4.5 CULTURAL RESOURCES

4.5.1 Introduction

This section of the EIR assesses potential adverse impacts on cultural resources that could result from implementation of the General Plan Update. Cultural resources are defined as buildings, sites, districts, structures, or objects having historical, architectural, archaeological, or cultural importance. The potential for impacts on archaeological resources and human burials, as well as potential project effects on paleontological resources are also considered. This section briefly describes the prehistoric and historic setting of the Simi Valley area, discusses known cultural resources within the City and adjacent lands, including the area within the Simi Valley City limits and its Sphere of Influence (SOI), and identifies the cultural and paleontological resource sensitivity of the Planning Area. Applicable federal, state, and local regulations are identified, followed by impact analysis and mitigation measures, where applicable, to reduce impacts on cultural and paleontological resources.

Data from various sources were used for the preparation of the section, including a records search of the of the California Historical Resources Information System (CHRIS) South Central Coastal Information Center (SCCIC 2010); a search of the Native American Heritage Commission Sacred Lands File (NAHC 2010); a search of on-line listings for the National Register of Historic Places (NRHP 2010), California State Historic Landmarks, California Register of Historical Resources, and California Points of Historical Interest (OHP 2010); the Simi Valley General Plan (1988); the City of Simi Valley General Plan Update Technical Background Report (2007); and resources to inform the environmental setting (Havens 1997; Roberts and Roberts 2004; Grant 1978).

Information on paleontological resources was obtained from published geological maps (USGS 2005); database searches through the University of California, Museum of Paleontology (UCMP 2010), the American Museum of Natural History; and existing paleontological literature (Simi Valley 2009; USFWS and CDFG 2006).

One comment letter regarding cultural resources was received in response to the December 1, 2009, Notice of Preparation (NOP) (Appendix A). The NAHC submitted a letter that indicated that the General Plan Update is subject to required Tribal Consultation under SB 18 and also included the NAHC's recommendations for assessing impacts on Native American cultural resources. Both of these items are addressed in this section.

4.5.2 Environmental Setting

Cultural resources are frequently defined in terms of tangible materials attributed to a culture. These include districts, sites, structures, artifacts, and other evidence of human use considered important to a culture or community for scientific, traditional, religious, or other reasons. Resources may be historical, archaeological, architectural, or archival in nature. Cultural resources may also consist of less tangible attributes, such as landscapes considered sacred to particular groups. The area studied for cultural resources includes the entire Planning Area (refer to Figure 3-2).

Prehistoric Setting

The City of Simi Valley lies within the archaeological Santa Barbara Subregion of the Southern Coastal Region. This area is also known as the Northern Bight. The earliest known archaeological sites found in the subregion are on the Channel Islands, a chain of eight islands located approximately 35 miles from the Simi Valley area, off the coast of Southern California. Arlington Springs Woman from Santa Rosa Island (one of the Channel Islands) is one of the earliest finds of human remains in North America. Her remains date to approximately 11,000 B.C. Daisy Cave on San Miguel Island (also a Channel Island) is another early site. The culture associated with these finds dating before 7000 B.C. for the Northern Bight is most often associated with the Paleo Coastal Tradition. The people of this complex are typically characterized as highly mobile hunters and gatherers. Artifacts associated with this complex are well-formed large leaf-shaped projectile points, crescents, engraving tools, choppers, pebble hammerstones, and various types of scrapers. What makes this complex differ from other early southern Californian complexes, such as the San Dieguito or Western Pluvial Lakes Tradition, is its focus on near-shore subsistence resources, such as shellfish, more than on land animals.

Ethnographic Setting

At the time of Spanish contact in the late eighteenth century, the Chumash Indians occupied the area that is now Simi Valley. While Native American presence in the Simi Valley area likely extends into the past as far as 10,000 years ago, it is difficult to ascertain when the first people arrived who spoke a language ancestral to that spoken by the Chumash. The deep linguistic divisions among the various branches of the Chumash suggest that they may have existed for 5,000 years in south central California.

The Chumash comprised a large and diverse population living in settlements along the California coast. Chumash villages could be found from Malibu Creek, in the southeast, to Estero Bay, in the north. By the time the Spanish arrived, the Chumash had evolved into a complex society. Chumash villages were relatively large, with some of them containing as many as one thousand people, although one or two hundred inhabitants were more typical. Records kept by early Franciscan missionaries make it possible to reconstruct the Chumash history of the Simi Valley area during the early years of Spanish settlement in California, and imply an original population of approximately 250 to 400 people. Chumash villages were composed of patrilineal descent groups, and the position of chief was inherited through the male line. Early Spanish explorers noted that villages had three or four leaders, including the chief.

Acorn was the single most important food source for the Chumash, while a wide variety of seeds, roots, and berries were also eaten. The bow and arrow, throwing sticks, deadfalls, and snares were used to hunt and capture California mule deer, coyote, fox, rabbit, game birds, seals, sea otters, and other animals. Mollusks were consumed year-round, and the large shell mounds which developed were composed of California mussel, horse clam, gooseneck barnacle, and jackknife clam. Pismo clam and various types of abalone were also eaten; however, these shells were used in bead manufacture, and are rarely found in shell mounds.

The Chumash used steatite for a variety of both non-utilitarian and well-made implements. Wooden plates and bowls were also created, and Chumash basketry was exceptional in decoration and workmanship. Weavers used both coiling and twining techniques. Coiled-ware included basin-shaped

baskets for food preparation, burden baskets, and storage baskets and flat trays for winnowing and parching. Twining was used for water bottles, seed beaters, and coarsely woven baskets likely used as strainers, as well as a wide variety of other uses.

Historic Setting

The Spanish colonization of California was achieved through a program of military-civilian-religious conquest. Under this system, soldiers secured areas for settlement by suppressing Native and foreign resistance and established fortified structures (presidios) from which the colony would be governed. Civilians established towns (pueblos) and stock-grazing operations (ranchos) that supported the settlement and provided products for export. The missionary component of the colonization strategy was led by Spanish priests, who were charged with converting Native Americans to Catholicism, introducing them to Spanish culture, and training them as a productive labor force. Ultimately, four presidios and 21 missions were established in Spanish California between 1769 and 1821.

The first Spanish settlement in the area now known as Simi Valley was the Rancho Simi settlement. Initially developed by Santiago Pico, Rancho Simi consisted of about 113,000 acres and included a large amount of property which stretched from the Santa Susana Mountains to well past the modern town of Moorpark. Early dwellings at the Rancho Simi are currently located at the Strathearn Historical Park (CHL 979), and some of the buildings in the Park are NRHP-listed resources.

In 1822, after more than a decade of revolutionary struggle, Mexico achieved independence from Spain, and California became a distant outpost of the Mexican Republic. Under a law adopted by the Mexican congress in 1833, the mission lands were to be subdivided into land grants, or ranchos, to be sold to prominent military and politicians. In about 1832, Don Jose de la Guerra y Noriega purchased the Simi grant from the Pico family. Thereafter, he raised cattle and sheep in large numbers for several decades.

Beginning in the early 1840s, Mexico's hold on California was threatened by the steady overland migration of American settlers into the region. War between the U.S. and Mexico commenced in May 1846, and many decisive battles in this conflict took place in California. The United States eventually prevailed, and the American victory over Mexico was formalized in February 1848 with the Treaty of Guadalupe Hidalgo. Under the treaty, the Mexico ceded to the United States the present states of California, Nevada, Utah, New Mexico, Arizona, and parts of Wyoming and Colorado.

