

## **CHAPTER 9: ARCHAEOLOGICAL RESOURCES**

### **A. Policy Framework**

Section 30244 of the Coastal Act serves to protect archaeological resources:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The SLO LCP has a variety of policies and ordinances to implement section 30244 of the Coastal Act, including six policies to ensure that any proposed development would be designed and located to minimize its impacts to archaeological resources. These policies define the identification of archaeological resources as well as how to handle archaeological resources discovered during construction or other activities.

Section 23.07.104 of the Coastal Zone Land Use Ordinance (CZLUO) also outlines procedures and requirements to apply to development within archaeologically sensitive areas. These include the definition of an archaeologically sensitive area, the requirement of a preliminary survey, and a description of when a mitigation plan is required.

In addition to overarching policies and ordinances, the Land Use Element and Local Coastal Plan for the four planning areas of San Luis Obispo County contain sections on combining designations and planning area standards for archeological resources.<sup>1</sup> For example, the Estero Area Plan states that an archaeological resource standard shall be applied to 1995 Assessor Parcel Numbers 038-721-005 and 014 located on El Morro Ave., east of South Bay Blvd. At the time of land use permit application, the applicant shall provide sub-surface testing conducted by a qualified archaeologist in order to determine the significance and possible mitigation measures for the resources on the project site. The applicant shall implement the recommendations of the archaeologist as determined appropriate by the Environmental Coordinator.<sup>2</sup>

The San Luis Bay Area Plan designates the Irish Hills Coastal Terrance Archaeological Inventory as a sensitive resource area. In addition, the LCP calls for the County to encourage the San Luis Obispo Archaeological Society to study the coastal terrace areas north of Diablo Canyon to more accurately identify the extent of historical sites.<sup>3</sup> The South County Area Plan identifies an archaeological resource preservation standard for Guadalupe Dunes, the sand dune areas south of Oso Flaco Road. To ensure archaeological resource protection, the State Department of Parks and Recreation should provide the fullest protection by fencing all known sites.<sup>4</sup>

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<sup>1</sup> Planning area standards are mandatory requirements for development, designed to handle identified problems in a particular rural area, or to respond to concerns in an individual community.

<sup>2</sup> SLO Land Use Element and Local Coastal Plan, February 28, 1988, Estero, pp. 8-46, 8-47.

<sup>3</sup> SLO Land Use Element and Local Coastal Plan, February 28, 1988, San Luis Bay, p. 7-5.

<sup>4</sup> SLO Land Use Element and Local Coastal Plan, February 28, 1988, South County, pp. 50, 54.

## B. Background

Archaeological sites are among the most fragile, nonrenewable coastal resources in the state. Detailed study of archaeological sites is the only method of gaining knowledge and understanding of prehistoric cultures. Moreover, many archaeological sites and artifacts are themselves a sacred part of Native American heritage and culture.

Prehistoric sites represent the material remains of Native American societies and their activities. Such sites include villages, seasonal camp sites, stone tool quarry sites, hunting and butchering sites, traditional trails, and sites with rock carvings or paintings. Archaeologists identify such sites by the presence of one or more of the following: Stone flakes made of chert, jasper, quartzite, quartz; Basalt, obsidian, and other rock types; Shell, animal bone, and/or fish bone; Groundstone tools used for grinding seeds; Plant foods, such as manos, metates, or bedrock mortars; Artifacts, such as arrow or spear points; Fragments of pottery vessels; Darker soil, called "midden"; Circular depressions representing houses or ceremonial structures.<sup>5</sup>

CEQA Section 21083.2 defines a unique archaeological resource as an archaeological artifact, object, or site, about which it can be clearly demonstrated that there is a high probability that it meets any of the following criteria:<sup>6</sup>

- 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.*

The CEQA Guidelines Section 15064.5 also provides that an archaeological resource is to be considered a "historic" resource (and treated as such for purposes of impact evaluation and mitigation) if it meets the criteria found in the California Register of Historical Resources including: *"It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation."*

The County of San Luis Obispo has a rich and copious archeological heritage. Level to gently rolling areas near the coast or along water courses are more likely to contain archaeological sites. However, because humans have occupied the lands of San Luis Obispo County for at least 9,000 years, dramatic changes in landforms may have occurred and archaeological sites may be found nearly anywhere.<sup>7</sup> As of October 25, 2000, 2,055 archaeological sites have been registered with the Central Coast Archaeological Information Center, of which the vast majority fall within the

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<sup>5</sup> California Native American Heritage Commission <http://ceres.ca.gov/nahc/understandingcr.html#penaas>

<sup>6</sup> CEQA web site: [http://ceres.ca.gov/ceqa/stat/chap2\\_6.html](http://ceres.ca.gov/ceqa/stat/chap2_6.html).

