

## 3.6 Cultural, Paleontological, and Tribal Resources

### 3.6.1 Introduction

This section describes the existing regulatory setting, cultural resources, and tribal cultural resources in the PWIMP Planning Area(s), and evaluates how construction and operation of the components of the PWIMP would impact identified and unanticipated cultural and tribal resources. A cultural resource is any physical evidence or specific location of past human activity, occupation, or use, identifiable through archaeological investigation, historical research, or oral history.

Cultural resources can be separated into three categories: archaeological resources (the physical traces of human activity), built environment resources (buildings and structures), and traditional cultural resources (places associated with cultural practices of a community).

- **Archaeological Resources.** Archeological resources are material remains of human life or activities that can provide information about past human behavior. Prehistoric archaeological resources include a variety of artifactual and non-artifactual remains of human activity. Typical prehistoric artifacts include flaked stone tools (arrowheads, scrapers), ground stone tools (mortars, pestles, milling slabs, net weights), bone tools (fishhooks, awls), and decorative or social items (bone flutes, bone gaming sticks, shell beads, shell or stone pendants, obsidian tinklers). Non-artifactual remains may include human remains; architectural remnants such as house pits; evidence of cooking such as fire-affected rock, ash, animal bone or shell; midden soil, which is dark brown to black with a high organic content and typically contains charcoal, animal bone; or shell middens, which are deposits of shell or shell mixed with midden soil and artifacts. Historic-era archaeological resources may include filled hollow features such as privies, trash pits, or wells; architectural features such as foundations, concrete pads, adobe brick, or fence posts; diffuse or concentrated trash scatters containing glass bottles, domestic ceramics, or metal; and trash dumps containing food debris such as animal bone, shellfish, seeds, or pits.
- **Built Environment Resources.** This term includes architectural evidence from the past, including buildings, building complexes (such as homesteads or farms), roads and trails, bridges, cemeteries, infrastructure (such as canals, dams, pipelines, power lines, or electrical stations), and other structures.
- **Traditional Cultural Resources.** Traditional cultural resources include sites of special importance to a living community. These may include gathering places, sacred sites, landscape features, or other locations that help to maintain the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community.

A Tribal Cultural Resource is a geographically-defined site, feature, place, object or cultural landscape that with cultural value to a California Native American tribe. It may include any of the above categories of cultural resource.

This evaluation of cultural and tribal cultural resources was based on an initial review of existing reports and literature from the City of Oxnard. In addition, information regarding known and recorded cultural resources within the Planning Area was identified through a records search of pertinent survey and site data at the South Central Coastal Information

Center, California State University, Fullerton, on May 3, 2018 (SCCIC #18900.4895). An inventory of properties listed in the National Register of Historic Places, the California Register of Historic Resources, the California Inventory of Historic Resources (2016), the California Historical Landmarks (1996), or the California Points of Historical Interest (2016) was also generated for the purposes of this report. Results of the historic properties listed by the Office of Historic Preservation were also obtained. However, due to the large number of surveys and archaeological sites in the project vicinity, as well as the confidential nature of cultural resource information, a comprehensive listing of the reports is not included in this Public Draft PEIR.

In addition, on April 10, 2018, a list of local Native American Tribes was obtained from the Native American Heritage Commission and on April 30, 2018 the City requested government-to-government consultation as required by AB 52. To date, none of the Native American Tribes have responded. Please see Appendix D.

Key terms and concepts include the following:

- **Archaeology.** The study of human activity in history or prehistory through study of artifacts, architecture, and other physical remains.
- **Ethnography.** The scientific study of contemporary human cultures.
- **Complex.** A patterned grouping of similar artifact assemblages from two or more sites, presumed to represent an archaeological culture.
- **Historic Preservation District.** An area of the City having historic, architectural, cultural or aesthetic significance and designated as a Historic Preservation District under the provisions of the City's Planning and Zoning Code.
- **Historic Resource.** A property, site, or district listed in, or determined to be eligible for listing in, the National Register of Historic Places, California Register of Historical Resources (CRHR), Ventura County Historical Landmarks, or City of Oxnard Points of Interest.
- **Isolate.** Archaeological artifacts or features found apart from recognized archaeological sites. Generally, isolates cannot provide enough information to make them eligible to be historic resources.
- **Landmark.** Any structure or natural feature designated as a Cultural or Historic Monument under the provisions of the City's Planning and Zoning Code or as listed in California Historical Landmarks.
- **Midden.** Soils produced by dumping of human domestic waste, which may contain artifacts, bone, shell fragments, charcoal, ash, rock, human remains, structural remnants, or other traces of human activity.
- **State Historical Landmark.** Historic structure or site of local or statewide interest.
- **State Point of Historical Interest.** Historic structure or site of local or countywide interest.

### 3.6.2 Regulatory Context

Cultural and tribal resources are subject to various Federal, State and local regulations. A brief overview of these regulations follows.

### 3.6.2.1 Federal Regulations

The relevant federal regulations are discussed below.

**National Historic Preservation Act.** The National Historic Preservation Act of 1966 (NHPA) established the National Register of Historic Places (NRHP) as the official list of the Nation's historic places deserving of preservation. Buildings, structures, districts, archaeological sites, or objects evaluated for listing on the NRHP should be at least 50 years old (barring exceptional circumstances), and should meet at least one of the following criteria:

- A. Associated with events that have made a significant contribution to the broad patterns of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction;
- D. Have yielded, or may be likely to yield, information important in prehistory or history. Criterion D is usually reserved for archaeological and paleontological resources.

To be eligible, a property must also retain sufficient integrity of location, design, setting, materials, workmanship, feeling, or association to convey its significance. Definitions and procedures for the NRHP are established at Title 36 Code of Federal Regulations (CFR) Parts 60 and 63.

Section 106 of the NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties. Local governments that receive grants or require permits from Federal Agencies may be required to determine whether a project has the potential to affect historic properties; if it does, the property must be evaluated for its eligibility to the NRHP. If a property is found eligible, and it is likely to be adversely affected by a Federal undertaking, mitigation measures are usually required. Section 106 procedures are outlined at Title 36 Code of Federal Regulations (CFR) Part 800.

**American Indian Religious Freedom Act and Native American Graves and Repatriation Act.** The American Indian Religious Freedom Act recognizes that Native American religious practices, sacred sites, and sacred objects have not been properly protected under other statutes. It establishes as national policy that traditional practices and beliefs, sites (including right of access), and the use of sacred objects shall be protected and preserved.

The Native American Graves and Repatriation Act of 1990 establishes procedures for the disposition of Native American burials and burial-associated artifacts that may be discovered during Federal undertakings or on Federal lands. The act provides for repatriation of human remains, funerary objects, or sacred objects to an appropriate tribal descendant.

### 3.6.2.2 State Regulations

The relevant state regulations are discussed below.

**California Environmental Quality Act (CEQA).** CEQA requires that lead agencies determine whether their projects may cause a substantial adverse change to a historical resource or unique archaeological resource, which is considered to be a significant effect on the environment (Public

Resources Code §21084.1). CEQA defines “historical resource” as a property determined eligible for the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), or local registers by a lead agency (14 Code of California Regulations §15064.5). The CRHR eligibility criteria are modeled on those for the NRHP and include:

1. Association with events that have made a significant contribution to the broad patterns of our history;
2. Association with the lives of persons significant in our past;
3. Embodiment of the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
4. Has yielded, or is likely to yield, information important to prehistory or history.

Resources determined eligible for the NRHP are automatically listed on the CRHR. In addition, historic landmark designations by cities and counties are also presumptively eligible for the CRHR. A property that has been determined eligible to the CRHR or NRHP is considered a historical resource for the purposes of CEQA, whether or not it has been formally listed on the CRHR.

A “unique archaeological resource” is defined in CEQA statute §15064.5(g) as an archaeological artifact, object, or site that “without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

These eligibility criteria mirror that of the CRHR, so that practically speaking any resource meeting the definition of a unique archaeological resource will also meet the eligibility criteria of the CRHR.

