

## 4.4 Cultural and Tribal Cultural Resources

---

This section assesses potential impacts to prehistoric archaeological resources, historic-period resources, and tribal cultural resources in the City of Santa Barbara. Rincon Consultants, Inc. gathered information for this assessment through a desktop literature review of the State Office of Historic Preservation website, the National Parks Service website, the City's General Plan, the City's Historic Webmap, and the City's Archaeological Sensitivity Maps. In addition, this section includes a summary of the City's consultation efforts pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18.

### 4.4.1 Environmental Setting

#### a. Archaeological and Ethnographic Setting

The earliest documented human habitation of the Santa Barbara region dates to approximately 13,000 years ago, based on several recorded archaeological sites extending throughout the urban and rural landscape. Such sites are often located on elevated landforms, along the coastline, and prehistoric watercourses and estuaries. The presence of sites on the Northern Channel Islands indicates early knowledge and use of marine resources.

Occurring shortly after 9,000 years ago, a large number of seed grinding tools appear in the archaeological record, indicating people had a broad-spectrum diet which consisted of plants and shellfish, with lesser emphasis on nearshore fish and terrestrial animals. During this time, people lived in small, dispersed extended family groups, and used generalized tool kits (City of Santa Barbara 2010). Following an apparent drop in occupied sites from 6,500 to 5,000 years ago, populations appeared to have rebounded, and subsistence practices intensified to include increased reliance on acorns and marine fish and mammals. In addition, mortars and pestles were added to the milling tool kit. Beginning approximately 3,000 to 2,500 years ago, population growth, intensified subsistence, diversified food resource bases, and more elaborate technology appeared to have accelerated, with a greater emphasis on hunting and fishing (City of Santa Barbara 2010).

Santa Barbara has been occupied by Native American groups known as the Chumash. The Chumash lived in permanent, largely autonomous villages with political leaders who inherited their rank. Early accounts noted Chumash villages in Santa Barbara included hemispherical semi-subterranean houses built of poles and thatch and oriented in rows along streets. Communal dance areas, temescals (sweat lodges), and cemeteries also were present in these villages. The largest and most populous villages in the region were present near the Goleta Slough (City of Santa Barbara 2010).

Records from the Santa Barbara Mission indicate each of the eight major political centers along the coast between Gaviota and Carpinteria had at least two chiefs, with the two larger villages having as many as four or five. The primary Chumash village in the City was *Syuxtun* located near the beach west of Mission Creek. *Syuxtun* was likely the home of approximately 400 to 600 people at the time of European contact. The village may have been in close proximity to a lagoon near the intersection of Chapala Street and West Cabrillo Boulevard, where an archaeological site known as the Burton Mound is located. Smaller villages occurred in Mission Canyon, near the mouth of the Arroyo Burro Creek, and other locations within the City limits (City of Santa Barbara 2010).

Numerous archaeological studies within and around the City have confirmed most prehistoric archaeological sites occur within 300 feet of drainages, coastal bluffs, and the margins of coastal estuaries. The City Master Environmental Assessment Guidelines for Archaeological Resources

(2025) outline watercourses, bluff edges, estuaries, and other locations where prehistoric archaeological sites are more likely to occur (City of Santa Barbara 2025).

## **b. Historical Setting**

Recorded history in Santa Barbara County began in 1542 when explorer Juan Rodriguez Cabrillo entered the Santa Barbara Channel and made the first European contact with the Barbareño Chumash. In 1782, Governor Felipe de Neve and Lieutenant José Francisco Ortega, along with Franciscan Father Junipero Serra, founded the Presidio of Santa Barbara which encompassed an area roughly bounded by the modern-day De la Guerra, Anacapa, Garden, and Carrillo streets. In 1786, the Santa Barbara Mission was established. The Mission and associated facilities were concentrated two miles northwest of modern-day East Los Olivos and Laguna Streets. Pueblo Santa Barbara grew around the Presidio with scattered adobe buildings on all four sides with a greater concentration south and west of the Presidio along modern-day Santa Barbara, Anacapa, and State streets. By the end of the 19th century, the heart of the Spanish/Mexican pueblo had become known as *El Pueblo Viejo*. Many historic buildings and sites are located in this area, including the Santiago De la Guerra adobe, 1830s Lugo Adobe, the Covarrubias Adobe now occupied by the Santa Barbara Historical Museum and the Casa de la Guerra (City of Santa Barbara 2010).