<sup>7</sup> SLO County Dept of Planning and Building <http://www.slonet.org/vv/ipcoplng/arch.html>.

county's Coastal Zone.<sup>8</sup> This is more than a two-fold increase in registered sites since the time of LCP certification in 1988, when 446 of a 1000 sites fell within the coastal zone.<sup>9</sup> Over the past few decades, a more expansive interpretation of real estate disclosure laws to include archaeological resources within due process, has led to a significant rise in archaeological resource surveys. This, in combination with CEQA Phase I surface survey requirements for proposed development conducted to determine the presence or absence of surface indicators of archaeological resources, has significantly increased the County's archaeological database, especially within the coastal zone's urban areas. Not only has site identification increased, but site boundaries have been more clearly defined.<sup>10</sup>

As discussed in the San Luis Obispo County LCP, the principal sources of destruction of archaeological sites appear to be urbanization and uncontrolled public access. Some of the threats posed by urbanization include: grading activities (both agricultural and construction related); residential and industrial construction; construction of roads and highways; water projects (eroding and burying sites); pipeline projects; off-road vehicles; recreational developments; natural forces (water and wind); and unauthorized collection of artifacts.<sup>11</sup>

## **C. Preliminary LCP Implementation Issues**

### **C.1. Adequate Identification of Archaeological and Historic Resources.**

Overview: To adequately protect archaeological resources, sites must first be identified. The Local Coastal Program contains policies and ordinances for the identification of archaeological sites. The third policy of the LCP states that the county shall establish and maintain archaeological site records of data files about known sites. These sensitive areas shall be treated as confidential and be defined as follows:<sup>12</sup>

- Within rural areas, the county maintains on file a parcel number list of known sites as prepared and updated by the California Archaeological Site Survey Office.<sup>13</sup>

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<sup>8</sup> Personal communication, Bonnie Yoshida, Assistant Coordinator, Central Coast Archaeological Information Center, (10/25/00).

<sup>9</sup> SLO LCP Coastal Plan Policies, February 25, 1988, p. 12-1.

<sup>10</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (3/1/00).

<sup>11</sup> SLO LCP Coastal Plan Policies, February 25, 1988, p. 12-1.

<sup>12</sup> SLO LCP Coastal Plan Policies, February 25, 1988, pp. 12-2, 12-3.

<sup>13</sup> The California Archaeological Site Survey Office is an out of date reference in the County's Zoning Ordinance. The Central Coastal Information Center under contract to the State Office of Historic Preservation helps implement the California Historical Resources Information System (CHRIS). It integrates information on new resources and known resources into CHRIS, supplies information on resources and surveys to government and supplies lists of consultants qualified to do historic preservation fieldwork within the area. The California Archaeological Site Inventory is the collection of Site Records, which has been acquired and managed by the Information Centers and the OHP since 1975. *State Dept. of Parks and Recreation Office of Historic Preservation, California Historical Resources Information System Information Center Procedural Manual*, November 20, 1995, pg 6.

- Within urban areas, the county shall maintain maps in the Land Use Element which reflect generalized areas as known sites. These maps shall be prepared by the California Archaeological Site Survey Regional Office.<sup>14</sup>

In addition, the LCP describes Archaeologically Sensitive Areas (ASA) as one of 14 combining designations identified in the San Luis Obispo County Coastal Zone Framework.<sup>15</sup> The ASA designation is applied to areas of known or suspected archaeological resources. Section 23.07.104 of CZLUO defines ASAs as

- (1) Any parcel within a rural area which is identified on the rural parcel number list prepared by the California Archaeological Site Survey Office on file with the county Planning Department.<sup>16</sup>
- (2) Any parcel within an urban or village area which is located within an archaeologically sensitive area as delineated by the official maps (Part III) of the Land Use Element.
- (3) Any other parcel containing a known archaeological site recorded by the California Archaeological Site Survey Office.<sup>17</sup>

The LCP describes the use of sensitivity maps to assist with the identification of cultural resources. Sensitivity maps identify areas where, based on the review of known archaeological recordings and the likelihood of previous settlement patterns, a high probability exists that archaeological resources will be found.<sup>18</sup> Because water was a limiting factor for the Native Americans, they settled near water sources such as streams or wetlands. The sensitivity maps will indicate these water sources. In addition, the maps include areas where known archaeological sites have been identified.<sup>19</sup>