A “substantial adverse change” under CEQA can include physical demolition, destruction, relocation, or alteration of a historical resource or its immediate surroundings in a way that “materially impairs” its significance in such a way as to make it ineligible for the CRHR.

CEQA emphasizes avoidance of archaeological and historical resources as the preferred means of reducing potential significant environmental effects resulting from projects. If avoidance is not feasible, an excavation program or some other form of mitigation must be developed to mitigate the impacts. In most cases, whenever a project adversely impacts historic resources, a mitigated Negative Declaration or EIR is required under CEQA. The following are steps typically taken to assess and mitigate potential impacts to cultural resources for the purposes of CEQA:

- Identify cultural resources,
- Evaluate the significance of the cultural resources found,
- Evaluate the effects of the project on cultural resources, and

- Develop and implement measures to mitigate the effects of the project on cultural resources that would be significantly affected.

**California PRC Section 5097.5.** California PRC Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

**State Laws Pertaining to Human Remains.** Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission. CEQA Guidelines (Section 15064.5) specify the procedures to be followed in case of the discovery of human remains on non-Federal land. The disposition of Native American burials falls within the jurisdiction of the Native American Heritage Commission.

**Native American Consultation.** Prior to the adoption or amendment of a general plan, Government Code Sections 65352.3 and 65352.4 require a city or county to consult with local Native American tribes that are on the contact list maintained by the Native American Heritage Commission. The purpose is to preserve or mitigate impacts to places, features, and objects described in PRC Sections 5097.9 and 5097.993 (Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property) that are located within a city or county’s jurisdiction.

In addition, Assembly Bill 52 (e.g. 2014) (AB 52), as codified in PRC Sections 5097, 21073, 21074, 21080, 21082, 21083, and 21084, will:

- Establish a new classification of resources called Tribal Cultural Resources (TCRs) which considers the value of a resource to tribal cultural traditions, heritages, and identifies;
- Establish potential mitigation options for TCRs; and
- Recognize that California Native American tribes have expertise concerning their tribal history and practices.

AB 52 is intended to help identify impacts to TCRs as early as possible during the CEQA process so that appropriate mitigation measures may be developed. Under this legislation, when a project is initiated, the lead agency must formally notify interested tribes that have requested to be on the agency’s consultation list. AB 52 consultation should inform the need for a ND, MND, or EIR and must be initiated prior to the release of an ND, MND, or EIR, so it is important to build AB 52 consultation into project schedules.

Tribes must be given written notification by the lead agency within 14 days of the decision by the lead agency themselves to undertake a project or the lead agency’s determination that a project application is complete for a private project. If a tribe does not respond to a request within a 30-day timeframe, the agency may move forward with the project having made a good faith effort to open consultation.

However, if the tribe(s) responds after 30 days, the lead agency may elect to begin consultation with the tribe(s), despite the passing of the legal deadline. The lead agency can and should make follow-up calls after the consultation letters are sent to try to get responses as soon as possible. Note, however, that if the tribes do not respond to follow-up telephone calls, they must still be afforded the 30-day window to respond.

### 3.6.2.3 Local Regulations

The relevant local regulations are discussed below.

**City of Oxnard Code.** Chapter 16, Section 470 allows the Oxnard City Council to designate significant heritage features including physical objects, buildings or land. These features should exemplify a unique or significant style, be the site of a significant historical or cultural event, or be associated with people important in local history.

**Oxnard Coastal Land Use Plan.** The California Coastal Commission regulates all licensed, permitted, or assisted activities, wherever they may occur, if the activities affect coastal resources. The California Coastal Act (PRC Section 30244) states that: "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required." These measures are defined by local coastal land use plans. The Oxnard Coastal Land Use Plan (1982) establishes Local Coastal Policy #48, which states that:

- Avoidance is the preferred mitigation in all cases where a proposed project would intrude on the known location of a cultural resource. Therefore, proposed project areas should be surveyed by a qualified archaeologist and resulting findings taken into account prior to issuing discretionary entitlements.
- Should any object of potential cultural significance be encountered during construction, a qualified cultural resources consultant shall be contacted to evaluate the find and recommend any further mitigation needed. All potential impacts shall be mitigated to the maximum extent feasible.
- Any unavoidable buried sites discovered during construction shall be excavated by a qualified archaeologist with an acceptable research design. During such site excavation, a qualified representative of the local descendants of the Chumash Indians shall be employed to assist in the study, to ensure the proper handling of cultural materials and the proper curation or reburial of finds of religious importance or sacred meaning.

This policy is incorporated into the City of Oxnard Code at Chapter 16, Section 17-37, and affects development taking place in the Oxnard Coastal Zone, which is generally the area 1,000 yards inland from the mean high tide line within the City of Oxnard.

**City of Oxnard - Oxnard 2030 General Plan.** The City of Oxnard's General Plan contains several goals and policies for the preservation of cultural resources:

- *Protection of Natural and Cultural Resources Goal CD-11* Aims to protect the historic and authentic qualities of Oxnard's traditional neighborhoods and historic districts through awareness, preservation, education, and incorporation of historic features into new development.

- *Environmental Resources Goal ER-1* Aims to ensure a “symbiotic, mutually-beneficial, sustainable relationship” between development activities and protection of natural and cultural resources, agriculture, and open spaces through avoidance and mitigation.
- *Cultural and Historic Resources Goal ER-11* is the most comprehensive goal, which requires identification, protection, and enhancement of the City’s archaeological, historical, and paleontological resources. Proposed development projects should provide archaeological surveys, conduct research, and ensure mitigation of impacts, while the City should create a Historical Resource Inventory and encourage developers to preserve, protect and enhance the use of historical buildings, using the State Historic Building Code where possible.

### 3.6.3 Environmental Setting

The following section summarizes the Planning Area’s prehistoric, ethnographic, and historic setting. Figure 3.6-1 provides a visual timeline of the Planning Area’s historic setting.