In January 1848, just a few days before the treaty was signed, James Marshall, an employee of John Sutter, discovered gold on the American River. Marshall's discovery triggered the gold rush, a massive influx of fortune-seekers into California that led to the creation of major cities and numerous smaller settlements. The sudden and enormous growth of California's population brought about by the gold rush resulted in a movement for statehood that culminated in the state constitutional convention at Monterey in 1849 and the establishment of California as a state in 1850.

Don Jose de la Guerra y Noriega died in 1858, and thereafter the Rancho Simi lands were sold to the Philadelphia and California Petroleum Company, headed by Pennsylvania Railroad president, Thomas A. Scott. The last of the De la Guerras to live in Simi Valley retreated to the 14,400-acre Tapo Rancho portion of the Rancho Simi and to its adobe, presently known as the De la Guerra Adobe Ruins (Ventura County Historical Landmark [VCHL] #10). The Simi Rancho was then leased out for the raising of

livestock, and the Los Angeles firm Lyons and Campbell became the owners of the Tapo Rancho. After Thomas A. Scott died in 1881, most of the Rancho Simi property was sold and divided into ranches and farms.

In the ensuing years, the California Mutual Benefit Colony of Chicago was created by a group of doctors wishing to establish a health colony on the banks of the "Simi River." Their investments led to the creation of a town site named "Simiopolis," often referred to as "The Colony." The original houses associated with the Colony, known as Colony Houses, were gradually removed. Two of these Colony Houses remain: The Haigh-Talley Colony House and the Miss Bessie Printz Colony House. The Haigh-Talley House is listed in the NRHP and CRHR and is a VCHL (#41). Simi Colonists and other settlers purchased the old Rancho Simi lands, and these early pioneers included the Strathearn family. The Strathearn family eventually built their home adjacent to the Simi adobe, and the resultant structure known as the Simi Adobe-Strathearn House is listed in the NRHP and CRHR and is a VCHL (#6).

Once Simi started functioning as a community, religious, educational, and commercial services were offered through the construction of churches, schools, and other facilities. Discussion of a railroad during the 1890s resulted in the decision by Southern Pacific Railroad to build a tunnel through the Santa Susana Mountains, necessitating construction of a depot in the area. The depot was completed at the crossroads of Tapo Street and Los Angeles Avenue, and the town of Santa Susana was established. Santa Susana rapidly became a center for agriculture and railroad activity, with stores, warehouses, lumberyards, section houses for the railroad crews, a walnut processing plant, and a citrus packinghouse being constructed over time.

From the beginning of non-native settlement in the Simi Valley area, agriculture was the main occupation. However, its location near Hollywood has also made it a convenient location for the film industry. Established in 1937 and opened to the public in 1949, the Corriganville Movie Ranch is located at the extreme eastern end of Simi Valley and was the production site for many movies and television shows. Despite the City's association with the film industry, agriculture remained central to the area's economy, including pasturage and citri-culture. These enterprises continued into the 1950s; however, an increase in labor costs and the depletion of the natural groundwater supply rendered the continuance of large-scale agriculture infeasible. This led to a shift in the life patterns of Simi Valley in the 1950s, including a population increase and the influx of subdivision development. The continued increase in population in Simi Valley and in the adjacent areas led to a strain on the water supply and significantly increased traffic congestion during the 1960s. By 1965, the Metropolitan Water District had completed its project of a pipeline to provide an adequate water supply, and later construction projects served to alleviate the traffic congestion into the 1990s.

The City of Simi Valley was incorporated on October 10, 1969, and by 1972, the City adopted its first General Plan. Population and economic growth during the 1980s and 1990s swelled or remained stagnant in response to regional factors. Today, Simi Valley has transformed itself into a city with a broad and diverse economic base, with a population of 125,096 and 40,746 homes as of 2006.

Known Cultural Resources

SCCIC Records Search

A records search was performed by an Atkins archaeologist at the SCCIC for the Planning Area and a 0.25-mile radius (SCCIC 2010). The records search included a review of all cultural resource records, technical reports, and historic maps on file for the Planning Area and the additional search radius. The search also includes a review of California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historic Resources (CRHR), the National Register of Historic Places (NRHP), and the California State Historic Resources Inventory (HRI) as presented in the California State Office of Historic Preservation (OHP) Historical Property Data File.

The SCCIC records search indicated that the Planning Area has been subject to intensive survey efforts during recent decades, and, as a result, the majority of the Planning Area acreage has been previously surveyed. The records search identified built-environment historic-age resources within the City, including NRHP-listed buildings and an NRHP District comprised of folk-art structures and features. These resources are also listed in the CRHR. Additional historic-age resources were detected that are listed in the Ventura County Historical Landmark Register. Several of these resources have been submitted to the OHP for evaluation or action, and this process is currently in progress. Finally, other historic-age structures within the Planning Area have been evaluated for inclusion in the various registers and found ineligible for differing reasons.

The records search also identified numerous archaeological resources throughout the Planning Area, and adjacent to the project boundaries. The resources are predominately prehistoric-age archaeological sites and isolates of varying sizes, exhibiting prehistoric-age material culture through scatters of tools, as well as habitation and rock art sites. Due to the frequency of known and recorded archaeological sites throughout the entire Planning Area, including significant archaeological sites, the Planning Area is considered to have a high sensitivity for significant cultural resources.

Other Sources Consulted

Additional searches were conducted to supplement the SCCIC records search information, including an on-line search for the NRHP (NRHP 2010) and the CHL, PHI, and CRHR (OHP 2010). Several books and documents were also reviewed to supplement listings of significant resources in the Planning Area: Havens (1997); Roberts and Roberts (2004); Simi Valley General Plan (1988); and the City of Simi Valley General Plan Update Technical Background Report (2007). The Simi Valley General Plan and the City of Simi Valley General Plan Update Technical Background Report include additional information provided by the Simi Valley Historical Society. These documents indicate that there are numerous Chumash sites within the Simi Valley region, including the Burro Flats Painted Cave, the Chumash Wilderness Park, and the Chumash villages of Ta'apu and Shimiji. Many of these resources are listed in federal, state, and local registers, along with historic-era buildings and features.