In addition to the provisions of the LCP, the County incorporates other measures to identify archaeological resources. Site evaluations, which are conducted for every discretionary permit, help identify archaeological sites. In a site evaluation, a planner goes to the site to see if any archaeological resources are found on the surface. The planner also checks for certain geographic features such as knolls, rock outcrops, or the presence of water, indicating the possible presence of cultural resources.<sup>20</sup> The County will also consult any in-house information related to a parcel to assist with identification.<sup>21</sup> Additionally, archaeological sites are identified for projects handled through the CEQA process.

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<sup>14</sup> See footnote 13.

<sup>15</sup> Combining designations identify areas with characteristics that are either of public value, or are hazardous to the public. The special location, terrain, man-made features, plants or animals of these areas create a need for more careful project review to protect those characteristics, or to protect public health, safety and welfare.

<sup>16</sup> See footnote 13.

<sup>17</sup> See footnote 13.

<sup>18</sup> SLO LCP Coastal Plan Policies, p. 12-2.

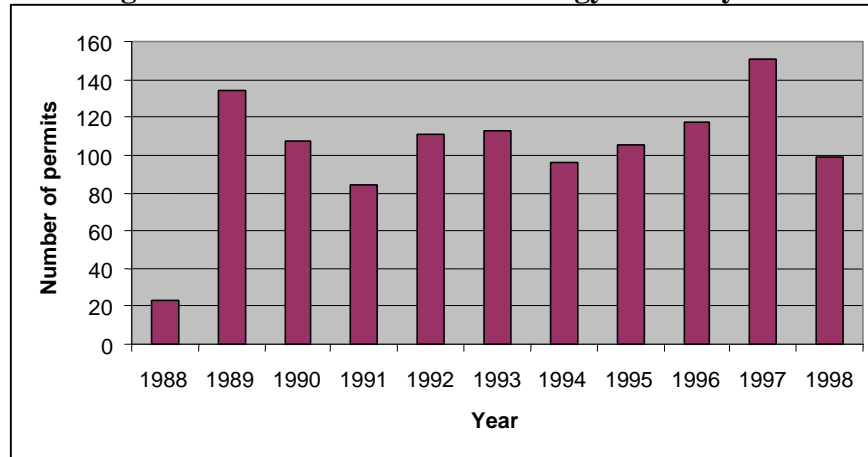
<sup>19</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (12/1/00).

<sup>20</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (11/1/00).

<sup>21</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (12/1/00).

**LCP Implementation:** Out of 2,481 reported Coastal Development Permits for 1988-1998, 1,140 permits raised potential archaeological resources issues. 916 of these permits were identified through the Archaeologically Sensitive Area overlay district of the LCP. Another 224 permits were identified as raising an archaeological issue; however, these 224 permits were not indicated as having an archaeologically sensitive overlay. The number of permits raising archaeology issues are broken down by year as seen in Figure 9-1.

**Figure 9-1: Permits with Archaeology Issues by Year**



The majority of permits containing archaeological resource issues are located in the communities of Cambria, Cayucos, and Los Osos (see Table 9-1). Approximately half of the 1,140 permits involving archaeological issues were for new Single Family Dwellings and approximately one-third of the permits were for Single Family Dwelling Expansions (see Table 9-2, next page).

**Table 9-1: Location of Permits with Archaeological Issues**

Location	Number of Permits
South County	5
Avila Beach	16
Calendar Garrett Village Area	2
Cambria	768
Cayucos	108
Estero	21
Harmony	5
Los Osos	140
North Coast	18
Oceano	48
San Simeon	8
Unknown	1

To analyze the application of the LCP requirements for archeological resource protection, 90 of the 916 permits containing an Archaeologically Sensitive Area overlay district were randomly

sampled for the time period 1988-1998. After reviewing the sample of permits and speaking with planners from the County, it appears that the County has been successful in identifying archaeological resources through both LCP implementation and effective use of the CEQA review process. In particular, the provisions of the LCP combined with the additional CEQA measures incorporated by the County have proven to be adequate in identifying sites. Of the 90 permits sampled, a smaller subsample of ten was evaluated to see if the project site was delineated on the Land Use Element Map for archeological resources. All ten were delineated on the Land Use Element Map.