#### Prehistoric Setting

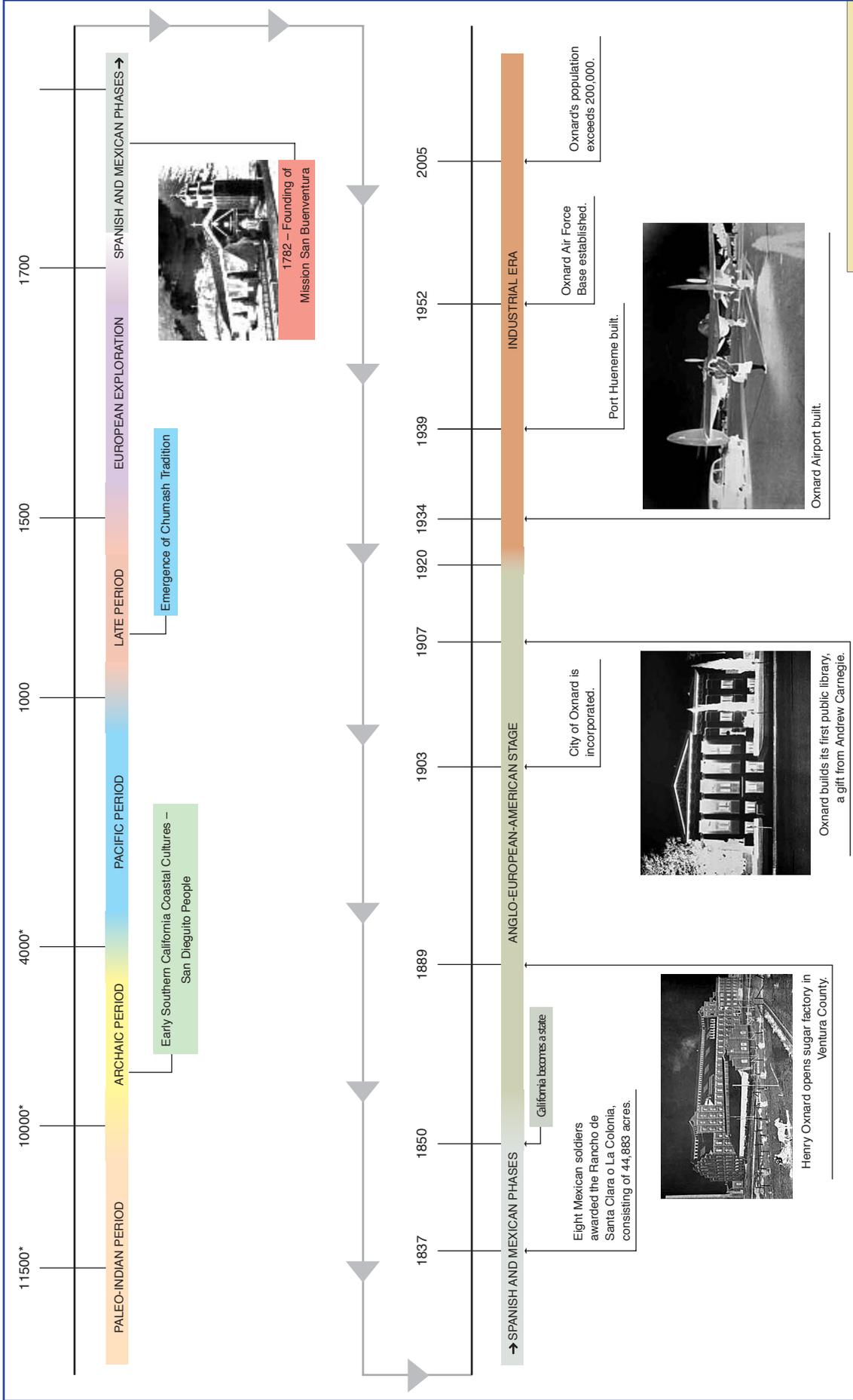
The ecologically rich landscape of the Santa Barbara channel has yielded some of the oldest evidence for human settlement in North America, with sites on the northern Channel Islands dated as far back as 11,000 BC. Extensive evidence for settlement on the mainland, however, reaches only back to 7000 BC, when the population of the Southern California Coast began developed a complex food processing technology marked by an abundance of manos and metates. The period from 7000-5000 BC, known as the Millingstone Period, saw a focus on shellfish as a main source of protein and the first production of shell beads. This period had small settlements and little evidence of social hierarchy.

In the Middle period, from 4500-2000 BC, more complex settlement systems emerged, with permanent villages and seasonal camps for specialized purposes. Mortar and pestle technology replaced milling slabs, and more projectile points were produced. This suggests a diversification of diet to include more land animals as well as tubers, seeds, and roots. In this period, grave goods and indications of personal wealth emerged, as well as the first evidence for marine mammal hunting and watercraft (Glassow et al. 2007).

The Middle/Late transition period (2000-1 BC) saw a further broadening of diet to include acorns, roots, shallow and deep-sea fish, sea mammals, small animals. Fishing became much a more important source of food than in previous periods before. This is reflected in a more diverse tool set, with new kinds of arrowheads, fishhooks, and fishing nets. Larger permanent settlements developed, with formal architecture, status differentiation, ritual behavior, and rock art. Some villages were continuously inhabited from 1200 BC to contact with the Spanish, suggesting that this period saw the development of a proto-Chumash culture, with parallels with ethnographically-attested Chumash practices.

From 1-1000 AD, known as the Late period, populations continued to grow and new technologies emerged, including the sewn-plank canoe, bow and arrow, and specialized craft items. Large cemeteries were established, and there is evidence for the special role of chiefs and shamans, with respective control over political and ritual aspects of society.

In the last seven centuries before Spanish contact (1000-1769 AD), Chumash society continued to



**Figure 3.6-1**  
Historic Timeline for the Planning Area

\* Years Before Present  
Photographs courtesy of the Oxnard Library

become more populous and complex. Some villages grew to contain 500-800 people, supported by complex regional exchange systems that connected the Channel Islands to the mainland and the far interior of California. Craft specialization is evident, with whole villages of microblade drill producers attested on Santa Cruz Island, and the development of *Olivella biplicata* shell beads as a regional currency (Gamble 2008:65).

### **Ethnographic Setting**

At contact with the Spanish, 18,000-20,000 people lived in the Chumash region, which was likely the most complex society with the highest population density in western North America. The Chumash languages (Obispoño, Central Chumash, and Island Chumash) were spoken from Malibu to Morro Bay. The Ventureño language is local variant of Central Chumash, which formed a dialect continuum from Malibu to Santa Maria. The last native speaker of Central Chumash died in 1965, though language revival efforts are underway by the Santa Ynez Band (Golla 2011:198).

In the Ventura area, 2500-4000 people lived in settled villages, which were laid out with regular streets, and featured dance floors, cemeteries, playing fields, menstrual and puberty huts, storage structures, smokehouses, and sweatlodges. Chumash houses were hemispherical, made of poles and covered with woven grass thatch. Ranging from 12 to 20 feet in diameter, each house usually sheltered an extended family (Gamble 2008: 124; Grant 1978:512). Cemeteries were located near, but outside of, the village area (Gamble 2008:119).

Each village was headed by a hereditary chief (who were mostly male, but could be female), aided by shamans, healers, and ritual experts who formed the '*antap*' secret society. Chumash society was more hierarchical than most in California, including both hereditary chiefs and, in some periods, regional chiefs who controlled a group of villages. The Chumash used shell bead money as a medium of exchange and had many specialized industries, including basketry, bead-making, stone tool production, woodworking, and building wood-framed thatch houses. The most notable of the Chumash technologies was the seafaring plank canoe or *tomol* that allowed both deep-sea fishing and regular transportation of people and goods to and from the Channel Islands (Grant 1978:507).

Chumash people played games common throughout California, including shinny, the hoop and pole game, dice, and gaming sticks. Musical instruments including flutes, bows, whistles, and rattles often accompanied dance ceremonies. Tobacco was used both ritually and recreationally, and ceremonial feasting played an important role in creating connections between villages and in redistributing wealth (Gamble 2008:179). The annual festivals of *Hutash* (at the fall harvest) and *Kakunupmawa*, (at the winter solstice) attracted visitors as far away as the Channel Islands and San Joaquin Valley (Gamble 2008: 184).

Acorns were the staple food, supplemented by pinenuts, wild cherry, roasted soaproot, seeds, berries, mushrooms, and cress. Meat came from land animals (deer, coyote, fox), game birds (especially ducks and geese), marine mammals, shellfish, and many varieties of oceanic and freshwater fish (Grant 1978:515; Gamble 2008:151ff)

## Historic Setting

Spanish, British and Russian explorers visited the California coast as early as the 16<sup>th</sup> century. Both Cabrillo (1542) and Vizcaíno (1601) visited the Chumash towns near Point Mugu, which included Muwu, Simo'mo, and Wixatset (Gamble 2008:105). Permanent European settlement, however, did not begin until the 1770s. Against an ongoing Russian advance down the Pacific Coast, Spanish expeditions by Gaspar de Portolá in 1769-70 and Juan Bautista de Anza in 1775-76 laid the groundwork for the establishment of a mission system by Franciscan priests in Alta California. The missions, supported with small military detachments at the Presidios of San Diego, Monterey, and San Francisco, aimed to convert local Native Americans and establish agricultural plantations using their labor.

Mission San Buenaventura was founded in 1782, supported by a new Presidio at Santa Barbara. Ventureño Chumash groups from the Santa Clara River watershed and Oxnard plain were gathered into the mission using a mix of persuasion and force. By 1804, 85% of the Chumash population was Missionized. Indian laborers at the mission grew grain and tree crops; managed herds of cattle, sheep, and horses; and practiced European crafts including tanning, milling, and blacksmithing (Jackson and Castillo 1985). However, disease, dietary deficiency, declining birth rate, and military conflict resulted in an almost 80% population decline among Chumash converts by the early 1830s.

