

Q.5.6 - Cultural Resources

The following impact evaluation is based on the environmental setting, regulatory setting, and thresholds of significance discussions provided for the proposed projects in Draft EIR Section 5.6, Cultural Resources, and in Appendix H-1, Expanded Cultural Resources Analysis. These previous discussions are not repeated in the following evaluation. The evaluation is a comparative analysis between the Preferred Project and Proposed Project 4. Additional archaeological surveys were conducted by Far Western Anthropological Research Group, Inc, in March 2009 to identify the potential for additional cultural resources in the sprayfields at the Tonini site (See Appendix Q8). These surveys were necessary a part of the additional sprayfield acreage discussed in the Preferred Project description (Appendix Q3). A letter report on the results of the survey and subsurface trenching associated with the Los Osos Valley Road and Turri Road intersection, identified as an area with a high sensitivity for buried archaeological resources within Proposed Project 4 (Exhibit 5.6-8 of the Draft EIR) was examined through five, 20 feet long, 3 feet wide, and 1.8 meters deep trenches.

Historic Resource

Q5.6-A: **The project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.**

Project Specific Impact Analysis

This same wastewater gravity collection system design discussed in the Draft EIR has been adopted for the Preferred Project, with additional refinements that meet the conditions of the Coastal Development Permit issued for the previous iteration of the project, as well as the new engineering demands in delivering wastewater out to the Tonini site.

Minor changes with the collection system occurred between the release of the Draft EIR and preparation of this document. These changes with the collection system are generally refinements and additional engineering information that was not available during the Draft EIR preparation. The additional refinements are discussed in detail within Section Q3 (see Exhibit Q3-2) and include the following:

- A change in location of the Mid-town pump station from the southeast corner to the southwest corner of the Mid-town site;
- A sewage gravity collection line, pocket pump, and a force main along Palisades Avenue to collect sewage and convey back to the Mid-town Pump Station along Los Osos Valley Road;
- The addition of the Solano pump station and force main along Solano Street and Skyline Drive;
- A connection to an existing standby power station for the Baywood and West Paso pump stations located near the corner of 8th Street and El Moro Street;
- A connection to a new standby power station for the Mountain View pump station located at the nearby LOCSD South Bay well site;

- An update to the on-site design of the nine submersible pump stations, including pump and valve vault locations; water, gas and electrical connections; and above ground standby power stations and electrical panels or transformers.

Collection System

The Preferred Project, like Project 4 assumes that the collection system's pipelines will be constructed underground and within the existing right-of-way for streets, thereby having no effect on adjacent architectural resources.

The collection system for the Preferred Project includes septic tank abandonment and installation of a network of sewer collection pipelines and force main lines, nine pump stations (Mid-town, six duplex, two triplex), thirteen pocket pump stations, two standby power buildings, and a wastewater conveyance pipeline to the treatment facility.

Pumps associated with the collection system, including grinder pumps and pump stations, will be constructed with a design/build alternative. Locations for all the pumps have been identified, but could vary with the design/build method. All of these facilities will be placed in underground vaults, ranging in size from 10 to 12-foot in diameter and buried at depths of 10 to 20 feet below the existing ground surface.

The proposed project also assumes that the connections from the collection system pipelines to the source properties (residences, businesses, etc.) will be underground and connect to existing plumbing, thereby having no impact on architectural resources. Any disturbance to vegetation or landscaping that may contribute to the significance of a historic property will be temporary and restored to its pre-construction appearance and according to the Secretary of the Interior's Standards for repair, restoration, rehabilitation, and reconstruction.

As discussed in Section Q3, the wastewater gravity collection system within the Urban Reserve Line evaluated in the Draft EIR was originally designed for the previous iteration of the project that was approved by the California Coastal Commission (CCC) and issued a Coastal Development Permit (CDP).

The collection system for Preferred Project would be the same as that which is proposed for Proposed Project 4 in the Draft EIR, with the addition of the new refinements listed above. Of the additional refinements, the on-site design changes for pump stations and standby power facilities would not result in any impacts to any buildings, sites, or objects that meet the criteria to be considered historical resources under CEQA; therefore, the Preferred Project will have no impact on historic architectural features. These refinements are expanded upon in the following discussion.