Significant Cultural Resources

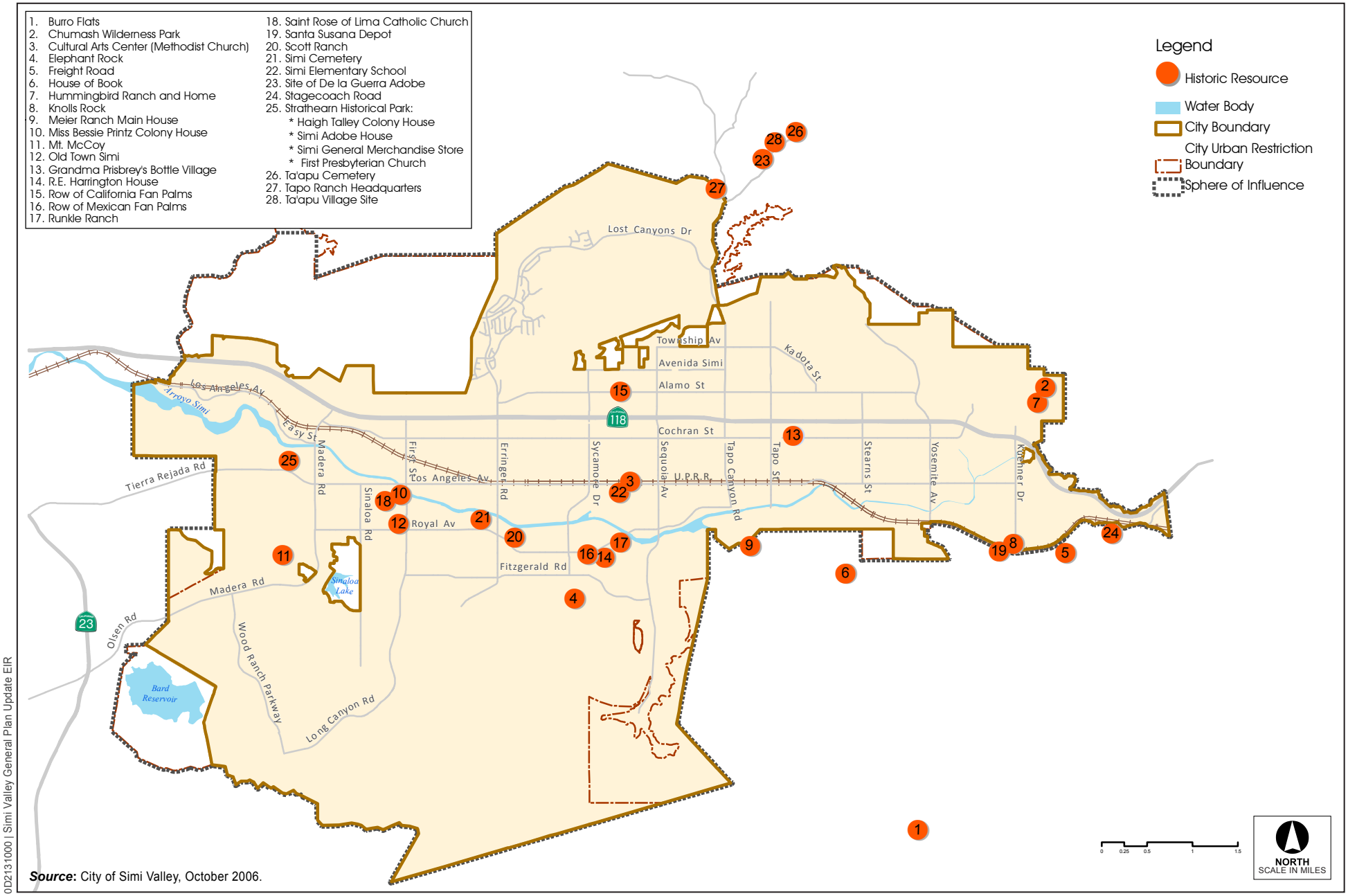
Designation Process

There are three general types of designations for significant archaeological resources, historical properties districts, traditional cultural properties, and landscapes. The system includes federal designation in the National Register of Historic Places (NRHP) for resources of importance and relevance to national heritage, state level designation in the California Register of Historical Resources (CRHR), and local designation as Cultural Heritage Sites or Landmarks in the Ventura County Historical Landmarks (VCHL) Register for resources of importance to local history and culture. Each of these registers employs different criteria to determine whether a resource could be determined eligible for inclusion, and these criteria are further discussed in the Regulatory Framework. These significant resources are shown in relation to the Planning Area boundaries in Figure 4.5-1 (Significant Cultural Resources), and are summarized below. The following lists of resources are informed by the SCCIC records search, as well as the other documents reviewed for this project. Note that the locations of prehistoric-age sites are considered confidential to protect and preserve the resources from vandalism and theft. As a result, prehistoric-age resources are not illustrated on Figure 4.5-1. For planning purposes, it should be noted that such resources are found throughout the Planning Area, and any development should be aware of the need for their consideration and preservation.

National Register of Historic Places

There are several properties within the Planning Area that are listed in the NRHP. In addition, one NRHP-listed district is found within City boundaries. A total of two individual buildings, one district, and one prehistoric-age rock art site are found in the Planning Area:

- **Haigh-Talley Colony House (78000824):** Located at 137 Strathearn Place, the Colony House building features Late Victorian architectural styles, during a period of significance spanning from 1875 to 1899. This property has served historically as a single-family residence and has since been relocated to the Strathearn Historical Park where it functions as a museum. The building was added to the NRHP in 1978, and is now found at the same physical address as the Rancho Simi (CHL 979).
- **Simi Adobe-Strathearn House (78000825):** Located at 137 Strathearn Place and within the Strathearn Historical Park, the Simi Adobe-Strathearn House building features Late Victorian architectural styles, and is associated with the Chumash and Robert P. Strathearn. Strathearn was a prominent Simi Valley cattleman and pioneer. This property has served as a Chumash village site, and has been subject to domestic and agricultural uses. The building was added to the NRHP in 1978, and is found at the same physical address as the Rancho Simi (CHL 979).
- **Grandma Prisbrey's Bottle Village (96001076):** This district is located at the physical address of 4595 Cochran Street and comprises two dozen buildings, shrines, and sculptures created of about a million bottles and a wide variety of materials salvaged from a local landfill. Created by "Grandma" Tressa Prisbrey, this district is an excellent example of twentieth century folk art with a period of significance spanning from 1950 to 1974. The bottle village is also listed in the CHL as 939.



Source: City of Simi Valley, October 2006.

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Figure 4.5-1

Significant Cultural Resources

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- **Burro Flats Painted Cave (76000539):** This resource consists of rock art found in a cave located near the historic Chumash settlement of Huwam, along Bell Creek. The resource is found on private property owned by Boeing-Rocketdyne, and the exact location remains confidential to deter vandalism. Burro Flats was added to the NRHP on May 5, 1976.

California Register of Historic Resources

The State Historical Resources Commission has designed the CRHR program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some CHLs and PHIs:

- **Haigh-Talley Colony House**
- **Simi Adobe-Strathearn House**
- **Grandmas Prisbrey's Bottle Village**
- **Burro Flats Painted Cave**
- **Cultural Arts Center (56-152481):** This resource was originally constructed as the Simi Community Methodist Church in the 1920s, and this Gothic structure has served as a church, funeral home, Jewish Temple, and residence prior to its present use as the City of Simi Valley Cultural Arts Center. The Cultural Arts Center has been found eligible for listing in the NRHP, but it has not been formally listed at this time.
- **Rancho Simi (CHL 979):** This resource is found at the Strathearn Historical Park Museum, and includes a variety of structures, features, and artifacts from the 1800s. Located at 137 Strathearn Place, the NRHP listed Haigh-Talley Colony House and Simi Adobe-Strathearn House are found at this location.

Ventura County Historical Landmarks

The following resources are found in the Ventura County Historical Landmark Register:

- Simi-Adobe-Strathearn House (NRHP and CRHR Listed; Within Rancho Simi CHL 979 and the Strathearn Historical Park)
- De la Guerra Adobe Ruins
- Santa Susana Railroad Depot
- First Simi Library
- Haigh-Talley Colony House (NRHP and CRHR Listed; Within Rancho Simi CHL 979 and the Strathearn Historical Park)
- Tapo Citrus Packing House
- Grandma Prisbrey's Bottle Village (NRHP and CRHR Listed; CHL 939)
- Brandeis Bardin Institute House of the Book
- Saint Rose of Lima Catholic Church
- Community Methodist Church/Cultural Arts Center Building (NRHP eligible and CRHR Listed as the Cultural Arts Center; originally built as the Methodist Church)
- Meier Ranch Main House
- Patterson Ranch Building
- Chumash Wilderness Park
- Chumash Village of Shimiji

- Wood Ranch Barns
- Stagecoach Road
- Freight Road
- Mount McCoy and Cross
- Pioneer Section, Simi Public Cemetery (CPHI – August 21, 1992)
- Giant Coast Live Oak Tree
- Elephant Rock
- Row of palm trees along Alamo Street
- Sycamore Tree on Wood Ranch Parkway
- Simi Elementary School and Bungalows
- Scott-Cameron House and Aged Olive Tree
- Old Town Simi
- Miss Bessie Printz Colony House
- Simi General Merchandise Store (Within the Strathearn Historical Park)
- Runkle Ranch Headquarters and Corral
- Scott Ranch
- R.E. Harrington House
- Hummingbird Ranch and Home
- Tapo Ranch Headquarters
- Ta'apu Village Site
- Ta'apu Cemetery
- Knolls Rock
- First Presbyterian Church (Within the Strathearn Historical Park)