After independence from Spain in 1822, competition for land grew among the *Californio* rancho class, leading to the secularization of church lands in 1834 and the grants of large Ranchos to individual citizens. Most of the PWIMP area lies on rancho El Rio de Santa Clara o la Colonia, granted in 1837 to seven former soldiers from the Presidio of Santa Barbara. Consisting of 44,883 acres, the ranch included almost all the present-day City of Oxnard as well as Point Mugu, Port Hueneme, and Colonia. Of the original grantees, only Rafael Gonzáles actively used the land for grazing cattle and sheep, and lived on Gonzales Road near the Santa Clara River. A small part of the PWIMP area north of US 101 lies on Rancho Santa Clara del Norte, granted to Juan Maria Sanchez in 1837.

Euro-American settlement in Ventura County began after the Gold Rush but accelerated in the 1860s. Thomas Bard bought a five-sevenths interest in Rancho Rio de Santa Clara in 1864 as agent for U.S. Secretary of War Thomas Scott; when Scott's plans to encourage the Southern Pacific Railroad to build its terminus on the property failed, he sold the land to Bard in 1869. By this time, however, squatters had assumed that the land was public and available for the taking, and had already occupied portions of the Rancho. After a protracted dispute over the land rights between Bard and the squatters, the courts decided in Bard's favor, with the condition that the squatters be given the opportunity to purchase the lands they occupied. Bard subdivided much of the rancho, sold plots to farmers of Irish and German descent, and established the town of Port Hueneme to allow farmers to ship their goods to San Francisco, then the major population center of the Pacific coast.

The fertility of the Oxnard floodplain and discovery of artesian water sources spurred the growth of agriculture in the area. Barley, wheat, and lima beans were major crops among the early farmers, with beets playing a subsidiary role as animal feed. In the mid-1890s, Albert Maulhardt and Ed Bouchard found that the Oxnard plain was ideal for sugar beets, a discovery that transformed the local economy (Hutchinson 1965:166). In 1897 they invited Henry Oxnard,

President of the American Beet Sugar Company, to construct a beet sugar factory on a 200-acre parcel near present-day Wooley Road and Saviers Boulevard. Oxnard, a native of Louisiana, had opened a beet sugar factory with his three brothers in Chino and invested over \$2 million in the new plant (Osborn 1972).

In 1898, as the plant was being built, a new townsite was planned near the factory by the Colonia Improvement Company and named after the Oxnard brothers (Heil 1978:19). A new railroad line over the Santa Clara River was constructed to connect the new town and factory with the Southern Pacific mainline (Maguire 1961). When the American Beet Sugar Factory opened in August 1899, the influx of workers led to the rapid construction of hotels, homes, schools, and public facilities. The City of Oxnard was incorporated in 1903, and by 1920 had 4,400 residents.

The beet sugar factory spurred demand for labor, both in the factory and in the fields producing beets and other crops. While the early agriculturalists were predominantly German and Irish in origin, with some French Jews working as agricultural brokers, most farm laborers were of Chinese, Japanese, and Mexican origin. A small Chinatown opened along 7<sup>th</sup> and 8<sup>th</sup> Streets in Oxnard by 1912, with businesses serving Chinese and Euro-American clientele (Chan 1991). Over 1000 Japanese workers were brought to Oxnard in 1900 to work in the sugar beet fields (Fukuyama 1994). Large groups of Mexican workers arrived the same year. Poor working conditions led to the formation of Oxnard's first major labor union, the Japanese-Mexican Farm Labor Association, was the first in California composed of minority workers, and the first to win a major agricultural strike in 1903 (Almaguer 1984).

The economy of Oxnard remained dominated by agriculture and sugar production through the 1920s and 1930s, though population growth slowed during the Great Depression. A new harbor was built at Port Hueneme in 1940, but was soon appropriated by the US Navy as a logistics hub and training center for the Naval Construction Battalions (or Seabees). New military facilities were sited at Point Mugu in 1946 (the Pacific Missile Test Center), Camarillo in 1952 (Oxnard Air Force Base). These military bases, along with facilities built by contractors such as Raytheon and Bendix, brought over 20,000 military personnel and 10,000 civilian workers to the Oxnard area, propelling the population from 8,500 in 1940 to 21,600 in 1950, making it Ventura County's largest city (Trien 1985:134).

After the closure of the American Beet Sugar refinery in 1958, urban renewal efforts transformed downtown Oxnard, while the development of suburban tracts moved the commercial center of gravity of City to the north with the development of the Esplanade Shopping Center in 1969-1971. Rapid population growth continued, reaching 71,225 by 1970.

### **Summary of Existing Resources**

This section summarizes known cultural resources in the PWIMP planning area. It includes information from the Native American Heritage Commission, California Historical Resources Information System (CHRIS), and Ventura County. No tribal cultural resources are known, but there are numerous archaeological resources and built environment resources within the project area. Tables 3.6-1, 3.6-2, and 3.6-3 below present summaries of the most important resources.

**Tribal Cultural Resources.** On April 1, 2018 the Native American Heritage Commission (NAHC) in Sacramento, California was contacted to determine whether its Sacred Lands File lists any Tribal Cultural Resources within the PWIMP area. The NAHC responded on April 10, 2018 stating that a search of its Sacred Lands File failed to indicate the presence of Native American cultural resources in the PWIMP area. Included with the response was a list of 5 Native American representatives who may have further knowledge of Native American resources in the project area. In accordance with AB 52 regulations, the City sent each of tribe a formal letter on April 30, 2017 requesting government-to-government consultation with each of tribes and inviting them to participate in the process. No response was received within the statutory 30-day consultation period. In sum, no Tribal Cultural Resources were identified within the PWIMP area. Please see Appendix D.

**Prehistoric Resources.** In May 2018, a records search was completed at the South Central Coastal Information Center (SCCIC #4895), California State University, Fullerton. The record search identified 31 archaeological resources within the planning area and the ½ mile buffer zone around it. 26 of these are prehistoric archaeological resources (four of which have minor historic components), one is a historic resource, three are landscape features, and one is an ethnographic location.

#### **Known Archaeological Sites**

Sixteen prehistoric archaeological sites, ten isolates, and one possible ethnographic site are known in the PWIMP and the ½-mile search radius (see Table 3.6-1 below). Most of these are concentrated on the east side of Oxnard, near Rice Avenue between US 101 and Highway 1. Only three of the sites have subsurface components: two are habitation sites with midden, artifacts, and burials, and the other is a midden representing a seasonal shellfish-gathering camp. Other resources include an isolated burial (CA-VEN-1304), ten surface scatters of prehistoric artifacts without known subsurface elements, and one possible ethnographic site related to plant collecting. Among the isolates are five scatters of marine shell that may not be archaeological in nature, though they were found in an area sensitive for prehistoric archaeological resources. The most significant sites include:

- CA-VEN-506 is a prehistoric archaeological site near East Fifth Street and Rice Avenue containing a Late Period Chumash cemetery. It was discovered in 1977 during grading in a lemon orchard, when workers uncovered parts of six burials, a stone bowl, pestles, abalone shells, and fire-affected rock. Test excavations in 1985 revealed that the site was large but extensively disturbed by agricultural activities and bioturbation; though it covered 6 surface acres, much of this extent is likely due to the redeposition of artifacts (Wlodarski and Romani 1988).
- CA-VEN-662, located mostly in Port Hueneme near Hueneme Road, may be the site of the village of We'nemu (Hueneme), the main Chumash settlement on the Oxnard plain. First recorded in 1933, many pestles, hopper mortars, stone bowls, and other artifacts were collected. Surface survey and recording in 1979 and 2004 noted burned rock, a chert core, flakes, hammerstones, deer bone, and shellfish. Five burials were recovered during pipeline monitoring in 2012, and investigators at that time believed that more burials might be located under Hueneme Road. The site has been determined eligible for the National Register of Historic Places.