In addition, 8 of 224 permits containing an archaeological issue, but no Archaeologically Sensitive Area overlay, were randomly selected for the same time period. Of those eight, four were delineated on the Land Use Element Map with an Archaeologically Sensitive Area overlay while four of the permits were found outside of this overlay. Data entry errors may account for the permits that were found to be within the ASA overlay. Sites located outside of the ASA overlay may have been discovered through the CEQA process, the use of sensitivity maps, or the performance of site evaluations.

**Table 9-2: Types of Projects with Archaeological Issues 1988-1998**

Type of Development	Number of Permits
Agricultural Development	4
Aquaculture	1
Beach Nourishment	1
CDP Amendment	1
Commercial	34
Condo Conversion	1
Grading / Removal or Filling of Material	5
Habitat Restoration / Management Project	4
Hotel/Motel Expansion	7
Industrial / Energy	7
Institution / Military	12
Lot Merger	6
Lot-line Adjustment	8
MFD Expansion	1
New Commercial w/ Caretaker Unit	6
New Hotel/Motel	19
New MFD	11
New SFD	584
Other	5
Public Recreation Facility	9
Public Works	23
SFD Expansion	328
Shoreline/Bluff Protection	25
Stream / River Alteration	3
Subdivision	13
Temporary Event	1
Water Well	21

**Consistency Analysis:** The Coastal Act requires that reasonable mitigation measures shall be required where development would adversely impact archaeological or paleontological resources. In order to provide reasonable mitigation, sites containing cultural resources need to first be identified. Overall, the County appears to have been reasonably successful in identifying archaeological sites, thus satisfying the objectives of the Coastal Act with regards to site identification.

#### Preliminary Policy Alternatives:

#### **Preliminary Recommendation 9.1: Update Archeological Resources Overlay Maps**

It appears that the official maps of the LUE delineating urban ASAs have been valuable in triggering archaeological site review for the majority of planned urban development. They are not, however, all inclusive of archaeological resources within the urban areas. Updating the LUE maps to reflect a more accurate location of archaeologically sensitive areas will assist with site identification. The proposed Estero Area Plan Update from February, 1999 offers a possible option to update maps:

***Protection of Resources Not Within the AS Combining Designation.** All land use permit applications that propose development within 100 feet of the bank of a coastal stream (as defined in the Coastal Zone Land Use Ordinance), or within 300 feet of such stream where the slope of the site is less than 10 percent, shall be subject to the standards for the Archaeologically Sensitive (AS) combining designation in the Coastal Zone Land Use Ordinance and in this plan.*

### **C. 2 Adequate Protection & Mitigation Standards for Archaeological Resources**

**Overview:** Once archaeological sites have been identified, adequate protection and mitigation measures need to be established. The Local Coastal Program contains two policies to be implemented as standards to ensure that any proposed development will be designed and located to minimize its impacts on archaeological resources. The first policy provides for the protection of both known and potential archaeological resources. To avoid development on important archaeological sites, all available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal. Where these measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required. The second policy protects against the vandalization of resources. Activities other than development, which could damage or destroy archaeological sites, including off-road vehicle use on or adjacent to known sites and unauthorized collecting of artifacts, shall be prohibited.<sup>22</sup>

In addition to the standard policies, CZLUO Section 23.07.104 outlines procedures and requirements for development within archaeologically sensitive areas of the coastal zone. Before issuance of a land use or construction permit, a mandatory preliminary site survey must be

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<sup>22</sup> SLO LCP Coastal Plan Policies, February 25, 1988, pp. 12-2, 12-3.

conducted to determine the likelihood of the existence of archaeological resources. The survey shall be conducted by an archaeologist knowledgeable in the Chumash Indian culture and approved by the Environmental Coordinator. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a resource protection mitigation plan must be prepared. The plan may recommend the need for further study, subsurface testing, monitoring during construction activities, project redesign, or other actions to mitigate the impacts on the resource.<sup>23</sup> One such action to mitigate impacts is minimization. This entails employing construction designs that minimize impacts to the resources or placing the structure on an area where the least amount of impact to the resource occurs. For example, the structure can be designed with a smaller building footprint or alternative foundations such as caisson foundations, perimeter foundations and slab-on-grade foundations can be used.<sup>24</sup>