Sewer Collection Pipelines and Force Main Lines

Similar to that analyzed for Proposed Project 4 in the Draft EIR, the sewer collection pipelines and force main lines for the Preferred Project will be contained within disturbed and developed portions of surface street right-of-ways throughout the community of Los Osos. The network of sewer collection pipelines and force main lines is displayed on Exhibit Q3-1. The Preferred Project incorporates refinements to the sewer collection pipelines and force main line layout that include the installation of an additional sewer collection line along Palisades Road north of Los Osos Valley Road, the installation of a force main along Palisades Road north of Los Osos Valley Road, the installation of a force main along Los Osos Valley Road running west from Palisades Road to the Mid-town pump station, and the installation of a force main from the Solano pump station south along Solano Street and east along Skyline Drive. Additionally, lateral lines will run from the sewer collection pipelines to each property lines being served by the collection system. It is expected that the majority of the sewer collection pipeline, force main line, and lateral line installation would occur within disturbed and developed portions of surface street right-of-ways. The technical study related to historic architectural resources (Appendix H-3 of the Draft EIR) found no buildings, sites, or objects in the collection system that meet the criteria to be considered historical resources under CEQA; therefore, the proposed project will have no impact.

Pocket Pump Stations

The Preferred Project includes thirteen unnamed pocket pump stations required within individual low-elevation locations of the collection system. This is one more pocket pump than associated with Proposed Project 4. These pocket pump station locations are displayed on Exhibit Q3-1 and labeled with the letter "P". All pocket pump stations will occur in disturbed and developed areas contained primarily within surface street right-of-ways. The refinements call out the need for an additional pocket pump station located at the northern terminus of Palisades Avenue. The pocket pump station development will require the additional force main along Palisades Avenue north of Los Osos Valley road that was addressed above under the sewer collection pipelines and force main lines discussion. The new pocket pump station will be contained within disturbed and developed portions of Palisades Avenue and the pocket pump station would be below ground and would not have any impact of any historic architectural resources.

Pump Stations

The Preferred Project includes a total of nine pump stations referred to as the Mid-town, Solano, Lupine, West Paso, Baywood, East Ysabel, East Paso, Mountain View, and Sunny Oaks pump stations. These pump stations are displayed on Exhibit Q3-1 and are referred to as either pump stations with (PSS) or without (PS) on-site standby power buildings. It should be noted that all pump stations would occur within a variety of disturbed and developed areas. The 0.03-acre Baywood pump station and 0.03-acre Mountain View pump station will be entirely contained within paved asphalt portions of El Morro Avenue and Mountain View Drive.

Of the nine pump stations, only a single pump station, the Solano pump station, was not addressed in the Draft EIR under Proposed Project 4. This pump station is addressed below. Additionally, the change in location and size of the Mid-town pump station was not addressed in the Draft EIR. The change in location of the Mid-town pump station is also addressed below.

Solano Pump Station: The Solano pump station will occur within an approximately 0.07-acre area located on the east side of Solano Street, immediately south of the eastern terminus of Butte Drive adjacent to the Sea Pines Golf Resort in western Los Osos. The pump station development will require the additional force mains along Solano Street and Skyline Drive that were addressed above under the sewer collection pipelines and force main lines discussion. The 0.07-acre area is contained within a flat disturbed lot that is currently being used for storage, presumably by the Sea Pines Golf Resort. No buildings, sites, or objects at the Solano pump station that meet the criteria to be considered historical resources under CEQA are present; therefore, the Preferred Project will have no impact any historic architectural resources.

Mid-town Pump Station: The location of the Mid-town pump station has been changed from the location identified in the Draft EIR due to the hydraulic characteristics and requirements of the proposed collection system. The new proposed location encompasses a 0.25-acre area (rather than 0.1 acre) near the southwest corner of the Mid-town property (Exhibit Q3-1). As discussed in the Draft EIR, the Mid-town pump station is proposed within land that had been cleared in 2005 for the previously approved iteration of the project. The historic architecture -related impacts associated with the new location are essentially the same as those associated with the previous location and analyzed for Proposed Project 4.