- CA-VEN-667 is located on Harbor Boulevard near the Southern California Edison Mandalay generating station. The site consists of several small lenses of shell midden embedded in Aeolian sand dunes. Recorded in 1979 and revisited in 1997, it was interpreted as a shellfish-gathering and processing camp. An unconfirmed report claims that a burial was excavated in the vicinity of the site at some point before 1979.
- CA-VEN-789 is a prehistoric site located in a field east of Oxnard, near Rose Avenue and East Avenue. 1984 recording efforts identified a large surface scatter of shale, chert, and basalt flakes and flaked tools, along with a wide variety of shellfish. Extensive subsurface testing in 1985, however, found that the site had been disturbed in the 1970s and that there was no evidence of a subsurface deposit (Wlodarski and Romani 1988). A note on the site record indicates that UCSB held human remains supposed to be from this site in the late 1990s.

**Table 3.6-1  
Known Prehistoric Archaeological Sites in PWIMP Area and ½-mile buffer**

Primary #	Trinomial	Type	Description	Location*
P-56-000013	VEN-13	Site	Lithic Scatter	US 101 nr Beardsley Wash
P-56-000506	VEN-506	Site	Lithic Scatter, Burials, Habitation Debris	E Fifth St near Rice Ave
P-56-000545	VEN-545	Site	Lithic Scatter	Santa Clara River Bluff
P-56-000555	VEN-555	Site	Habitation Debris	Arnold Rd
P-56-000662	VEN-662	Site	Lithic Scatter, Burials, Hearths, Habitation Debris	Hueneme Road
P-56-000665	VEN-665	Site	Lithic Scatter, Habitation Debris	Rice Ave nr Wooley Rd
P-56-000666	VEN-666	Site	Lithic Scatter, Habitation Debris	E Fifth St nr Rice Ave
P-56-000667	VEN-667	Site	Burials, Hearths, Habitation Debris	Harbor Blvd
P-56-000726	VEN-726/H	Site	Privies/dumps, Lithic Scatter	Rice Ave nr Channel Islands Blvd
P-56-000789	VEN-789	Site	Lithic Scatter, Burials, Habitation Debris	E Fifth St nr Rice Ave
P-56-000918	VEN-918	Site	Habitation Debris	E Fifth St nr Rice Ave
P-56-001234	VEN-1234H	Ethnographic	Plant Collection Site	Harbor Blvd
P-56-001304	VEN-1304	Site	Burials	Vineyard Ave nr US 101
P-56-001514	VEN-1514	Site	Lithic Scatter, Habitation Debris	Rice Ave nr E Fifth St
P-56-001807	VEN-1807/H	Site	Lithic Scatter, Historic Artifacts	Harbor Blvd
P-56-100059		Isolate	Lithic Scatter	Rice Ave nr US 101
P-56-100060		Isolate	Lithic Scatter	Rice Ave nr Pleasant Vly Rd
P-56-100061		Isolate	Basket Hopper Mortar	Pleasant Valley Rd
P-56-100121		Isolate	Mortar	Vineyard Ave nr US 101
P-56-100156		Isolate	Lithic Scatter	Arnold Rd

**Table 3.6-1  
Known Prehistoric Archaeological Sites in PWIMP Area and ½-mile buffer**

Primary #	Trinomial	Type	Description	Location*
P-56-100192		Site	Lithic Scatter	Fiske Place
P-56-100398		Isolate	Marine Shell	E Fifth St nr Rice Ave
P-56-100399		Isolate	Marine Shell	E Fifth St nr Rice Ave
P-56-100400		Isolate	Marine Shell	E Fifth St nr Rice Ave
P-56-100401		Isolate	Marine Shell	E Fifth St nr Rice Ave
P-56-100402		Isolate	Marine Shell	Rice Ave nr E Fifth St
P-56-120002		Site	Lithic Scatter, Habitation Debris	Rice Ave

\*General indication. Resource locations protected by law.

### **Prehistoric Archaeological Sensitivity**

As noted above, the Oxnard plain has few known archaeological sites because it was a relatively resource-poor environment in prehistory. The northern part of the PWIMP area near the Santa Clara River can be considered generally low in sensitivity because of the extensive cycles of alluviation and erosion that have taken place along the river course. The exposed coast south of the river is also low in sensitivity for prehistoric settlement, except where natural lagoons provided access to fresh water and abundant marine resources, as at Port Hueneme and Mugu Lagoon. Many artifact scatters and isolates have been found in the area east of Oxnard along Rice Avenue and East Fifth Street, including artifacts typical of residential sites. However, no sites with well-developed stratigraphy have yet been identified. It is possible that an as-yet unknown village site exists in this area, though the area is one to two miles from historically attested watercourses or springs (SFEI 2011).

Generally speaking, archaeological sensitivity can be considered high near low-energy perennial watercourses and sheltered coastal lagoons, and near known prehistoric archaeological sites. Although some geographic areas experience greater sensitivity than other areas for the presence of prehistoric or historic archaeological resources, it is possible for a variety of archaeological deposits to be encountered during ground-disturbing activities in almost any location, including areas considered having low sensitivity. Evidence from previous survey work and site investigations in the PWIMP area suggests that the types of prehistoric sites that might be discovered in the future include:

- Surface scatters of lithic artifacts associated with or without midden accumulations, resulting from short-term occupation, and/or specialized economic activities, or long-term occupation.
- Isolated finds of cultural origin, such as lithic flakes and projectile points or millstone fragments.
- Floral and faunal remains or deposits.

### Historic Archaeological Resources

The evidence from previous survey work and site investigations in the Planning Area indicates that known historic archaeological resources include:

- **CA-VEN-664H:** This is an historic archaeological site, located near the Oxnard wastewater treatment plant. When recorded in 1979, the site included remains of several 20<sup>th</sup>-century farm buildings, with a cistern, irrigation pipe, and brick courses. Artifacts noted included domestic ceramics, glass (some dating to 1903), cut cow bone, and marine shell (Horne and Craig 1979). Later development of an industrial building and adjacent parking lot appears to have destroyed the site completely.
- **CA-VEN-726/H:** This prehistoric site located near Rice Road also contains bottle glass dating from circa 1890-1912.
- **CA-VEN-1807/H:** This is a prehistoric archaeological site with a historic component, located near a transmission tower on Harbor Boulevard. Prehistoric material includes a surface scatter of isolated artifacts including one fragment of flaked stone, a groundstone fragment, and an unrefined earthenware fragment with slip. Historic artifacts consist of aqua glass insulator fragments.
- **P-56-100156** is an isolated prehistoric artifact found with a shard of historic purple glass, located near Arnold Rd.
- **P-56-100460** is a scatter of historic glass bottles measuring 10 feet by 75 feet, located near Olds Road.

None of these resources have been determined eligible for the California Register or National Register.

### Historic-Period Archaeological Sensitivity

A number of factors can be used to infer an area's sensitivity for buried historic archaeological resources (Caltrans 2007). These include surface scatters of artifacts, documentary sources (historic maps, deeds, or photographs), standing buildings or structures that suggest patterns of land use (homes, barns, ponds, fences, industrial facilities), and ecological or landscape features (steep hills, bodies of water, wetlands).

In American cities, it was typical to burn or bury domestic trash through the 1920s. Before the introduction of indoor plumbing, household trash was often disposed of in outdoor privy pits as well. Both of these activities typically took place in rear yards, meaning that the rear yards of houses dating to before 1920 are more sensitive for buried historic archaeological deposits. A wider variety of activity took place on rural properties. While domestic trash was still disposed of behind dwellings, it is also possible to find archaeological materials associated with farming, ranching, or animal care in different locations, often in association with buried architectural remains of fences, corrals, or barns.