Policy 5 of the LCP suggests that the preservation of an archaeological site can sometimes be accomplished by covering the site with a layer of fill sufficiently thick to insulate it from impact. It also states that when a project impact cannot be avoided, it may be necessary to conduct a salvage operation, also known as data recovery, as a last resort. Data recovery involves careful excavation of a portion of the archaeological resource in order to gather and analyze a representative sample. The sample is usually determined based on a relation to amount of disturbance to a site. Samples are usually collected in the form of test pits or column samples. Materials are collected, screened, catalogued and analyzed. If the chosen mitigation measure necessitates removal of archaeological resources, the county shall require the evaluation and proper deposition of the findings based on consultation with a qualified archaeologist knowledgeable in the Chumash culture. Policy 5 also states that a qualified archaeologist knowledgeable in the Chumash culture may need to be on-site during initial grading and utility trenching for projects within sensitive areas.<sup>25</sup>

The County has noted that the LCP sections referenced do not reflect that the area of the coastal zone from approximately Morro Bay north is recognized by the Native American Heritage Commission as “disputed territory” between the Chumash and the Salinan tribes. This means that both groups claim this area as part of their ancestral lands and the record of evidence is not clear on the matter.

CZLUO Section 23.05.140 outlines procedures for the discovery of archaeological resources during construction. In the event that archeological resources are unearthed or discovered during *any* construction activities—within or outside the ASA—construction activities shall cease. The Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to

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<sup>23</sup> CZLUO Section 23.07.104.

<sup>24</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (11/15/00).

<sup>25</sup> SLO LCP Coastal Plan Policies, February 25, 1988, pp. 12-4.



the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.<sup>26</sup>

Although the LCP only requires that preliminary site surveys be conducted for development within an archaeologically sensitive area, the County performs surveys on parcels located in close proximity to the coast (e.g., the area between Cayucos and Cambria from Highway 1 to the ocean), regardless of whether they are located within an ASA.

Although not required by the LCP, participation of Native Americans in regards to disturbance and preservation of archaeological resources is a high priority for SLO's County Planning Department. The Department expanded upon CEQA requirements to include Native American involvement in any project that is known to contain archaeological resources and will involve ground disturbing activities (e.g. subsurface testing, grading). Some concern has been raised among Native American groups, though, about the process for identifying native representatives.

LCP Implementation: Of the 1,140 permits identified as being concerned with archaeological resources, 90 were randomly selected for the time period 1988 – 1998. An analysis of these permits was conducted to determine if preliminary site surveys were conducted, archaeological resources were avoided, and if not avoidable, mitigation measures were incorporated.

To determine whether preliminary surveys had been conducted, eight of the 90 permits were randomly sampled. Of those eight, a preliminary survey was conducted for six permits, one did not require a survey, and one permit did not have a survey performed. Because archaeological records are confidential, the County keeps a separate record of the archaeological surveys in a location that is not accessible to the general public. According to County staff, for the permit that did not have a survey performed, it may be possible that the survey was performed but the report did not make it into the County's separate confidential records.<sup>27</sup>

The County attempts to avoid impacts to archaeological resources by relocating the structure, changing the design of the structure, or minimizing impacts to the resource. For example, in the Todd Minor Use Permit in Lodge Hill, the County required that the house be constructed with a smaller footprint to minimize impacts to the resources. In another project (Pescosolido), a caisson and grade beam foundation was used by placing four to five poles, each with a two foot diameter, into the ground. This caused less of a disturbance to resources compared to the placement of a regular foundation which would have required the excavation of the entire area.<sup>28</sup>

If impacts to resources are unavoidable, the County incorporates mitigation measures. The mitigations are influenced by the results of the preliminary survey. If the preliminary survey discovered cultural materials, then specific mitigations were developed to reduce the impacts to these resources. An example of such a mitigation can be seen in permit number 3-SLO-92-121 as follows:

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<sup>26</sup> CZLUO—Site Development Standards, §23.05.140.

<sup>27</sup> SLO Planning Department Memo, (12/7/00).

<sup>28</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (12/5/00).