Native American Records Search

A search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was conducted to determine the presence of Native American cultural resources within the Planning Area. The NAHC response letter indicated that no Native American cultural resources have been recorded within the immediate Planning Area, but that the NAHC files are not exhaustive, and the results of the searches do not preclude the presence Native American resources. The NAHC letter also listed local Native American organizations and individuals who may have knowledge of cultural resources in the General Plan Update area (NAHC 2010). As requested by the NAHC, a letter that included a brief description of the project and a project map were sent to each of the NAHC-provided contacts. As of the publication of this document, one response has been received from the Santa Ynez Band of Mission Indians. Mr. Fred Romero called the Atkins offices and spoke with an Atkins archaeologist about the General Plan Update project on March 10, 2010. Mr. Romero indicated that he would offer no comment on the project due to the fact that other Tribal groups or individuals with territories in closer proximity to Simi Valley would be better suited to comment. Further, Mr. Romero wanted to ensure that all of the NAHC provided contacts received a similar information request letter with project information.

Paleontological Resources

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. Fossils are the remains or traces of prehistoric animals and plants.

Fossils are important scientific and educational resources because of their use in: documenting the presence and evolutionary history of particular groups of now extinct organisms; reconstructing the environments in which these organisms lived; and determining the relative ages of the strata in which they occur and of the geologic events that resulted in the deposition of the sediments that formed these strata and in their subsequent deformation.

The Conformable Impact Mitigation Guidelines Committee of the Society of Vertebrate Paleontology (SVP) published *Standard Guidelines* in response to a recognized need to establish procedures for the investigation, collection, preservation, and cataloguing of fossil-bearing sites (SVP 2007). The *Standard Guidelines* are widely accepted among paleontologists, followed by most investigators, and identify the key phases of paleontological resource protection as assessment and implementation. Assessment involves identifying the potential for a project site to contain significant nonrenewable paleontological resources that could be damaged or destroyed by project excavation or construction. Implementation involves formulating and applying measures to reduce such adverse effects. The SVP defines the level of potential as one of three sensitivity categories for sedimentary rocks: High, Moderate, and Low. Two additional categories apply to non-sedimentary rocks: Marginal and Zero. These levels of potential are outlined below:

- High Sensitivity: assigned to geologic formations known to contain paleontological localities with rare, well-preserved, and/or critical fossil materials for stratigraphic or paleo-environmental interpretation, and fossils providing important information about the paleo-biology and evolutionary history (phylogeny) of animal and plant groups. Generally speaking, highly sensitive formations are known to produce vertebrate fossil remains or are considered to have the potential to produce such remains.
- Moderate Sensitivity: assigned to geologic formations known to contain paleontological localities with moderately preserved, common elsewhere, or stratigraphically long-ranging fossil material. The moderate sensitivity category also is applied to geologic formations that are judged to have a strong, but unproven potential for producing important fossil remains (e.g., Pre-Holocene sedimentary rock units representing low to moderate energy, of marine to non-marine depositional settings).
- Low Sensitivity: assigned to geologic formations that, based on their relative youthful age and/or high-energy depositional history, are judged unlikely to produce important fossil remains. Typically, low sensitivity formations may produce invertebrate fossil remains in low abundance.
- Marginal Sensitivity: assigned to geologic formations that are composed either of pyroclastic volcanic rocks or metasedimentary rocks, but which nevertheless have a limited probability for producing fossil remains from certain sedimentary lithologies at localized outcrops.
- Zero Sensitivity: assigned to geologic formations that are entirely plutonic (volcanic rocks formed beneath the earth's surface) in origin and therefore have no potential for producing fossil remains.

In the context of the California Environmental Quality Act (CEQA), fossils of land-dwelling vertebrates and their environment are considered important (i.e., significant) paleontological resources. Such fossils typically are found in river, lake, and bog deposits, although they may occur in nearly any type of sedimentary sequence.

Many of the geologic units in the Planning Area are fossil-bearing, but not all contain fossils of land-dwelling vertebrates. The units containing fossils of land-dwelling vertebrates include the Old Alluvium (late to middle Pleistocene), the Modelo Formation (late Miocene), and the Sespe Formation (early Miocene, Oligocene, and late Eocene). These units are considered to have High Sensitivity for paleontological resources in the Planning Area because they are known to produce vertebrate fossil remains, and are generally located in the northwest half and southwest of the Planning Area. These sensitive units are shown in relation to the Planning Area boundaries in Figure 4.5-2 (Areas of High Paleontological Sensitivity).

4.5.3 Regulatory Framework

Federal

Federal regulations for cultural resources can be found within the National Environmental Policy Act of 1969 (NEPA), where federal agencies are directed to use all practicable means to preserve important historic, cultural, and natural aspects of our national heritage (Section 101(b)(4)). This applies to both cultural and paleontological resources, and is directly related to actions proposed on federal lands. For projects found on non-federal lands, regulations for cultural resources are primarily governed by Section 106 of the National Historic Preservation Act of 1966 (NHPA), which applies to actions taken by federal agencies. The goal of the Section 106 review process is to offer a measure of protection to sites that are listed or determined eligible for listing on the NRHP. The criteria for determining NRHP eligibility are found in 36 Code of Federal Regulations (CFR) Part 60. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on Historic Properties and affords the federal Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in 36 CFR Part 800. The NRHP criteria (36 CFR 60.4) are used to evaluate resources when complying with NHPA Section 106. Those criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and any of the following:

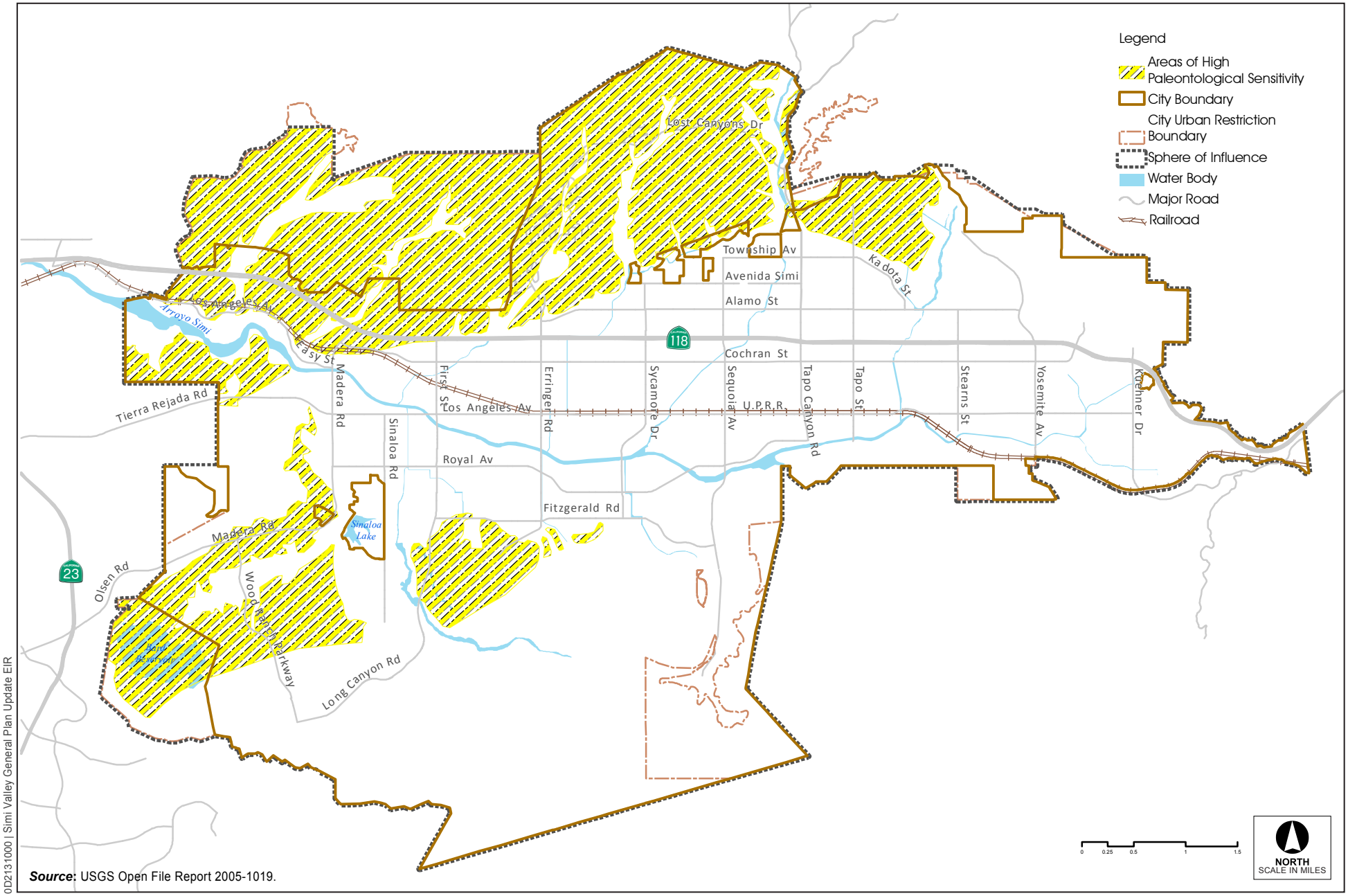
(a) Are associated with events that have made a significant contribution to the broad patterns of our history

(b) Are associated with the lives of persons significant in our past

(c) Embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction

(d) Have yielded or may be likely to yield, information important to history or prehistory

Eligible properties must meet at least one of the criteria and exhibit integrity. Historical integrity is measured by the degree to which the resource retains its historical attributes and conveys its historical character, the degree to which the original fabric has been retained, and the reversibility of changes to the property. Three of the four criteria are generally meant to apply to historic structures; however, Criterion D is also sometimes associated with archaeological and paleontological materials.



Source: USGS Open File Report 2005-1019.

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Figure 4.5-2

Areas of High Paleontological Sensitivity

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Archaeological site evaluation assesses the potential of each site to meet one or more of the criteria for NRHP eligibility based upon visual surface and subsurface evidence (if available) at each site location, information gathered during the literature and records searches, and the researcher's knowledge of and familiarity with the historic or prehistoric context associated with each site.

The American Indian Religious Freedom Act (United States Code [USC] Title 42, Section 1996) protects Native American religious practices, ethnic heritage sites, and land uses.

Paleontological resources are considered under Section 106 of the NHPA primarily when found in a culturally related context (i.e., fossil shells included as mortuary offerings in a burial or a rock formation containing petrified wood used as a chipped stone quarry). In such instances, the material is considered a cultural resource and is treated in the manner prescribed for the site by Section 106.

The Antiquities Act of 1906 (USC Title 16, Sections 431-433) protects any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States from appropriation, excavation, injure or destruction without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which the antiquities are situated. According to the Standard Environmental Reference of the California Department of Transportation (Caltrans 2007), the National Park Service, Bureau of Land Management, U.S. Forest Service, and other federal agencies have interpreted objects of antiquity to include fossils. The *Antiquities Act* provides for the issuance of permits to collect fossils on lands administered by federal agencies and requires projects involving federal lands to obtain permits for both paleontological resource evaluation and mitigation efforts.

The federal Paleontological Resources Preservation Act of 2002 was enacted to codify the generally accepted practice of limiting the collection of vertebrate fossils and other rare and scientifically significant fossils to qualified researchers; these researchers must obtain a permit from the appropriate state or federal agency and agree to donate any materials recovered to recognized public institutions, where they will remain accessible to the public and to other researchers (USFWS and CDFG 2006).

State

Under CEQA, public agencies must consider the impacts of their actions on both historical resources and unique archaeological resources. Pursuant to Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

Historical resource is a term with a defined statutory meaning (refer to PRC Section 21084.1 and CEQA Guidelines, Section 15064.5(a) and (b)). The term applies to any resource listed in or determined to be eligible for listing in the CRHR. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some CHLs and PHIs.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be historical resources for purposes of CEQA

unless a preponderance of evidence indicates otherwise (PRC Section 5024.1 and California Code of Regulations [CCR] Title 14, Section 4850). Unless a resource listed in a survey has been demolished, has lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources (PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a)(3)). In general, an historical resource, under this approach, is defined as any object, building, structure, site, area, place, record, or manuscript that:

> (a) Is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and
>
> (b) Meets any of the following criteria:
>
> 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
>
> 2) Is associated with the lives of persons important in our past;
>
> 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
>
> 4) Has yielded, or may be likely to yield, information important in prehistory or history.
>
> [CEQA Guidelines, Section 15064.5(a)(3)]

Archaeological resources can sometimes qualify as "historical resources" [CEQA Guidelines, Section 15064.5(c)(1)]. In addition, PRC Section 5024 requires consultation with the Office of Historic Preservation when a project may impact historical resources located on state-owned land.

For historic structures, CEQA Guidelines Section 15064.5(b)(3) indicates that a project that follows the Secretary of the Interior (SOI) Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the SOI Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, shall mitigate impacts to a level of less than significant. Potential eligibility also rests upon the integrity of the resource. Integrity is defined as the retention of the resource's physical identity that existed during its period of significance. Integrity is determined through considering the setting, design, workmanship, materials, location, feeling, and association of the resource.

As noted above, CEQA also requires lead agencies to consider whether projects will impact unique archaeological resources. PRC Section 21083.2(g) states that 'unique archaeological resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.

- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

[PRC Section 21083.2(g)]

Treatment options under Section 21083.2 include activities that preserve such resources in place and in an undisturbed state. Other acceptable methods of mitigation under Section 21083.2 include excavation and curation, or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a unique archaeological resource).

Advice on procedures to identify cultural resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor's Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to, museums, historical commissions, associations and societies, be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of their antiquity and provides for the sensitive treatment and disposition of those remains.

CEQA affords protection to paleontological resources, as CEQA Guidelines indicate that a project would have a significant environmental impact if it would disturb or destroy a unique paleontological resource or site or unique geologic feature. Although CEQA does not specifically define a unique paleontological resource or site, the definition of a unique archaeological resource (Section 21083.2) can be applied to a unique paleontological resource or site and a paleontological resource could be considered an historical resource if it has yielded, or may be likely to yield, information important in prehistory or history under Section 15064.5(a)(3)(D).

California Public Resources Code 5097.5

California PRC Section 5097.5 provides protection for cultural and paleontological resources, where PRC 5097.5(a) states, in part, that:

> No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

California Health and Safety Code Sections 7050.5, 7051, and 7054

California Health and Safety Code Section 7050.5(b) specifies protocol when human remains are discovered. The code states:

> In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the

excavation, or to his or her authorized representative, in the manner provided in section 5097.98 of the Public Resources Code.