Treatment Plant Site

The technical study related to historic architectural resources found no buildings, sites, or objects at the treatment plant site that meet the criteria to be considered historical resources under CEQA under Proposed Project 4. There was no change in the Preferred Project and therefore, the Preferred Project would have no impact proposed project will have no significant impact to any historic architectural resources.

Disposal Sites

The technical study related to historic architectural resources found no buildings, sites, or objects at the disposal sites that meet the criteria to be considered historical resources under CEQA; therefore, the proposed project will have no impact.

Combined Project Effects

The proposed project will have a less than significant impact on historical resources.

Cumulative Impact Analysis

As defined by CEQA, cumulative impacts refer to two or more individual affects which, when considered together, compound or increase other environmental impacts. There are no cumulative impact differences between Proposed Project 4 and the Preferred Project.

Project Specific

Mitigation Measures

No mitigation measures are necessary for either Proposed Project 4 or the Preferred Project.

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.

Cumulative

Mitigation Measures

No mitigation measures are necessary for either Proposed Project 4 or the Preferred Project.

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.

Archaeological Resources

Q5.6-B: **The project would cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

Project Specific Impact Analysis

The collection system in Los Osos for both Project 4 and the Preferred Project has the potential to impact many known, eligible archaeological sites if the design plan differs from the 2005 plan. However, the collection system plans do not vary substantially from the 2005 plan and therefore, there is little potential for impact to significant archaeological resources within the collection system. The raw wastewater and treated effluent lines from the Mid-town pump station to the treatment plant and sprayfields at Tonini would not impact any archaeological resources under the Preferred Project plans. The placement of the pipelines on the south side of Los Osos Valley Road and in the shoulder of the road in many locations to avoid other resources would result in a substantial reduction in impacts to archaeological resources. The raw wastewater and treated effluent pipelines along Los Osos Valley Road associated with Project 4 would encounter four potentially significant deposits: SLO-2569, SLO-4, SLO-462, and SLO-1512. Recorded sites that would not be adversely affected based on prior evaluation as non-contributing include SLO-1212, SLO-1795, and SLO-2007. A portion of Los Osos Valley Road from Los Osos Creek eastward to the Cemetery parcel is of high sensitivity for buried archaeological sites that might also be affected by trenching. With the placement of the pipelines on the south side of Los Osos Valley Road for the Preferred Project, no known significant deposits would be impacted. Project 4 would also would have potential effects on two prehistoric archaeological sites (SLO-2571 and SLO-2573) at the treatment plant site at Tonini

and the sprayfields proposed for the Tonini parcel would affect one additional prehistoric site (SLO-2572) and one historic-era site (SLO-2574H). There is a moderate to high potential for buried archaeological deposits on a portion of the sprayfields. The Preferred Project has been designed to avoid all of the archaeological sites on the property with designed buffer of 100 feet around the boundaries of all of the known sites.

Collection System

The collection system within the community of Los Osos extends across areas of high archaeological sensitivity where trenching would have a significant impact, primarily on the dense midden deposits rimming the bay. This impact would remain unchanged between Project 4 and the Preferred Project. Based on a review of Exhibits 5.6-4 and 5.6-8 of the Draft EIR, the addition of the Solano pump station and Palisades pocket pump and their associated collection lines fall outside of any sensitive areas for archaeology or high potential for buried archaeological resources.

The gravity collection systems allow some flexibility in the placement of the laterals across private property. In areas of high archaeological sensitivity (e.g., within site boundaries or in the vicinity of known human burials) it may be possible to bore beneath the deposit for placement of the lateral. There are potential significant impacts the archaeological resources for both Proposed Project 4 and the Preferred Project.

The raw wastewater and treated effluent pipelines along Los Osos Valley Road to the Tonini parcel associated with Proposed Project 4 would encounter four potentially significant deposits: SLO-2569, SLO-4, SLO-462, and SLO-1512 under Project 4. Recorded sites that would not be adversely affected based on prior evaluation as non-contributing include SLO-1212, SLO-1795, and SLO-2007. A portion of the north side of Los Osos Valley Road from Los Osos Creek eastward to the Cemetery parcel is of high sensitivity for buried archaeological sites that might also be affected by trenching. The Proposed Project 4 design included placement of the raw wastewater line on the north side of Los Osos Valley Road between the road shoulder and the right-of-way edge. The treated effluent line was proposed to be placed on the south side of Los Osos Valley Road; again between the road shoulder and the right-of-way edge. There are potential significant impacts associated with the construction of Proposed Project 4 on the conveyance pipelines between the Mid-town pump station and the treatment plant and the treatment plant and the Broderson leachfields.