Almost all work proposed in the scope of the PWIMP will take place in public right-of-way including roads and sidewalks. While many historic artifacts are deposited along historic road courses, they are mostly single items that were lost or thrown away by travelers. Such incidental deposits typically have little information potential, meaning that they are unlikely to be eligible for NRHP or CRHR. Since the PWIMP area includes mostly sidewalks and roadways, it generally has low sensitivity for buried historic archaeological resources.

However, it is possible that project activities will take place off-road, or will cross historic archaeological features (particularly earthworks or other architectural features). The types of resources that might be found include:

- Historic artifact scatters and buried deposits of historic debris and artifacts;
- Building foundations and associated deposits;
- Levees and roads;
- Remains of farms and ranches.

### **Built Environment Resources**

The PWIMP Planning Area contains numerous historic buildings and structures that are listed on, or eligible for the NRHP and CRHR. The County of Ventura also maintains a list of local historic landmarks and points of interest that are historic resources under CEQA.

#### **National Register Properties**

***Henry T. Oxnard Historic District.*** The Henry T. Oxnard National Historic is a residential neighborhood located west of the City's central business and commercial center along North F and North G Streets between Palm and 5<sup>th</sup> Streets (see Figure 3.6-2). It was inscribed on the National Register of Historic Places in 1999 (National Register #99000109). Containing 137 contributing properties, the district is primarily comprised of Bungalow and Craftsman style homes along with Mediterranean/Spanish Revival styles. It qualified for the National Register because most of the homes and the setting appear as they did during the period between 1909 and 1940.

***Leonard Ranch Historic District.*** The Leonard Ranch Historic District at 3779 W. Gonzales Road (Primary Number 56-152763), was found eligible for NRHP and is listed in the California Register (OHP 2006). The property covers 3.45 acres of the ranch's original 1,000 acres and includes a ranch house, main residence, a cook's cabin, and various landscaping features including a pair of Moreton Bay fig trees.

#### **California Register Properties**

A recent Historic Resources Survey of downtown Oxnard (San Buenaventura Research Associates 2005) identified a potential NRHP or CRHR district at 703-705 South Oxnard Boulevard for their association with Oxnard's Chinatown. Three other districts potentially eligible as local historic districts were also identified: the 300-400 blocks of A Street; the 100 block of East Fifth Street and Enterprise Street; and Heritage Square.

#### **Ventura County Landmarks**

Ventura County established a Cultural Heritage Board in 1966 to advise the county on historical landmark designation and preservation. The Cultural Heritage Board recommends County Historical Landmark and Point of Interest designations to the County Board of Supervisors for approval. The City of Oxnard has declined to establish its own historic preservation program, and thus does not have a separate registry of historic properties (Ventura County 2016).



Oxnard High School

W 4TH STREET

W 5TH STREET

N F STREET

MAGNOLIA AVENUE

W 1ST STREET

W 2ND STREET

W 3RD STREET

N E STREET

N D STREET



**Figure 3.6-2**  
**Henry T. Oxnard**  
**Historic Area**

County Historical Landmarks are defined as “a structure, natural feature, site or area having historical, archeological, cultural, or aesthetic significance”. These Landmarks are historical resources for the purposes of CEQA. A Point of Interest includes “the site of a historical event, the site of a historical resource or structure that no longer exists, or a natural feature or area having historical significance.” Because Points of Interest are usually intangible, they are not CEQA historical resources.

Twenty-four County Historical Landmarks and three Points of Interest are located within the PWIMP area and are summarized in Tables 3.6-2 and 3.6-3.

**Table 3.6-2  
Ventura County Landmarks in PWIMP Area**

#	Name	Location	Year Built	NRHP or CRHR Status
13	Oxnard Carnegie Library	424 South C Street	1907	NR # 71000210
15	Naumann Giant Gum Tree / Eucalyptus Rows	Pleasant Valley & Etting	c. 1900	Ineligible for listing
16	Sugar Beet Factory	Wooley & Oxnard Blvds	1898	No information
17	Oxnard Plaza Park Pagoda	5th & C Streets	1910-11	No information
18	Japanese Cemetery	Pleasant Valley & Etting	1908	Locally listed
56	Bank of A. Levy	143 W. Fifth Street	1926	Appears eligible for NR
70	First Church of Christ Scientist	Heritage Square, 731 South A Street	1906-08	Locally listed
73	Murphy House	205 S. F Street	1911	Contrib to NR district
74	Henry Levy House	155 S. G Street	1914	Contrib to NR District, indiv eligible for NR
75	Achille Levy House	201 S. D Street	1912	Appears eligible for NR
100	Justin Petit Ranch House	Heritage Square, 730 South B Street	1896	Locally listed
141	Ventura County Railway	250 E. Fifth Street	1905	Eligible for NR
144	Scarlett/McGrath Ranch House	5011 W. Gonzales	1889	Locally listed
145	Perkins/Clabeth House	Heritage Square, 721 South A Street	1887	Locally listed
146	Wineman/Lehmann/Miller House	101 South D Street	1903	Contributor to NR district
147	Staire/Diener House	235 S. D Street	1911	Contributor to NR district
148	Palm Trees along C Street	Magnolia to Wooley Rd	1904	No information to date
149	Japanese Nisei Methodist Episcopal Church	630-632 S. A Street	1908, 1940	Appears eligible for NR
158	Swift House and Lying-in Hospital	838-840 W Fifth Street	1926-28	Ineligible for NR
161	Henry T. Oxnard Historic District & Landmark Area	Between Fifth, Magnolia, F & G Streets	1911- 1950	NR #99000109
165	Gottfried Maulhardt/Albert Pfeiler Farm Site	NW Corner Pinata Dr. and Cesar Chavez Dr.	1873	No information to date
171	Bon Ton Court	531 South F Street	1926	Contrib to local district

**Table 3.6-2  
Ventura County Landmarks in PWIMP Area**

#	Name	Location	Year Built	NRHP or CRHR Status
173	McColm Manor Apartments	534-542 South F Street	1950	Contributor to local district
175	J.A. Swartz Residence	636 West Fifth Street	1929	Contributor to local district
<b>Notes:</b> N/A = not available				
<b>Source:</b> County of Ventura, 2016 and California OHP, 2012				

**Table 3.6-3  
Ventura County Points of Interest in PWIMP Area**

#	Name	Location	NRHP or CRHR Status
8	Santa Clara Chapel Site	301 Esplanade Drive	N/A
9	Cesar Chavez Childhood Home Site	452 N. Garfield Avenue	N/A
10	Colonial House Restaurant	701-747 N. Oxnard Blvd	N/A
<b>Notes:</b> N/A = not available			
<b>Source:</b> County of Ventura, 2016 and California OHP, 2012			

### 3.6.4 Impact Analyses

This section includes a discussion of the relevant significance criteria, the approach and methodology to the analyses, and any identified impacts and mitigation measures.

#### 3.6.4.1 Significance Criteria

Significance thresholds below are based on Appendix G (Environmental Checklist Form) of the *CEQA Guidelines* and modified from the City's *May 2017 CEQA Guidelines*, which indicates that a potentially significant impact on cultural or tribal cultural resources would occur if the PWIMP should:

- Cause a substantial adverse change in the significance of an historical resource as defined in State CEQA Guidelines §15064.5;
- Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines §15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- Disturb any human remains, including those interred outside of formal cemeteries; and/or
- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

As noted above, a “historical resource” under CEQA is a property, site, or district listed in, or determined to be eligible for listing in, the National Register of Historic Places, California Register of Historical Resources (CRHR), Ventura County Historical Landmarks, or City of

Oxnard Points of Interest. A “unique archaeological resource” is one that meets the criteria in CEQA Guidelines §15064.5(g), which are substantively similar to those of the CRHR. CEQA Guidelines section 15064.5 defines “substantial adverse change” as:

- Physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- Demolition or material alteration in an adverse manner of those physical characteristics of an historical resource which convey its historical significance and justify its inclusion in or eligibility for inclusion in the CRHR inclusion in a local register, or identification in a historical resources survey.