California Public Resources Code Section 15064.5(e)

CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the NAHC. Section 15064.5 directs the lead agency (or project proponent), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Senate Bill 18

As of March 1, 2005, Senate Bill 18 (Government Code Sections 65352.3 and 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction.

Local

Simi Valley and Ventura County Cultural Heritage Ordinances

The Cultural Heritage Ordinance of the Simi Valley Municipal Code ([SVMC] Ordinance No. 1150 to Sections 2-3.501 et al of the SVMC) adopts many of the provisions of the Ventura County Cultural Heritage Ordinance ([VCOC] Ordinance No. 4225 to 1.3.5 of the VCOC); establishes the Simi Valley Cultural Heritage Board (Board); grants the ability of the Board to inventory, evaluate, educate, and make recommendations to the City Council about the eligibility of Cultural Heritage Sites, placement of aesthetic markers, state registration of resources, and amendments to the article; and provides definitions for Cultural Heritage Sites, Historic Districts, Historical Resources, Landmarks, Points of Historical Interest, and Sites of Merit. The City's Cultural Heritage Board is established in Section 2-3.505, and the Board functions are outlined in Section 2-3.506. Definitions are provided for resource types in Section 2-3.504:

- **Cultural Heritage Site:** Any improvement, natural feature, site, or historic district that meets the legal requirements to have it recommended by the Cultural Heritage Board of the City and subsequently designated by the Simi Valley City Council as a landmark, historic district, site of merit, or point of historical interest.
- **Historic District:** Any geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites which are unified by past events or aesthetically by plan or physical development.
- **Historical Resource:** Any historical, cultural, or natural feature which is or has been at one time contained within or situated on real property, including, but not limited to, any:
  1. Building, structure, ruins, or foundation
  2. Route or trail

3. Site or place, for example, cave, oak grove, cemetery, burial ground, camp or village area, significant tree, or other plant life
4. Natural configuration, traditional landscape horizon, or geographic or geological formation or feature
5. Traditional, historic, or legendary names of any of the objects named as items 1 through 4 which are of:
   a. Particular historic, cultural, scenic, or aesthetic significance to the City in which the broad cultural, political, economic, and/or social history of the nation, state, or community is reflected or exemplified
   b. Or which are identified with historic personages or with important events in the main currents of national, state, or local history
   c. Or which show evidence of the habitation, activity, or culture of prehistoric man
   d. Or which embody the distinguishing characteristics of an architectural-type specimen inherently valuable for a study of a period, style, or method of construction
   e. Or which present a work of a master builder, designer, artist, or architect whose individual genius influenced his age
   f. Or which are imbued with traditional or legendary lore

- **Landmark:** Any historical resource which receives official designation by the City Council as provided in SVMC Section 2-3.508 (designation process for Cultural Heritage Sites by the City Council) or which has been so declared under the provisions of Article 5 of Chapter 3 of Division 1 of the VCOC.
- **Point of Historical Interest:** Any real property that:
  1. Is the site of a building, structure, or object which no longer exists but was associated with historic events or important person or embodied a distinctive character or architectural style; or
  2. Contains an object which has historic significance but has been altered to the extent that the integrity of the original workmanship, materials, or style has been substantially compromised; or
  3. Is the site of an historic event which has no distinguishable characteristics other than that an historic event occurred there, and the site is not of sufficient historic significance to justify the establishment of an historic landmark, such as:
     a. Buildings, structures, ruins, or foundations
     b. Routes or trails
     c. Sites or places, for example, caves, oak groves, cemeteries, burial grounds, camps or village areas, significant trees, or other plant life
     d. Natural configurations, traditional landscape horizons, or geographic or geological formations or features
     e. Traditional, historic, or legendary names or any of the objects as named in items i) through iv) which are of:
        i. Particular historic, cultural, scenic, or aesthetic significance to the City in which the broad cultural, political, economic, or social history of the nation, state, or community is reflected or exemplified

ii. Or which are identified with historic personages or with important events in the main currents of national, state, or local history

iii. Or which show evidence of the habitation, activity, or culture of prehistoric man

iv. Or which embody the distinguishing characteristics of an architectural type specimen inherently valuable for a study of a period, style, or method of construction

v. Or which present a work of a master builder, designer, artist, or architect whose individual genius influenced his age

vi. Or which are imbued with traditional or legendary lore

- **Sites of Merit:** Sites of historical, architectural, community, or aesthetic merit which have not been designated as landmarks, historic districts, or points of historical interest, but which are deserving of special recognition.

The Cultural Heritage Ordinance of the VCOC provides definitions and criteria for Cultural Heritage Sites in Section 1365-5:

a. Landmarks: Satisfy one of the following criteria:

1. It exemplifies or reflects special elements of the County's social, aesthetic, engineering, architectural, or natural history
2. It is associated with events that have made a significant contribution to the broad patterns of Ventura County or its cities, regional history, or the cultural heritage of California, or the United States
3. It is associated with the lives of persons important to Ventura County or its cities, California, or national history
4. It has yielded, or has the potential to yield, information important to the prehistory or history of Ventura County or its cities, California, or the nation
5. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values
6. Integrity: Establish the authenticity of the resource's physical identity by evidence of lack of deterioration and significant survival of the characteristics that existed during its period of importance. This shall be evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.

b. Sites of Merit: Satisfy the following criteria:

1. Sites of historical, architectural, community or aesthetic merit which have not been designated as landmarks or points of interest, but which are deserving of special recognition
2. County approved surveyed sites with a National Register status code of 5 or above

c. Points of Interest: Satisfy any one of the following criteria:

1. That is the site of a building, structure or object that no longer exists, but was associated with historic events, important persons or embodied a distinctive character or architectural style
2. That it has historical significance, but has been altered to the extent that the integrity of the original workmanship, materials or style has been substantially compromised

3. That the site of a historic event which has no distinguishable characteristics other than that a historic event occurred at that site, and the site is not of sufficient historical significance to justify the establishment of a landmark

d. District: Meets the criteria below:

1. Possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.
2. Has precisely mapped and defined exterior boundaries, which requires a description of what lies immediately on the edge of the district to allow rational exclusion of adjoining areas.
3. Has at least one of the criteria for significance of Section 1365-5.a.1-8
4. Complies with the criteria for integrity contained in Section 1365-5.a.6.

e. Cultural Heritage Site:

Section 1365-6 provides more designation standards, where, in addition to meeting the criteria in Sections 1365-5 et seq., all the following standards must be met before a site becomes a designated Cultural Heritage Site:

1. It shall have historic, aesthetic, or special character or interest for the general public, and not be limited in interest to a special group of persons;
2. Its designation shall not require the expenditure by the County of Ventura of any amount of money not commensurate with the value of the object to be preserved; and
3. Its designation shall not infringe upon the rights of a private owner thereof to make any and all reasonable uses thereof which are not in conflict with the purposes of this Article.

4.5.4 Project Impacts and Mitigation

Analytic Method

The analysis provided below considers the potential direct, indirect, and cumulative effects of construction and implementation of the Proposed Project described in Chapter 3. Because infill development and redevelopment could occur throughout the entire Planning Area, even though the General Plan Update focuses future development in specific areas as identified in Chapter 3 (Project Description), cultural resources occur throughout the Planning Area that could be affected by infill or new development. Development under the General Plan Update could involve demolition of structures, some of which may be historic. Grading and excavation activities could disturb archaeological or paleontological resources as well as undiscovered human remains. To gather information on known cultural resources within the Planning Area, a records search was conducted by an Atkins archaeologist at the SCCIC of the California Historical Resources Information System at the California State University, Fullerton. The search included a review of all recorded resources within a quarter-mile radius of the Planning Area. Additional searches were conducted to supplement the SCCIC records search information, including an on-line search for the NRHP (NRHP 2010) and the CHL, PHI, and CRHR (OHP 2010). Several books and documents were also reviewed to supplement listings of significant resources in the Planning Area: Havens (1997); Roberts and Roberts (2004); Simi Valley General Plan (1988); and the City of Simi Valley General Plan Update Technical Background Report (2007). The Simi Valley General Plan and the City of Simi Valley General Plan Update Technical Background Report

include additional information provided by the Simi Valley Historical Society. A search of the NAHC SLF was conducted to determine the presence of Native American cultural resources within the Planning Area.