In 1850, at the time California became a state, the Santa Barbara population was almost completely Spanish, and political control of the City remained with old Spanish families. The City's "Americanization" was a gradual transition exemplified by the grid system laid out by Captain Salisbury Haley in 1851. In this system, an American-European business district was concentrated along State Street between Gutierrez and Ortega Streets. The Hispanic community was concentrated near State Street in an eight-block area between Ortega and Figueroa streets. Californios, Hispanic Californians descended from Spanish and Mexican settlers, remained in control of local government until Anglos, people descended from European settlers, swept government elections in 1873. Spanish political influence is still reflected in the City's street names which pay homage to the people and events of pre-American and early American history of the City (City of Santa Barbara 2010).

The early American Period saw the construction of Stearns Wharf in 1872 and completion of the Southern Pacific Railroad, which reached Santa Barbara in 1887 from the south. Between 1886 and 1907, population grew from 4,500 to 12,000 as tourism expanded and wealthy individuals from the eastern United States discovered the mild climate and subsequently constructed brick and wood-framed buildings constructed in the popular Victorian-era styles of the 19th century such as Italianate, Eastlake, and Queen Anne. Urbanization occurred during the late 19th and early 20th centuries which included the introduction of paved streets, residential tracts, the installation of lights along State Street, and implementation of sewer and water mainlines. Mule-drawn streetcars appeared in the City in 1875, which was replaced by electric power substitutes in 1897. However, with the automobile gaining increasing popularity, the streetcar system was shut down in 1929 (City of Santa Barbara 2010).

Prior to the 1925 Santa Barbara earthquake, the Santa Barbara Community Arts Association supported the creation of an Architectural Review Board and City Planning Commission that would establish design controls for new development in the City. After the 1925 Santa Barbara earthquake damaged much of the downtown area, portions of the City were designed and rebuilt in the Spanish Colonial Revival architectural style. Community leaders pursued the preservation of the Mission, Presidio, and older Pueblo-related structures and adobes. The El Pueblo Viejo Landmark District was established in 1960. The same year, Advisory Landmark Committee was created to protect the

integrity of the district that included such historic buildings as the Casa de la Guerra, Santa Barbara County Courthouse, and several adobe residences. El Presidio de Santa Barbara State Historic Park was established in 1966 in the heart of the district to recognize and protect the site of the Royal Presidio. El Presidio de Santa Barbara (now encompassed within El Presidio de Santa Barbara State Historic Park) represents the historic beginnings of Spanish influence in the City, and thus is recognized by historical preservation groups as critical to preservation of the City's heritage (City of Santa Barbara 2010).

Table 4.4-1 shows historic resources located in the City which are listed in the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR)<sup>1</sup>. The NRHP, in addition to the locally designated historic register, is a guide used to identify some of the cultural resources important to the community and to indicate what properties shall be considered for protection from destruction or impairment at the national, state, and local level. Similar to the NRHP, the CRHR is a guide to the State's significant historical and archaeological resources and identifies historical resources for state and local planning purposes.

**Table 4.4-1 Historic Resources Within Santa Barbara**

Name	Address	Directory Listed
Andalucia Building	316-324 State Street.	NRHP
El Paseo and Casa de la Guerra	808--818 State St., 813--819 Anacapa Street, and 9--25 E. de la Guerra Street	NRHP
Faith Mission	409 State Street	NRHP
Gonzalez, Rafael, House	835 Laguna Street	NRHP
Hill-Carrillo Adobe	11 E. Carrillo Street	NRHP
Janssens-Orella-Birk Building	1029--1031 State Street	NRHP
Los Banos del Mar	401 Shoreline Drive	NRHP
Rattlesnake Canyon Bridge	1819 Las Canoas Road	NRHP
Santa Barbara Club	1105 Chapala Street	NRHP
Santa Barbara County Courthouse	1100 Anacapa Street	NRHP, CRHR
Santa Barbara Mission	2201 Laguna Street	NRHP
Santa Barbara Presidio	Roughly bounded by Carrillo, Garden, De la Guerra and Anacapa Streets	NRHP
Santa Barbara Veterans Memorial Building	Address Restricted	NRHP
Southern Pacific Train Depot	209 State Street	NRHP
St. Vincent Orphanage and School Building	925 De La Vina Street	NRHP
US Post Office-Santa Barbara Main	836 Anacapa Street	NRHP
Virginia Hotel	17 and 23 W. Haley Street	NRHP