Under the Preferred Project, all of the known archaeological resources associated with the conveyance system would be avoided through a design strategy that includes placement of both the raw wastewater and treated effluent pipelines on the south side of Los Osos Valley Road and within the existing paved road shoulder, thus avoiding all impact to significant archaeological resources.

Treatment Plant Site

Placement of the treatment plant on the Tonini parcel under Proposed Project 4 would have potential effect on two prehistoric archaeological sites (SLO-2571 and SLO-2573). The Preferred Project

design avoids these sites by placing the treatment plant more than 100 feet outside of the boundaries of SLO-2571 and SLO-2573.

Disposal Sites

Sprayfields proposed for the Tonini parcel under Proposed Project 4 would affect five prehistoric sites (SLO-2571, SLO-2572, SLO-2573, T-? and T-?) and one multi-component site (SLO-2574H). There was a moderate to high potential for buried archaeological deposits on a portion of the sprayfields near Turri Road in the southern portion of the parcel. Far Western placed five test trenches in this area (See Appendix Q9) and no subsurface archaeological remains were encountered.

Under the Preferred Project, all six sites would be avoided with a 100-foot buffer around the boundaries of the sites to prevent either direct impact from the sprayfield lines and/or indirect impacts from spray from the disposal practices.

Combined Project Effects

Proposed Project 4 would potentially affect 14-recorded archaeological sites and would encounter areas of high archaeological sensitivity surrounding the bay, and would cross one area of high sensitivity for potential buried resources: along Los Osos Valley Road near the Cemetery site. The Preferred Project would also impact the area of high archaeological sensitivity surrounding the bay, but would avoid all 14 sites and the sensitivity for buried resources at the Turri Road and the Tonini Parcel would be reduced to moderate based on the testing results.

Cumulative Impact Analysis

It is not possible to predict all future impacts to cultural resources within the Los Osos Wastewater Project area. As defined by CEQA, cumulative impacts refer to two or more individual affects which, when considered together, compound or increase other environmental impacts. Since Proposed Project 4 has the potential to impact 14 more archaeological resources than the Preferred Project. Once construction of the treatment plant, collection pipelines, pump stations, and standby power facilities are completed, likely no continued or cumulative impacts would occur to cultural resources within the Project Area of Potential Effects from these aspects of the system.

An unknown amount of impacts to archaeological resources could occur as a result of the Los Osos Valley Road Palisades Storm Drain Project; however, Exhibits 5.6-1 and 5.6-2 do not place the storm drain project in an area with a high sensitivity. Potential impacts associated with the Los Osos Community Service District Water Pipeline Replacement should not result in any further impacts to cultural resources.

Project Specific

Mitigation Measures

This section recommends measures to mitigate potential impacts to archaeological resources that could result from implementation of the Preferred Project.

- Q5.6-B1** Avoidance of cultural resources is the paramount mitigation measure to protect cultural resources potentially impacted during project development.
- Q5.6-B2** A Treatment Plan shall be prepared that would detail the extensive scope of the proposed project, establish site types with corresponding levels of effort for mitigation, and detail data recovery and monitoring plans for the extent of the proposed project. The former Treatment Plan (Far Western 2001) prepared for the wastewater project shall be adapted and modified where appropriate for the current project.
- Q5.6-B3** No longer required.
- Q5.6-B4** If avoidance of recorded archaeological sites within any portion of the approved project design (Draft EIR Exhibit 5.6-4 and Exhibit 5.6-8) is not possible through project redesign, a phased program of site testing shall be undertaken to establish boundaries and evaluate the resources' potential eligibility to the California Register of Historical Resources under CEQA and the National Register of Historic Places under NEPA. If a site is determined ineligible, no further work is required. If a site is determined eligible, data recovery excavations shall be required to mitigate adverse effects incurred from project development.
- Q5.6-B5** No longer required.
- Q5.6-B6** Preconstruction monitoring shall occur in areas ranked as high in sensitivity for buried deposits. Mechanical backhoe trenching shall be conducted within the sensitive areas where any construction impacts will occur and shall be monitored by a qualified geoarchaeologist. Any identified intact deposits will be evaluated, and any deposits determined to be eligible to the California Register and/or National Register shall require project redesign to avoid impacts, or data recovery to mitigate unavoidable impacts.
- Q5.6-B7** While prior survey, excavation, and monitoring have been conducted for the majority of the collection system in the community of Los Osos, redesign in the placement of pipelines and location of pump stations and other facilities requires additional consideration. Areas of high archaeological sensitivity, including the locations of human burials, have been identified. Continued avoidance or addition testing, monitoring, and/or data recovery shall be required to reduce impacts to a less-than-significant level.
- Q5.6-B8** As full analysis, processing, documentation, curation, and reporting of the project collections were not achieved because of the stop-work order on the 2005 wastewater

