. A review of applicable state and local ordinances, laws and regulations pertaining to historic preservation.</li> <li>3. A discussion of site procedures to be followed in the event that unanticipated cultural resources are discovered during implementation of the Project.</li> <li>4. A statement by the construction company or</li> </ol>	Review program; verify training	Prior to the start of remediation and construction efforts	Applicant and County of San Luis Obispo, Planning and Building

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	<p>applicable employer agreeing to abide by the Worker Education Program, City and County policies and other applicable laws and regulations.</p> <p>The Worker Education Program may be conducted in concert with other environmental or safety awareness and education programs for the Project, provided that the program elements pertaining to cultural resources are provided by a qualified instructor meeting applicable professional qualifications standards.</p>			
CR-3b	<p>If prehistoric or historic-period archaeological resources are discovered during any ground disturbing activities, the Applicant or their agents shall immediately cease all work activities within 50 feet of the discovery and immediately notify the City or the County of San Luis Obispo Department of Planning and Building. A Registered Professional Archaeologist (RPA) shall evaluate the significance of the discovery prior to resuming any activities that could impact the resource. If the archaeologist determines that the find embodies the significant qualities of the Project Site or offers previously unidentified data potential, the area of concern as determined by the RPA shall be avoided or a data recovery plan shall be developed. Any required testing or data recovery and/or curation shall be fully funded by the Applicant and completed by a RPA prior to construction being resumed in the affected area. Work shall not resume until authorization is received from the County and City Department of Planning and Building</p>	Field verification	Upon discovery of resources	Applicant, contractor and County of San Luis Obispo, Planning and Building
CR-4	<p>If potential human remains are discovered, the Applicant or their agents shall comply with Section 15064.5 (e) (1) of the CEQA Guidelines and the Public Resources Code Section 7050.5. All work activities shall immediately cease in the area (within approximately 50 feet) of the discovery. A Registered Professional Archaeologist (RPA) shall inspect the remains and confirm that they are human, and if so shall immediately notify the County and City Departments of Planning and Building and contact the County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the Coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission (NAHC). As provided in Public Resources Code Section 5097.98, the NAHC shall identify the person or persons believed to be most likely descended from the deceased Native American. The most likely</p>	Field Verification . Contact the Native American Heritage Commission and a Most Likely Descendant must be designated	Upon discovery of human remains	Applicant, contractor, County of San Luis Obispo, Planning and Building and Coroner's Office

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Mitigation Measure	Requirements	Compliance Verification		
		Method	Timing	Responsible Party
	<p>descendent, in consultation with the County, City, and other Tribal representatives, makes recommendations for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p> <p>Based on discussions with tribal representatives, fully funded by the Applicant, and subject to concurrence of the Most Likely Descendant (MLD), the following treatments of human remains shall be considered (in order of preference):</p> <ol style="list-style-type: none"> <li>1. Remains shall be left in place if at all possible through Project redesign;</li> <li>2. Remains shall be disinterred and reburied on the Project Site in a location not subject to further disturbance;</li> <li>3. Remains shall be disinterred and reburied in a location provided by the Applicant and/or the County of San Luis Obispo.</li> </ol> <p>Any disinterment of human remains shall be carried out with due care and respect, according to archaeological procedures. In situ Native American remains may be documented with drawings, measurements, and other non-destructive methods, but shall not be photographed or subject to destructive analysis without prior approval of the MLD.</p>			

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