Paleontological resources in the Planning Area were evaluated qualitatively based on general information about Planning Area conditions. The analysis included reviews of geological maps and paleontological literature to determine the potential for paleontological resources to occur in the City. Database searches were conducted through the University of California Museum of Paleontology (UCMP 2010) and the American Museum of Natural History, Division of Paleontology to identify previously reported fossil finds in the vicinity of Simi Valley. The analysis identifies the likelihood of construction to encounter sedimentary rock units with High potential for containing significant nonrenewable paleontological resources. Where High sensitivity materials are present and could be disturbed by future construction, this is assumed to represent a significant impact.

The potential impacts to cultural resources resulting from development under the General Plan Update were evaluated against the 2011 CEQA Thresholds (described below), as well as the potentially mitigating effects of applicable General Plan Update policies on those impacts.

Thresholds of Significance

For the purposes of this EIR, implementation of the General Plan Update would have significant impact if it would:

- Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 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

General Plan Policies that Mitigate Potential Impacts on Cultural Resources

Policies and goals from the Community Development and Community Services Chapters that would mitigate potential impacts on cultural resources include the following. All General Plan policies are followed by a set of numbers in parentheses. These numbers reference applicable measures that will be undertaken by the City to implement the policy.

Policy HR-1.1 **Historical Resources Inventory.** Contribute to the maintenance of Ventura County's recorded inventory of historical landmarks for properties, objects, structures, and monuments having importance to the history or architecture of Ventura County. Photo documentation of inventoried historic sites or structures shall be required prior to demolition. *(Imp A-1, A-2, LU-18, HR-1)*

Policy HR-1.2 **Preservation or Re-Use of Historical Structures.** Support the preservation of structures listed on the National Register of Historic Places, list of California Historical Landmarks, and/or the Ventura County List of Historic Landmarks.

Provide incentives, such as waivers of application fees, permit fees, and/or any liens placed by the City, to properties listed in the National or State Register or the Ventura County List of Historic Landmarks in exchange for preservation easements. *(Imp A-1, A-2, LU-18, HR-1*

Policy HR-1.3 **Historical and Cultural Landmarks Recognition.** Support the placement of monuments, photographs, markers, signs, or plaques at areas of historical or environmental interest or value. *(Imp A-1, A-2, LU-18, HR-1)*

Policy HR-1.4 **Adaptive Re-use.** Support alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive re-use. *(Imp A-1, A-2, LU-18, HR-1)*

Policy HR-1.5 **Historical Elements within New Projects.** If preservation and/or adaptive re-use are not feasible options, require that proposed alteration of a historical site or structure incorporates a physical link to the past within the site or structural design. For example, incorporate historical photographs or artifacts within the proposed project; or preserve the location and structures of existing pathways, gathering places, seating areas, rail lines, roadways, or viewing vantage points within the proposed site design. *(Imp A-1, A-2, LU-18, HR-1)*

Policy HR-1.6 **Offer for Relocation of Designated Historic Structure.** Require that prior to the demolition of a designated historic structure, developers offer the structure for relocation by interested parties. *(Imp A-1, A-2, LU-18, HR-1)*

Policy HR-2.1 **New Development Activities.** Require that new development protect and preserve paleontological and archaeological resources from destruction, and avoid and/or mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated. *(Imp A-1, A-2, LU-1, LU-2, LU-3, LU-18, HR-1)*

Policy HR-2.2 **Grading and Excavation Activities.** Maintain sources of information regarding paleontological and archeological sites and the names and addresses of responsible organizations and qualified individuals who can analyze, classify, record, and preserve paleontological or archeological findings. Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological, or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City. *(Imp A-1, A-2, LU-2, LU-18)*

Policy HR-2.3 **Cultural Organizations.** Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow representatives of such groups to monitor grading and/or excavation of development sites. *(Imp A-1, A-2, LU-2, LU-18, HR-2)*

Policy HR-2.4 **Paleontological or Archaeological Materials.** Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within

Simi Valley or the County of Ventura, whenever possible. *(Imp A-1, A-2, LU-2, LU-3, LU-18)*

Policy CS-2.8 **Strathearn Historical Park and Museum.** Encourage relocation of historical structures threatened with demolition to the Strathearn Historical Park and Museum and support activities, events, and historical programs occurring at the Strathearn Historical Park and Museum. *(Imp A-1, A-2, LU-18, CS-1)*

Effects Not Found to Be Significant

No Effects Not Found to Be Significant have been identified with respect to cultural resources.

Less-Than-Significant Impacts

Impact 4.5-1 **Implementation of the General Plan Update could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines; however, this impact would be reduced to less-than-significant levels through implementation of General Plan policies and compliance with relevant local, state, and federal regulations. This is a *less-than-significant* impact.**

The SCCIC records search identified numerous archaeological resources within the Planning Area, and the lands adjacent to the Planning Area boundaries. These resources are predominately prehistoric-age archaeological sites and isolates of varying sizes, exhibiting prehistoric-age material culture through scatters of tools, as well as habitation and rock art sites. The NAHC response letter indicated that no Native American cultural resources have been recorded within the Planning Area; however, the NAHC noted that its files are not exhaustive and the results of the searches do not preclude the presence of Native American resources. Nonetheless, due to the frequency of known and recorded archaeological sites throughout the entire Planning Area, including significant archaeological sites, the Planning Area is considered to have a high sensitivity for significant cultural resources, including Native American resources.

Under CEQA, public agencies must consider the effects of their actions on "unique archaeological resources." PRC Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources. PRC Section 21083.2(g) states that "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or has a special and particular quality such as being the oldest of its type or the best available example of its type; or is directly associated with a scientifically recognized important prehistoric or historic event or person." Ground-disturbing development activities associated with the General Plan Update have the potential to cause a substantial adverse change in the significance of an archaeological resource through inadvertent damage or destruction. The General Plan Update includes goals and policies providing for the management and protection of significant archaeological resources. Specifically, proposed Policy HR-2.1 (New Development Activities) requires that that new development protect and preserve archaeological resources from destruction, and avoid and/or mitigate impacts to such resources through planning policies and permit conditions. Policy HR-2.2 (Grading and

Excavation Activities) requires that a qualified archeologist monitor all grading and/or excavation where there is a potential to affect archeological resources, and, if resources are found, recommendations of the archeologist would be implemented subject to the approval of the City to ensure that resources encountered are analyzed, classified, recorded and preserved to the greatest extent feasible. Implementation programs are identified in each chapter of the General Plan Update that are directly linked to the proposed policies and ensure their execution. There would be no impacts to archaeological resources other than during construction activities. Because the General Plan Update includes policies that require identification and mitigation of impacts on significant archaeological resources, this impact is considered *less than significant*.