project. These tasks shall be completed by qualified archaeologists as an important mitigation effort for overall project impacts and to fulfill requirements associated with past Section 106 consultations. Study findings shall be made available to the general public and local Native Americans, as well as to the scientific community.

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project

Cumulative

Mitigation Measures

Mitigation Measure Q5.6-B1, Q5.6-B2, Q5.6-B4, Q5.6-B7, and Q5.6-B8.

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.

Paleontological Resource or Geologic Feature

Q5.6-C: **The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

Project Specific Impact Analysis

The geologic map for this area (Hall et al., 1979) indicates that the project is situated upon Holocene eolian and alluvial deposits, the late Pliocene Careaga Sandstone, and metamorphic rocks of the Cretaceous Franciscan Complex. The only unit of paleontologic potential is the Careaga Sandstone, which was deposited in a relatively shallow, nearshore marine environment probably not more than 200 feet deep. Careaga sands could have incorporated the remains of marine vertebrates (i.e., fish, birds, and mammals) and terrestrial vertebrates transported offshore. This unit, mapped south of Los Osos and on the south side of Los Osos Valley Road, is likely to be below the young eolian and alluvial deposits that blanket much of the area to the north. There are no changes in any conditions between Proposed Project 4 and the Preferred Project with regard to Paleontologic Resources.

Collection System

The entire collection systems within the community extends across areas of recent eolian and alluvial deposits and have an extremely low potential to contain fossils. Although potential for fossil-bearing deposits in the area is low, the Proposed Project 4 and Preferred Project facilities may significantly affect such resources equally.

Treatment Plant Site

The placement of the treatment plant would have no effect on paleontologic resources. The shallow depths of foundations would be well above the depths to the fossil bearing deposits in the valley and would have no impact on any potential fossil-bearing deposits.

Disposal Sites

The leachfields at Broderson and sprayfields proposed for the Tonini parcel would not extend deeper than 6.5 feet and would have no impact on any potential fossil-bearing deposits.

Combined Project Effects

Although the project is not expected to impact any fossil-bearing deposits, the proposed facilities may have a significant impact on paleontological resources.

Cumulative Impact Analysis

Once construction of the treatment plant, conveyance pipelines, pump stations, and standby power facilities are completed, there is likely to be no continued or cumulative impacts to paleontological resources within the Project Area of Potential Effects from these aspects of the system.

Project Specific

Mitigation Measures

Q5.6-C1 Although unlikely, should any vertebrate fossils or potentially significant finds (e.g., numerous well-preserved invertebrate or plant fossils) be encountered by anyone working on the site, all activities in the immediate vicinity of the find are to cease until a qualified paleontologist evaluates the find for its scientific value. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved for the benefit of current and future generations.

Level of Significance After Mitigation

Less than significant for both Proposed Project 4 and the Preferred Project.

Cumulative

Mitigation Measures

Mitigation Measure Q5.6-C1.

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.

Human Remains

Q5.6-D The project would disturb human remains, including those interred outside of formal cemeteries.