Source: National Parks Service 2022; State Office of Historic Preservation 2022

In addition, the City has a Historic Resources Register which is a list consisting of structures, sites, or features identified by the City's Historic Landmarks Commission or City's Architectural Historian as historically significant and eligible for formal designation as a Landmark, Structure of Merit, Historic District, or contributing historic resource to a Historic District and indicate what properties shall be

<sup>1</sup> Buildings are continuously reviewed and added to the NRHP and/or CRHR. As a result, the buildings identified in Table 4.4-1 may not represent a comprehensive list as new properties may have been identified as historic after the publication of this document.

considered for protection from destruction or impairment at the national, state, and local level (City of Santa Barbara 2022c; City of Santa Barbara 2010). As of December 2022, there were 136 Designated City Landmarks and 458 Designated Structures of Merit.<sup>2</sup> The Historic Resources Register, Structures of Merit and Landmark lists constantly are growing as the city continues to identify historic resources. The City also has designated four areas as Historic District Overlay Zones. These include the El Pueblo Viejo Landmark District, Brinkerhoff Avenue Historic District, Riviera Campus Historic District, and the El Encanto Hotel Historic District. Within these districts, historic structures are distinguished as contributing, non-contributing, or conditional contributing. To constitute a Historic District Overlay Zone, at least 80 percent of the historic resources in a district must be considered as contributing historic resources. Definitions of these distinctions are as follows (City of Santa Barbara 2021):

- **Contributing Historic Resources:** Add to the historical and architectural qualities of a historic district, were present during the period of significance, and retain physical integrity.
- **Non-contributing Historic Resources:** Located within the district boundaries but do not add to the historic or architectural qualities of the district, as they were constructed outside the period of significance or are no longer recognizable as such.
- **Conditional Contributing Historic Resources:** Historic resources that have lost historic and architectural integrity due to inappropriate alterations or deterioration. If restored, the historic resources could contribute to the historic district. The degree of alterations and the amount of integrity remaining in the historic resource that can be reversed will be factors for this determination.

## 4.4.2 Regulatory Setting

### a. Federal Regulations

#### National Register of Historic Places

The NRHP was established by the National Historic Preservation Act of 1966 as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment” (36 Code of Federal Regulations 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it meets any one of the following criteria:

- **Criterion A:** Are associated with events that have made a significant contribution to the broad patterns of our history
- **Criterion B:** Are associated with the lives of persons significant in our past
- **Criterion C:** Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction

---

<sup>2</sup> Buildings are continuously reviewed and added to the City’s Local Register of Historic Resources. Historic resources are updated regularly, and therefore the total number of Landmarks, Structures of Merit, and structures listed in the Local Register of Historic Resources may differ from the values presented in this Program EIR.

- **Criterion D:** Have yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined in the following manner:

- **Location:** The place where the historic property was constructed or the place where the historic event occurred
- **Design:** The combination of elements that create the form, plan, space, structure, and style of a property
- **Setting:** The physical environment of a historic property
- **Materials:** The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property
- **Workmanship:** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory
- **Feeling:** A property's expression of the aesthetic or historic sense of a particular period of time
- **Association:** The direct link between an important historic event or person and a historic property

## b. State Regulations

### California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires that a lead agency determine whether a project could have a significant effect on historical resources and tribal cultural resources (Public Resources Code [PRC] Section 21074 [a][1][A]-[B]). A historical resource is a resource listed in or determined to be eligible for listing in the CRHR (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (Section 15064.5[a][3]).

PRC Section 5024.1 requires an evaluation of historical resources to determine their eligibility for listing in the CRHR. The purpose of the register is to maintain listings of the state's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, as enumerated according to CEQA and quoted below.

**Section 15064.5(a)(3) [...]** Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC, Section 5024.1, Title 14 California Code of Regulations, Section 4852) including the following:

- (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
- (4) Has yielded, or may be likely to yield, information important in prehistory or history

**Section 15064.5(a)(4)** The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

**Section 15064.5(b)** 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.

In addition, if a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b], and [c]).