### 3.6.4.2 Approach and Methodology

This section provides an overview of the approach and methodology used in evaluations of historic properties, identifies potential impacts, and proposes mitigation measures to mitigate potential impacts to a less-than-significant level.

As described in Chapter 2, Project Description, the City’s PWIMP is comprised of improvements to the City’s Water Supply System, Recycled Water System, Wastewater System, and Stormwater System through build-out of the City’s 2030 General Plan. However, the design details, final options, and the timing of construction phases are not precisely known, despite the best estimates provided in the schedules in Chapter 2.

CEQA Guidelines §15168 notes that the level of detail required in a Program EIR is dictated by the “ripeness” of the project. That is, the level of detail in environmental analysis should match the level of detail developed for the project to date. Thus, although this section addresses the full range of potential environmental effects associated with implementation of the PWIMP, it provides only a qualitative, programmatic level of detail because many details remain unknown. Instead, the analysis focuses on potential significant impacts and provides broad mitigation measures that should be implemented as appropriate at the project level.

The analysis in the following sections has been developed based on record search information and archaeological sensitivity analysis. The above identified cultural resources in the PWIMP area can and will be avoided during construction. However, all project components requiring ground disturbance (such as grading, trenching, and filling) have the potential to discover previously unknown cultural resources during project construction.

### 3.6.4.3 Potential Impacts and Mitigation Measures

Based on the significance criteria and approach and methodology described above, the potential impacts to cultural resources are discussed below.

**Impact 3.6-1: Implementation of the PWIMP and/or identified components/facilities could cause a substantial adverse change in the significance of an historical resource or a unique archaeological resource as defined in State CEQA Guidelines §15064.5.** The potential impacts due to temporary construction and long-term operations are discussed below.

#### *Temporary Construction Impacts*

The PWIMP Study area is located in a highly urbanized area and has a low potential to cause a substantial adverse change in the significance of an historical resource. Built environment resources (buildings and structures) are unlikely to be affected because work under the PWIMP will generally take place in City streets. However, if buildings or structures over 50 years old (including infrastructural facilities such as wastewater plant buildings) are affected by the project, they may require evaluation by a qualified architectural historian. Most of the PWIMP area is of low archaeological sensitivity, since most known resources are either located outside of public rights-of-way, or are isolated finds of artifacts without stratigraphy. However, several sensitive areas exist near rights-of-way, and there is always the potential for discovery of previously unknown archaeological resources. Since ground disturbance associated with all PWIMP physical project components could inadvertently and adversely impact historic resources or unique archaeological resources, this impact is potentially significant. However, it can be mitigated to less-than-significant levels with implementation of Mitigation Measures 3.6-1a through 3.6-1e as applicable.

#### ***Temporary Construction Mitigation Measures***

The following mitigation measures shall be applied to all physical project components requiring ground disturbance and construction activities. The City will ensure that the City and/or the selected construction contractor implement the following measures.

**Mitigation Measure 3.6-1a: Pre-Construction Cultural Resources Survey(s).** The City shall perform pre-construction archaeological surveys for all PWIMP project components that require ground-disturbing activities including, but not limited to facility footprints, construction right-of-way corridors, staging areas, and access roads. Where proposed project areas are composed entirely of impervious surfaces, a historic archaeological and geo-archaeological sensitivity analysis may be substituted for surface survey. If resources or highly sensitive areas are identified during survey, **Mitigation Measure 3.6-1b** shall be implemented wherever possible.

**Mitigation Measure 3.6-1b: Avoidance.** The City will seek to avoid cultural resources as the preferred mitigation measure. Avoidance of cultural resources would result in less-than-significant levels of impacts to identified cultural resources. All design-level engineering and construction drawings will be prepared in consultation with a cultural resource specialist. Facilities, staging areas, and any activity involving ground disturbance shall be located to avoid resources. To ensure that no inadvertent damage occurs to avoided cultural resources, exclusion zones covering the resource and a 100-foot buffer around it will be marked both on the ground and on construction maps.

**Mitigation Measure 3.6-1c: Evaluation for CRHR.** If avoidance is determined to be infeasible, The City shall retain a qualified archaeologist (for archaeological resources) or architectural historian (for built environment resources) to evaluate the resources for eligibility to the CRHR. In the case of historic or prehistoric archaeological sites, evaluation may be completed by examining existing records and reports, by detailed recording, and/or by excavation to determine data potential of the sites. Resources found to be ineligible for CRHR would require no further management. If a CEQA historic resource or unique archaeological resource is determined to exist, then Mitigation Measure 3.6-1d will be used to reduce impacts to less-than-significant levels.

**Mitigation Measure 3.6-1d: Develop a Cultural Resources Treatment Plan (CRTP).** The City shall develop a Cultural Resources Treatment Plan (CRTP) for all known and newly discovered CEQA historic resources or unique archaeological resources within areas of direct impact of project activities. The plan will include, at minimum:

- Procedures for protection and avoidance of environmentally sensitive areas (ESAs), including archaeological monitoring protocols;
- Procedures for evaluating inadvertent discoveries of archaeological resources, including research, recording, or test excavations;
- Procedures for mitigating impacts to CEQA archaeological resources (including Native American burials) through data recovery excavations;
- Provisions and procedures for Native American consultation;
- Training for construction personnel on their responsibilities to identify and protect cultural resources;
- Curation of any cultural materials collected during the project; and
- Specification that archaeologists and other disciplinary specialists hired for the project meet the appropriate Professional Qualifications Standards mandated by the California Office of Historic Preservation (OHP).

**Mitigation Measure 3.6-1e: Halt Work if Cultural Resources are Discovered.** If prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 100 feet of the resources shall be halted and after notification, the City shall consult with a qualified archaeologist to assess the significance of the find. If any find is determined to be significant historical resource (CEQA Guidelines §15064.5(a)(3) and/or unique archaeological resource (PRC §21083.2), representatives of the City and a qualified archaeologist shall meet to determine the appropriate course of action. In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the lead agency shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out.

With the implementation of the above mitigation measures, the PWIMP would not result in impacts to historical archeological and tribal resources.

**Significance After Mitigation:** Less-than-Significant Impact

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### ***Long-Term Operational Impacts***

PWIMP operations are not anticipated to impact historical resources. Most proposed facilities will be placed underground, and therefore will not increase access to sensitive cultural sites, or impair the continued use of historic structures or sites. Facility operations would therefore not result in impacts to cultural resources.

### ***Long-Term Operational Mitigation Measures***

PWIMP operations are not expected to have significant impacts on cultural and tribal resources. However, future routine maintenance and repair of the systems and facilities (i.e. excavation and repair of pipe or other facilities) could inadvertently discover buried and previously unknown historical archeological and/or tribal resources. As such, the City shall implement **Mitigation Measures 3.6-1a through 3.6-1e** to the extent possible. With the incorporation of these measures, any PWIMP operational impacts to historical resources would be considered less than significant.

**Significance After Mitigation:** Less-than-Significant Impact

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**Impact 3.6-2: Implementation of the PWIMP and/or identified components/facilities could cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5.** The potential impacts due to temporary construction and long-term operations are discussed below.

*Temporary Construction Impacts*

As discussed above, ground disturbance activities with all PWIMP project facilities/components could adversely impact potentially important archeological and/or tribal resources that are not known to exist, even on previously disturbed sites – including at existing wastewater treatment plants, roadways and other disturbed areas. As ground disturbance associated with all PWIMP physical project components could inadvertently and adversely impact potentially important archaeological and tribal resources, this impact is potentially significant, but can be mitigated to less-than-significant levels with implementation of **Mitigation Measures 3.6-1a through 3.6-1e** as applicable.

*Temporary Construction Mitigation Measures*

The potential impact of the construction of PWIMP facilities on archeological resources would be less than significant with implementation of **Mitigation Measures 3.6-1a through 3.6-1e**.