Impact 4.5-2 **Implementation of the General Plan Update could directly or indirectly destroy unique paleontological resources; however, this impact would be reduced to less-than-significant levels through the implementation of General Plan policies and compliance with relevant local, state, and federal regulations. This is a *less-than-significant* impact.**

The Planning Area is known to have high paleontological sensitivity in Old Alluvium, the Modelo formation, and the Sespe formation. Ground-disturbing construction activities associated with the General Plan Update in these geologic units have the potential to directly or indirectly destroy a unique paleontological resource through inadvertent damage or destruction. The General Plan Update includes goals and polices providing for the management and protection of significant paleontological resources. Specifically, proposed Policy HR-2.1 (New Development Activities) requires that new development protect and preserve paleontological resources from destruction, and avoid and mitigate impacts to such resources through planning policies and permit conditions. Policy HR-2.2 (Grading and Excavation Activities) requires that a qualified paleontologist monitor all grading and/or excavation where there is a potential to affect paleontological resources, and, if resources are found, recommendations of the paleontologist would be implemented subject to the approval of the City to ensure that resources encountered are analyzed, classified, recorded and preserved to the greatest extent feasible. There would be no impacts to paleontological resources other than during construction. Because the General Plan Update includes policies that require identification and mitigation of impacts on unique paleontological resources or sites as well as implementation programs to ensure compliance with these policies, this impact is considered *less than significant*.

Impact 4.5-3 **Implementation of the General Plan Update could result in disturbance of human remains, including those interred outside of formal cemeteries; however, this impact would be reduced to less-than-significant levels through the implementation of General Plan policies and compliance with relevant local, state, and federal regulations. This is a *less-than-significant* impact.**

The Planning Area is known to be rich in subsurface archaeological resources, and the archaeological record indicates a high level of habitation/seasonal habitation and resource use by Native Americans. Therefore, there is the possibility that human remains could be found in the subsurface, especially beneath structures built before the application of environmental compliance laws requiring surveys prior to construction. General Plan Update Policy HR-2.3 (Cultural Organizations) requires the notification of cultural organizations, including Native American organizations, of proposed developments and allows

representatives from such groups to monitor grading and/or excavation of development sites with the potential to adversely impact cultural resources, which could include human remains. Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in California PRC Section 5097, which provides protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction, and provides for sensitive treatment and disposition of Native American burials and skeletal remains. All future development would be required to comply with the provisions of PRC Section 5097. Therefore, with the implementation of policy HR 2.3 and compliance with PRC Section 5097, impacts on human remains from earth-disturbing development activities associated with the General Plan Update are considered *less than significant*.

Impact 4.5-4 **Implementation of the General Plan Update could result in a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5 of the CEQA Guidelines; however, this impact would be reduced to less-than-significant levels through the implementation of General Plan policies and compliance with relevant local, state, and federal regulations. This is a *less-than-significant* impact.**

CEQA Guidelines Section 15064.5(b) states that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." The General Plan Update may allow for new development in areas that could include historical resources, including resources listed in or eligible for listing in the NRHP, CRHR, and the Ventura County Historical Landmarks Register. Development activities have the potential to cause a substantial adverse change in the significance of an historical resource through demolition or alteration of an historical resource's physical characteristics that convey its historical significance, which could include the delisting or loss of eligibility of such resources. In addition, there is the potential for significant impacts to buildings or structures of historic age (45 years old or older), or buildings or structures that may eventually be of historic age, and which may qualify as historical resources pursuant to CEQA upon evaluation.

The General Plan Update policies encourage the preservation or re-use of historical resources through the provision of incentives to properties listed on the National or State Registers, or the Ventura County List of Historic Landmarks, or the offer of relocation. Specifically, Policy HR-1.2 (Preservation or Re-use of Historical Structures) supports the preservation of listed historic structures by providing incentives such as grading reductions or waivers of application fees, permit fees, and/or any liens placed by the City to properties listed in the National or State Registers or the Ventura County List of Historic Landmarks in exchange for preservation easements. Policy HR-1.4 (Adaptive Reuse) supports alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive re-use. When preservation or adaptive reuse is not feasible, Policy HR-1.5 (Historical Elements within New Projects) requires that proposed alteration of an historical site or structure incorporate a physical link to the past within the site or structural design.

In addition to the policies described above, Policy HR-1.6 (Offer for Relocation of Designated Historic Structure) and Policy CS-2.8 (Strathearn Historical Park and Museum) encourage the relocation of historical structures threatened with demolition, potentially to the Strathearn Historical Park and Museum. If demolition cannot be avoided, Policy HR-1.1 (Historical Resource Inventory) and

Policy HR-1.3 (Historical and Cultural Landmarks Recognition) require photo documentation and recognition of the former historical resource. Although existing and General Plan Update policies do not explicitly prohibit demolition or alteration of historic-period buildings or structures, they do provide alternatives to demolition and ensure that historical structures are properly recognized and documented. The Cultural Heritage Ordinance of the SVMC does, however, require that any action affecting any designated historical resource must be approved by the Simi Valley Cultural Heritage Board; the Board's decisions may be appealed to, or by the City Council. Under this Ordinance, the City Council would make the final determination whether the historical resource may be removed, ensuring that each individual historical resource is evaluated. Implementation of the General Plan Update would introduce policies intended to protect, preserve, and re-use existing historical resources, and does not propose any adverse change to an historical resource. Impacts to historical resources are, therefore, considered ***less than significant***.

Significant and Unavoidable Impacts

No significant and unavoidable impacts have been identified with respect to cultural resources.

Cumulative Impacts

The cumulative analysis for impacts on cultural resources considers a broad regional system of which the resources are a part. The cumulative context for the cultural resources analysis is Ventura County and the Los Angeles Basin, including Los Angeles and Orange counties, where common patterns of prehistoric and historic development have occurred. While the project-specific impact analysis for cultural resources necessarily includes separate analyses for historic-period resources, archaeological resources, paleontological resources, and human remains, the cumulative analysis combines these resources into a single, non-renewable resource base and considers the additive effect of project-specific impacts to significant regional impacts on cultural resources.

Urban development that has occurred over the past several decades in Ventura County and the Los Angeles Basin has resulted in the demolition and alteration of innumerable significant historical resources, and it is reasonable to assume that present and future development activities will continue to result in impacts on significant cultural resources. Because all cultural resources are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. Federal, state, and local laws protect cultural resources in most instances. Even so, it is not always feasible to protect cultural resources, particularly when preservation in place would prevent implementation of projects. For this reason, the cumulative effects of development in the region are considered significant.

The proposed General Plan policies incentivize preservation, re-use, and relocation of historical structures as well as alternatives to demolition and provisions to ensure that historical structures are properly documented. In addition, as noted, the Cultural Heritage Ordinance of the SVMC does, however, require that any action affecting any designated historical resource must be approved by the Simi Valley Cultural Heritage Board. Proposed City policies would encourage the maintenance of the physical quality of significant historic resources, particularly those elements contributing to the resources' identity and role in the community. Proposed policies require that new development protect and preserve

paleontological and archaeological resources from destruction, and avoid and/or mitigate impacts to such resources and, through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources. Additional policies require that new development donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Simi Valley or the County of Ventura, whenever possible. Each General Plan policy is correlated with one or more implementation measure. The Historic and Cultural Resources Implementation Program, presented in Table HR-1 (Historic and Cultural Resource Implementation Program) of Chapter 3 (Community Development) of the General Plan Update, describes the measures or actions to be taken by the City to carry out the goals and policies defined in that section. As a result, the project's incremental contribution to significant cumulative effects on cultural resources would not be cumulatively considerable. Furthermore, as individual development applications that may affect a significant historical or archaeological resource are submitted to the City, these projects will undergo separate environmental review, which would require an assessment of the potential significance of the resource and recommendations for mitigation of impacts if the resource is determined to be significant. Implementation of the proposed policies would substantially reduce impacts on significant cultural and paleontological resources, and cumulative impacts are, therefore, considered ***less than significant***.

4.5.5 References

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