PRC Section 21083.2(g) defines a unique archaeological resource as an 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 does one or more of the following:

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

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion or eligibility for inclusion in the CRHR (CEQA Guidelines Section 15064.5[b][2][A]).

## **California Assembly Bill 52**

On July 1, 2015, California Assembly Bill (AB) 52 was enacted and expanded CEQA by defining a new resource category, "Tribal Cultural Resources." AB 52 states, "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). AB 52 further states that, when feasible, the CEQA lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource (PRC Section 21084.3). PRC Sections 21074(a)(1)(A) and (B) define tribal cultural resources as "sites, features, places, cultural landscapes,

sacred places, and objects with cultural value to a California Native American tribe” and that meets at least one of the following criteria, as summarized in Appendix G of the CEQA Guidelines:

1. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); and/or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 establishes a formal consultation process with California Native American tribes that must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a project. California Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. As part of this statutorily required consultation processes, the City sent letters to seven Native American Tribes that had previously requested to be formally notified of proposed projects in Santa Barbara.

### **Senate Bill 18**

Senate Bill 18 (SB 18) of 2004 (California Government Code Section 65352.3) requires local governments to contact, refer plans to and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government’s jurisdiction and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research’s Tribal Consultation Guidelines (2005), “The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.” As part of this statutorily required consultation processes, the City sent letters to seven Native American Tribes that had previously requested to be formally notified of proposed projects in Santa Barbara.

### **Senate Bill 35 and Assembly Bill 168**

Enacted on September 29, 2017, Senate Bill 35 (SB 35) (California Government Code Section 65913.41) grants a ministerial approval process that expedites and facilitates construction of affordable housing projects without normal CEQA documentation. Following, in May 2021, Assembly Bill 168 (AB 168), an act to amend Sections 65400, 65913.4, and 65941.1 of SB 35, was passed. AB 168 requires a pre-consultation process with Native American Tribes to identify and protect tribal cultural resources prior to the submission of an SB 35 permit for a housing development.

### **California Health and Safety Code Section 7050.5**

Section 7050.5(b) of the California Health and Safety Code states that 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 responsibly suspected to overlie adjacent remains until the County Coroner for the area in which the remains are discovered has determined that the remains are not subject to provisions concerning the investigation of the

circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. Section 7050.5(c) goes on to state if the remains are of Native American origin, the coroner must notify the NAHC within 24 hours of identification.

### **California Public Resources Code Section 5097.98**

PRC Section 5097.98 states the NAHC, upon notification of the discovery of human remains from a county coroner pursuant to California Health and Safety Code Section 7050.5(c), shall immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased. With the permission of the landowner, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

### **c. Local Regulations**

#### **City of Santa Barbara Historic Resources Element**

The Historic Resources Element of the City's General Plan contains four overarching goals and ten policies, each with several associated implementation measures aimed toward preserving and protecting Santa Barbara's historic, cultural, and tribal cultural resources (City of Santa Barbara 2012):

##### **Goals**

- ***Protection and Enhancement of Historical Resources.*** Continue to identify, designate, protect, preserve and enhance the City's historical, architectural, and archaeological resources. Ensure Santa Barbara's "sense of place" by preserving and protecting evidence of its historic past, which includes but is not limited to historic buildings, structures, and cultural landscapes such as sites, features, streetscapes, neighborhoods, and landscapes.
- ***Increased Awareness and Appreciation.*** Increase public awareness and appreciation of Santa Barbara's history and pre-history, its historical, cultural and paleontological resources, their value and the need to protect them. Recognize that historic resources are necessary contributors to attaining sustainability, environmental and economic vitality, and preservation of the city's quality of life.
- ***Governmental Cooperation.*** Incorporate preservation principles as a valid and necessary component in decision-making, at every phase of City government, and secure cooperation from all levels and agencies of government in these efforts.
- ***Neighborhood Historic Preservation.*** Protect the significant contribution made by Santa Barbara's neighborhood historic resources to the City's charm and sense of historical context.

##### **Policies**

- ***HR1: Protect Historic and Archaeological Resources.*** Protect the heritage of the City by preserving, protecting and enhancing historic resources and archaeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element of this Plan, to facilitate their preservation and protection.