**Significance after Mitigation:** Less-than-Significant Impact

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*Long-Term Operational Impacts*

PWIMP operations of are not anticipated to impact archeological resources. It will not increase access to sensitive cultural sites, or impair the continued use of historic structures or sites. Facility operations would not result in impacts to archeological resources. However, future routine maintenance and repair of the system (i.e., excavation and repair of pipe or other facilities) should take into consideration and avoid any archeological resources in the immediate vicinity.

*Long-Term Operational Mitigation Measures*

The potential impact of the operations of PWIMP facilities on archeological resources would be less than significant with implementation of **Mitigation Measures 3.6-1a through 3.6-1e**.

**Significance:** Less-than-Significant Impact

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**Impact 3.6-3: Implementation of the PWIMP and/or identified components/facilities could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.** The potential impacts due to temporary construction and long-term operations are discussed below.

*Temporary Construction Impacts*

Paleontological resources are the fossilized evidence of past life found in the geologic record. Despite the tremendous volume of sedimentary rock deposits preserved worldwide, and the enormous number of organisms that have lived through time, preservation of plant or animal remains as fossils is an extremely rare occurrence. Because of the infrequency of fossil preservation, fossils – particularly vertebrate fossils – are considered nonrenewable resources. Because of their rarity, and the scientific information they can provide, fossils are highly significant records of ancient life.

Paleontologic resources, including an undetermined number of fossil remains and unrecorded fossil sites, associated specimen data and corresponding geologic and geographic site data, and the fossil-bearing strata, could be adversely affected by (i.e., would be sensitive to) the direct and indirect environmental impacts resulting from construction related earth-moving activities (particularly trenching for pipelines) associated with PWIMP.

Direct impacts would result mostly from earth-moving activities (particularly trenching for pipelines) in previously undisturbed strata, making the strata and their paleontologic resources unavailable for future scientific investigation. Although earth-moving activities would be comparatively short term and limited to relatively narrow trenches, the possible accompanying loss of some fossil remains, unrecorded fossil sites, associated specimen data and corresponding geologic and geographic site data, and the fossil-bearing strata is a potentially significant long-term environmental impact.

Easier access to fresh exposures of fossiliferous strata and the accompanying potential for unauthorized fossil collecting could result in the loss of some additional fossil remains, unrecorded fossil sites, and associated specimen data and corresponding geologic and geographic site data. This loss of paleontologic resources would be a potentially significant long-term environmental impact.

Although the accompanying loss of any fossil remains and site would be a highly significant impact paleontologically, the impact of grading would be considered only moderately significant because of the moderate potential for the loss of paleontologic resources. Also, because the PWIMP construction activities would result in minimal excavation in bedrock conditions, significant paleontologic discovery would be unlikely. However, fossil discoveries can be made even in areas of supposed low sensitivity. In the event a paleontologic resource is encountered during project activities, implementation of the following mitigation measure would reduce potential impacts to less-than-significant.

#### ***Temporary Construction Mitigation Measure***

**Mitigation Measure 3.6-3: Stop Work if Paleontological Remains are Discovered.** If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work will stop in that area and within 100-feet of the find until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City.

**Significance After Mitigation:** Less-than-Significant Impact

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#### ***Long-Term Operational Impacts***

PWIMP operations are not expected to have significant impacts on any known paleontological resources. However, routine maintenance and repairs that involve excavation could inadvertently discover paleontological resources.

***Long-Term Operational Mitigation Measures***

With the implementation of **Mitigation Measure 3.6-3** above, any impacts would be considered less than significant.

**Significance After Mitigation:** Less-than-Significant Impact

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**Impact 3.6-4: Implementation of the PWIMP and/or identified components/facilities could disturb human remains, including those interred outside of formal cemeteries.** The potential impacts due to temporary construction and long-term operations are discussed below.

***Temporary Construction Impacts***

Ground disturbing activities have the potential to uncover both historic-era and prehistoric human remains. For prehistoric resources, shellmounds often contain human remains. For the historic era, there is potential to discover human remains outside of the boundary of an established cemetery. California law provides measures for the treatment of both historic-era and prehistoric human remains in Public Resources Code 5097 and in California Health and Safety Code 7050.5 and 7052. With the implementation of the Mitigation Measure 3.6-4 below, impacts would be considered less than significant.

***Temporary Construction Mitigation Measures***

The following mitigation measure shall be applied to all physical project components requiring ground disturbance and construction activities. The Project Applicant will ensure that the following measures are implemented by the selected construction contractor.

**Mitigation Measure 3.6-4: Halt Work if Human Remains are Discovered.** If buried human remains are encountered during construction, work shall be *immediately* halted, and the City and the Ventura County Coroner shall be *immediately* notified. If the remains are determined to be Native American, then the Native American Heritage Commission (NAHC) will be notified within 24 hours as required by Public Resources Code 5097. The NAHC shall designate a Most Likely Descendant, who will be responsible for providing recommendations for the treatment of the remains within 48 hours of being granted access to the find.

**Significance After Mitigation:** Less-than-Significant Impact

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***Long-Term Operational Impacts***

PWIMP operations are not expected to have significant impacts on any known human remains. However, routine maintenance and repairs that involve excavation could inadvertently discover human remains.

***Long-Term Operational Mitigation Measures***

With the implementation of **Mitigation Measure 3.6-4** above, any impacts would be considered less than significant.

**Significance After Mitigation: Less-than-Significant Impact**

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**Impact 3.6-5: Implementation of the PWIMP and/or identified components/facilities could cause a substantial adverse change in the significance of a tribal cultural resource.** The potential impacts due to temporary construction and long-term operations are discussed below.

***Temporary Construction Impacts***

Tribal cultural resources are defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is either; (1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); and/or (2) is a resource determined by the City or its archeological consultant, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

As noted above, consultation with the NAHC and with local tribes under AB52 did not identify any Tribal Cultural Resources within the Project area. Therefore, the Proposed Project/Action is not likely to cause a substantial adverse change in the significance of tribal cultural resources. Nevertheless, there is a slight chance that construction activities of the Proposed Project could result in accidentally discovering unique tribal cultural resources. To further reduce this less-than-significant impact, the following mitigation measures shall be implemented.

***Temporary Construction Mitigation Measures***

**Mitigation Measure 3.6-5: Halt Work if Tribal Cultural Resources are Discovered.** In the event that any tribal cultural resources are discovered during ground disturbing activities, all work within 100-feet of the resources shall be halted and after notification, the City shall consult with a qualified archaeologist and local tribes to assess the significance of the find. If any find is determined to be significant as a unique tribal cultural resource, the City shall treat the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including to, but not limited to, the following:

- Protecting the cultural character and integrity of the resource;
- Protecting the traditional use of the resource; and
- Protecting the confidentiality of the resource.

In considering any suggested mitigation proposed by the consulting archaeologist and/or the appropriate tribe in order to mitigate impacts to any tribal cultural resources find, the City shall determine whether avoidance is feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted and coordinated with the appropriate tribe(s). Work may proceed on other parts of the project site while mitigation measures for tribal cultural resources or other unique archaeological resources are carried out.

**Significance After Mitigation: Less-than-Significant Impact**

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***Long-Term Operational Impacts***

PWIMP operations are not expected to have significant impacts on any known tribal resources. However, routine maintenance and repairs that involve excavation could inadvertently discover human remains.

***Long-Term Operational Mitigation Measures***

With the implementation of **Mitigation Measure 3.6-5** above, any impacts would be considered less than significant.

**Significance After Mitigation:** Less-than-Significant Impact

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**3.6.5 Cumulative Effects**

The Proposed PWIMP will mostly take place within already-developed roadways and parcels in urbanized areas. Most of the project area has low archaeological sensitivity. Mitigation measures are detailed above that would reduce individual impacts to less than significant. Given these factors, the PWIMP will not result in significant impacts to cultural resources, and would not contribute to potential significant cumulative impacts. No mitigation measures for cumulative impacts are thus proposed.