Project Specific Impact Analysis

The collection system in Los Osos for both Project 4 and the Preferred Project has the potential to impact many known, eligible archaeological sites if the design plan differs from the 2005 plan. However, the collection system plans do not vary substantially from the 2005 plan and therefore,

there is little potential for impact to significant archaeological resources within the collection system. The raw wastewater and treated effluent lines from the Mid-town pump station to the treatment plant and sprayfields at Tonini would not impact any archaeological resources under the Preferred Project plans. The placement of the pipelines on the south side of Los Osos Valley Road and in the shoulder of the road in many locations to avoid other resources would result in a substantial reduction in impacts to archaeological resources. The raw wastewater and treated effluent pipelines along Los Osos Valley Road associated with Project 4 would encounter four potentially significant deposits: SLO-2569, SLO-4, SLO-462, and SLO-1512. Recorded sites that would not be adversely affected based on prior evaluation as non-contributing include SLO-1212, SLO-1795, and SLO-2007. A portion of Los Osos Valley Road from Los Osos Creek eastward to the Cemetery parcel is of high sensitivity for buried archaeological sites that might also be affected by trenching. With the placement of the pipelines on the south side of Los Osos Valley Road for the Preferred Project, no known significant deposits would be impacted. Project 4 would also have potential effects on two prehistoric archaeological sites (SLO-2571 and SLO-2573) at the treatment plant site at Tonini and the sprayfields proposed for the Tonini parcel would affect one additional prehistoric site (SLO-2572) and one historic-era site (SLO-2574H). There is a moderate to high potential for buried archaeological deposits on a portion of the sprayfields. The Preferred Project has been designed to avoid all of the archaeological sites on the property with designed buffer of 100 feet around the boundaries of all of the known sites.

Collection System

The collection system would disturb human remains within the identified sensitive areas of the community of Los Osos. Human remains have been identified during data recovery excavations undertaken for the previously proposed wastewater project. These were located around the bay and Sweet Springs; proposed collection lines and pump stations are within these areas. For the prior project, burials were left in place, to be avoided by construction, and isolated human remains were placed with the burials; new alignments were cleared for human remains during data recovery. If the design plan varies in any way from the proposed 2005 plan, human remains will be disturbed. The collection system within the community of Los Osos extends across areas of high archaeological sensitivity where trenching would have a significant impact, primarily on the dense midden deposits rimming the bay. This impact would remain unchanged between Project 4 and the Preferred Project.

Based on a review of Exhibits 5.6-4 and 5.6-8 of the Draft EIR, the addition of the Solano pump station and Palisades pocket pump and their associated collection lines for the Preferred Project fall outside of any sensitive areas for archaeology or high potential for buried archaeological resources. The potential for encountering human remains is therefore considered low.

The raw wastewater and treated effluent pipelines from the Mid-town pump station to the Tonini Parcel for treatment and disposal at both the Tonini sprayfields and Broderson leachfields would not impact any known sites with the potential for human remains under Project 4 or the Preferred Project.

In areas of high archaeological sensitivity (e.g., within site boundaries or in the vicinity of known human burials) it may be possible to bore beneath the deposit for placement of the laterals associated with connections to individual properties under either the Proposed Project 4 or the Preferred Project.

Treatment Plant Site

There are no known sites that would be likely to contain human remains within the proposed Treatment Plant location for either Proposed Project 4 or the Preferred Project.

Disposal Sites

No sites within the sprayfield locations at Tonini are likely to have human remains, as they are all identified as flake scatters. No known sites have been identified at the Broderson leachfield site, so the area is unlikely to contain human remains.

Combined Project Effects

Human remains would be disturbed at several sites within the Collection system, rimming the bay and Sweet Springs, and one site has the potential for human remains. No other known sites have the potential for human remains on Project 4 or the Preferred Project.

Cumulative Impact Analysis

Once construction of the treatment plant, conveyance pipelines, pump stations, and standby power facilities are completed, there is likely to be no continued or cumulative impacts to human remains within the Project Area of Potential Effects from these aspects of the system. However, attachment of the laterals that extend from private property to the street, and potential placement of new septic tanks on such properties, may impact human remains.