- a) *The applicant shall abide by all of the conditions/mitigation measures recommended in the Archaeological Report prepared by Parker and Associates (1992), entitled "Archaeological Investigation of the Vito Tullo Parcel."*
- b) *If any significant archaeological resources are found during construction of the proposed project, all earthwork within 150 feet of object(s) shall cease until the resources have been evaluated by a qualified archaeologist from the County approved list. Any additional mitigation measures recommended by the archaeologist shall be evaluated by the Office of the Environmental Coordinator and upon Coordinator approval, implemented by the applicant.*

If a site survey determined that no cultural resources were found, and the site was not located near a known archaeological site, then no mitigations will be listed. If a site survey determined that no cultural resources were found, but the site was in close proximity to a known archaeological site, standard mitigations were listed as conditions of approval to alert the applicant. These conditions are stated as follows:

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

- a) *Construction activities shall cease, and the Environmental Coordinator and the Planning Department shall be notified so that the extent and location of discovered material may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.*
- b) *In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.*

Through permit review, speaking with the County, and conversing with members of the public concerned with archaeological resources for the area, it appears that the County has been reasonably successful in protecting and mitigating archaeological resources as required by the LCP. However, the use of monitoring during construction where appropriate may need to be increased.

Consistency Analysis: The Coastal Act requires that reasonable mitigation measures shall be required where development would adversely impact archaeological or paleontological resources. Overall, the County has been successful in incorporating mitigation measures to protect cultural resources, as required by the Coastal Act. But, some improvements to LCP policies would contribute to greater protection of resources.

### Preliminary Policy Alternatives:

The Estero Area Plan Update from February, 1999, offers some possible options to strengthen protection of archaeological resources. For example the following proposes to expand protections outside the ASA:

***Protection of Resources Within and Outside of the AS Combining Designation.***

*Development proposed by land use permit applications that are included in the Archaeologically Sensitive (AS) combining designation or are subject to the preceding standard shall protect archaeological resources as follows:*

- a) ***Additional Study Needed.*** *If the preliminary site survey required by Chapter 23.07 recommends further study or subsurface testing, development shall not be approved until the additional study or testing has been completed to the satisfaction of the Environmental Coordinator.*

In speaking with the public about the County's protection of archaeological resources, additional options for improving the protection of resources have been suggested. The County should consider the following options for strengthening the LCP:

**Preliminary Recommendation 9.2: Evaluate Requirement for Geoarchaeology Surveys.**

Because half the burials and cultural resources in alluvial soils lie buried beneath the surface with no surface indication of their location, a geoarchaeological survey could be conducted in addition to the archaeological surface surveys.<sup>29</sup> The purpose of this survey is to identify areas where archaeological resources may have been buried. Some common geologic environments that may bury resources include alluvial fans, landslides, and eolian (wind-blown) sand deposits. A geoarchaeological survey includes the use of maps of soils and geology to mark areas where sedimentation may bury resources. A field survey is also performed to evaluate the type and extent of sediment and see how these land modifications may conceal resources.<sup>30</sup> The County should assess the feasibility of incorporating this type of survey.

**Preliminary Recommendation 9.3: Evaluate Use of Conservation Easements.**

Disturbance to archaeological data could also be avoided by requiring a conservation easement over the area containing archaeological resources.<sup>31</sup> Avoiding impacts through such easements may be more protective of the resources than reliance on data recovery. The LCP should be modified to consider such conservation easements instead of data recovery where possible.

**Preliminary Recommendation 9.4: Evaluate Permit Exemptions.**

Protection of archaeological resources can be increased through modifications to permit exemptions.<sup>32</sup> If the project is considered to be development according to the Coastal Act, it will

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<sup>29</sup> Personal communication, Tarren Collins, Attorney, San Luis Obispo County Chumash Council (11/29/00)

<sup>30</sup> E-mail from Jeff A. Parsons, Geoarchaeology, Paso Robles (12/4/00).

<sup>31</sup> Personal communication, Tarren Collins, Attorney, San Luis Obispo County Chumash Council, (11/7/00)

<sup>32</sup> Michael Glassow, Coordinator, Central Coast Archaeological Information Center.

generate a permit and a preliminary survey will be conducted (e.g. building a house and a driveway on agricultural land or erecting a water tank). If the activity on the land does not require a permit, then the site survey will not be conducted (e.g. converting grazing lands to vineyards).<sup>33</sup> These agricultural lands may contain archaeological resources and some of these activities may be destructive to these resources. For example, in the creation of vineyards, the land can be disturbed up to a depth of four feet.<sup>34</sup> As discussed in more detail in Chapter 5 (Agriculture), permits should be required for modification of agricultural uses that would result in impacts such as grading or increased sedimentation. This would also assure maximum protection of archaeological resources.

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<sup>33</sup> Personal communication, Steven McMasters, Environmental Specialist, SLO Planning Department, (11/15/00).

<sup>34</sup> Personal communication, Michael Glassow, Coordinator, Central Coast Archaeological Information Center, (11/15/00).