Project Specific

Mitigation Measures

Q5.6-D1 A Memorandum of Agreement has been prepared for the treatment and disposition of human remains and associated burial items. This document lays out the procedures agreed upon by interested local Native Americans and stipulated under State law, including proper and respectful handling of remains, identification of reburial areas, acceptable analyses, and resolution of conflicts. It includes a list of Most Likely Descendants approved by the Native American Heritage Commission; these individuals are signatories on the Agreement.

Q5.6-D2 For sites with known human remains or which have a potential for human remains, pre-construction excavations shall take place within the direct impact areas to insure that no human remains are present.

Q5.6-D3 If human remains are encountered within the project area, the County shall be responsible for complying with provisions of Public Resources Code Sections

5097.98 and 5097.99, and 7050.5 of the California Health and Safety Code, as amended by Assembly Bill 2641. Restrictions or procedures for excavation, treatment, or handling of human remains shall be established in consultation with the individuals designated by the Native American Heritage Commission as the Most Likely Descendants.

Level of Significance After Mitigation

Less than significant impact for either Proposed Project 4 or the Preferred Project.

Cumulative

Mitigation Measures

Mitigation Measures Q5.6-D1 through Q5.6-D3

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.

Local Policies or Ordinances Protecting Cultural Resources

Q5.6-E **The project would conflict with the California Coastal Act of 1976, Section 30244.**

Project Specific Impact Analysis

Collection System

The collection system within the community of Los Osos extends across areas of high archaeological sensitivity where trenching would have a significant impact, primarily on the dense midden deposits rimming the bay. This impact would remain unchanged between Project 4 and the Preferred Project. Based on a review of Exhibits 5.6-4 and 5.6-8 of the Draft EIR, the addition of the Solano pump station and Palisades pocket pump and their associated collection lines fall outside of any sensitive areas for archaeology or high potential for buried archaeological resources.

The gravity collection systems allow some flexibility in the placement of the laterals across private property. In areas of high archaeological sensitivity (e.g., within site boundaries or in the vicinity of known human burials) it may be possible to bore beneath the deposit for placement of the lateral. There are potential significant impacts the archaeological resources for both Proposed Project 4 and the Preferred Project.

The raw wastewater and treated effluent pipelines along Los Osos Valley Road to the Tonini parcel associated with Proposed Project 4 would encounter four potentially significant deposits: SLO-2569, SLO-4, SLO-462, and SLO-1512 under Project 4. Recorded sites that would not be adversely affected based on prior evaluation as non-contributing include SLO-1212, SLO-1795, and SLO-2007. A portion of the north side of Los Osos Valley Road from Los Osos Creek eastward to the Cemetery parcel is of high sensitivity for buried archaeological sites that might also be affected by trenching. The Proposed Project 4 design included placement of the raw wastewater line on the north side of Los

Osos Valley Road between the road shoulder and the right-of-way edge. The treated effluent line was proposed to be placed on the south side of Los Osos Valley Road; again between the road shoulder and the right-of-way edge. There are potential significant impacts associated with the construction of Proposed Project 4 on the conveyance pipelines between the Mid-town pump station and the treatment plant and the treatment plant and the Broderson leachfields.

Under the Preferred Project, all of the known archaeological resources associated with the conveyance system would be avoided through a design strategy that includes placement of both the raw wastewater and treated effluent pipelines on the south side of Los Osos Valley Road and within the existing paved road shoulder, thus avoiding all impact to significant archaeological resources.

Placement of the treatment plant on the Tonini parcel under Proposed Project 4 would have potential effect on two prehistoric archaeological sites (SLO-2571 and SLO-2573). The Preferred Project design avoids these sites by placing the treatment plant more than 100 feet outside of the boundaries of SLO-2571 and SLO-2573.

Disposal Sites

Sprayfields proposed for the Tonini parcel under Proposed Project 4 would affect five prehistoric sites (SLO-2571, SLO-2572, SLO-2573, T-? and T-?) and one multi-component site (SLO-2574H). There was a moderate to high potential for buried archaeological deposits on a portion of the sprayfields near Turri Road in the southern portion of the parcel. Far Western placed five test trenches in this area (See Appendix Q9) and no subsurface archaeological remains were encountered.

Under the Preferred Project, all six sites would be avoided with a 100-foot buffer around the boundaries of the sites to prevent either direct impact from the sprayfield lines and/or indirect impacts from spray from the disposal practices.

Proposed Project 4 would potentially affect 14-recorded archaeological sites and would encounter areas of high archaeological sensitivity surrounding the bay, and would cross one area of high sensitivity for potential buried resources: along Los Osos Valley Road near the Cemetery site. The Preferred Project would also impact the area of high archaeological sensitivity surrounding the bay, but would avoid all 14 sites and the sensitivity for buried resources at the Turri Road and the Tonini Parcel would be reduced to moderate based on the testing results.

Cumulative Impact Analysis

It is not possible to predict all future impacts to cultural resources within the Los Osos Wastewater Project area. As defined by CEQA, cumulative impacts refer to two or more individual affects which, when considered together, compound or increase other environmental impacts. Since Proposed Project 4 has the potential to impact 14 more archaeological resources than the Preferred Project. Once construction of the treatment plant, collection pipelines, pump stations, and standby power

facilities are completed, likely no continued or cumulative impacts would occur to cultural resources within the Project Area of Potential Effects from these aspects of the system.

An unknown amount of impacts to archaeological resources could occur as a result of the Los Osos Valley Road Palisades Storm Drain Project; however, Exhibits 5.6-1 and 5.6-2 do not place the storm drain project in an area with a high sensitivity. Potential impacts associated with the Los Osos Community Service District Water Pipeline Replacement should not result in any further impacts to cultural resources.

Project Specific

Mitigation Measures

This section recommends measures to mitigate potential impacts to archaeological resources that could result from implementation of the Preferred Project. Mitigation Measures 5.6-B-1 through 5.6-B-8 will provide adequate protection to cultural resources. This protection is further afforded since SHPO consultation is a part of the process under Section 106.

- Q5.6-B1** Avoidance of cultural resources is the paramount mitigation measure to protect cultural resources potentially impacted during project development.
- Q5.6-B2** A Treatment Plan shall be prepared that would detail the extensive scope of the proposed project, establish site types with corresponding levels of effort for mitigation, and detail data recovery and monitoring plans for the extent of the proposed project. The former Treatment Plan (Far Western 2001) prepared for the wastewater project shall be adapted and modified where appropriate for the current project.
- Q5.6-B3** No longer required.
- Q5.6-B4** If avoidance of recorded archaeological sites within any portion of the approved project design (Draft EIR Exhibit 5.6-4 and Exhibit 5.6-8) is not possible through project redesign, a phased program of site testing shall be undertaken to establish boundaries and evaluate the resources' potential eligibility to the California Register of Historical Resources under CEQA and the National Register of Historic Places under NEPA. If a site is determined ineligible, no further work is required. If a site is determined eligible, data recovery excavations shall be required to mitigate adverse effects incurred from project development.
- Q5.6-B5** No longer required.
- Q5.6-B6** Preconstruction monitoring shall occur in areas ranked as high in sensitivity for buried deposits. Mechanical backhoe trenching shall be conducted within the sensitive areas where any construction impacts will occur and shall be monitored by a

qualified geoarchaeologist. Any identified intact deposits will be evaluated, and any deposits determined to be eligible to the California Register and/or National Register shall require project redesign to avoid impacts, or data recovery to mitigate unavoidable impacts.

Q5.6-B7 While prior survey, excavation, and monitoring have been conducted for the majority of the collection system in the community of Los Osos, redesign in the placement of pipelines and location of pump stations and other facilities requires additional consideration. Areas of high archaeological sensitivity, including the locations of human burials, have been identified. Continued avoidance or addition testing, monitoring, and/or data recovery shall be required to reduce impacts to a less-than-significant level.

Q5.6-B8 As full analysis, processing, documentation, curation, and reporting of the project collections were not achieved because of the stop-work order on the 2005 wastewater project. These tasks shall be completed by qualified archaeologists as an important mitigation effort for overall project impacts and to fulfill requirements associated with past Section 106 consultations. Study findings shall be made available to the general public and local Native Americans, as well as to the scientific community.

Level of Significance After Mitigation

Less than significant impact

Cumulative

Mitigation Measures

Mitigation Measures Q5.6-B1 through Q5.6-B8

Level of Significance After Mitigation

Less than significant for either Proposed Project 4 or the Preferred Project.