- **HR2: Ensure Respectful and Compatible Development.** Seek to ensure that all development within the City respects rather than detracts from individual historic and archaeological resources as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.
- **HR3: Discourage Demolition.** Develop effective measures to discourage and curtail the demolition of historic resources.
- **HR4: Pursue Adaptive Reuse.** Encourage the adaptation of historic buildings or structures for uses other than the original intended use when the original use is no longer viable.
- **HR5: Protect Neighborhood Historic Resources.** Identify neighborhoods in the city that have substantially maintained historical character, and pursue measures to preserve that character. Protect such neighborhoods, especially those in close proximity to the downtown and commercial cores, from development that might transform their historic character.
- **HR6: Protect Traditional Public Resources and Streetscapes.** Identify and preserve significant public resources and streetscapes and ensure a public review process in order to protect their historical features and attributes.
- **HR7: Protect Cultural Landscapes.** Identify and preserve historic landscapes.
- **HR8: Survey and Document All Historic Resources.** Continue to identify, document, and designate individual historic resources, as well as historic areas.
- **HR9: Increase Awareness of Santa Barbara's Heritage.** Promote recognition that conservation of historic and cultural resources is a necessary contributor toward economic vitality, attaining sustainability and preservation of quality of life. Increase public awareness and appreciation of the significance of Santa Barbara's history. Promote awareness, appreciation and understanding of the early inhabitants of Santa Barbara.
- **HR10: Assure Governmental Effectiveness.** Provide adequate resources to enable implementation of the goals and policies within this Element. Ensure coordination between agencies and review bodies at all levels of government by every means, including provision of easy access to all relevant information and materials.

### **Local Coastal Program**

The California Coastal Act requires all local governments located within the Coastal Zone to prepare a Local Coastal Program (LCP). LCPs regulate future development within the Coastal Zone and define where public access and urbanization will occur, where industrial facilities will be placed, and how sensitive species and habitats, open spaces, and recreational areas will be protected. The City adopted the Coastal Land Use Plan (Coastal LUP) in 2019, which serves as the City's LCP.

Chapter 4.4, *Cultural Resources*, of the Coastal LUP contains policies designed to preserve, protect, and enhance archaeological and cultural resources within the Coastal Zone. Specifically, Coastal LUP policies increase the visibility of Chumash history and culture, set development standards which require avoidance and preservation of archaeological resources and Native American consultation, implements standard mitigation for projects likely to adversely impact archaeological resources in the Coastal Zone, implements conditions of approval which require monitoring by a qualified archaeologist, and provides a methodology for evaluating archaeological resources (City of Santa Barbara 2019).

## City of Santa Barbara Municipal Code

The City of Santa Barbara Municipal Code Section 30.220.020 implements the powers and duties of the Historic Landmarks Commission. Approval by the Historic Landmarks Commission is required for any exterior alteration, relocation, or demolition, including demolition by neglect of a structure, site, or feature developed with, containing, or located within any of the following (City of Santa Barbara 2022b):

- a. **City-Owned or Leased Property.** If the alteration, construction or relocation of any structure, natural feature, site or area owned or leased by the City has a historic resource on the lot, the entire property is under Historic Landmarks Commission jurisdiction, except for the Airport Property due to the size of the property and demand for air use and the Historic Landmarks Commission purview will be over historic resources on the site only.
- b. **El Pueblo Viejo Landmark District.** As defined in Municipal Code Section 30.57.030
- c. **Historic Resource.** A historic resource as defined in Municipal Code Section 30.300.080 “H” Historic Resources Related Definitions.
- d. **Historic District (HD) Overlay Zones.** All properties, contributing and non-contributing, within a HD Overlay Zone.
- e. **Publicly Owned Buildings Generally.** Except as provided in subsections B.1.f. and g of Section 30.220.020, any structure, natural feature, site or area owned or leased by any public entity other than the City of Santa Barbara and designated as a Landmark or Structure of Merit, or located within any landmark district, shall not be subject to the provisions of Chapter 30.220.
- f. **Public Interest Exception for City Facilities.** The City Council shall first make a public interest determination on whether the alteration, construction or relocation of any structure, natural feature, site or area owned or leased by the City and designated as a Landmark or Structure of Merit, or located within any Landmark or Historic District, is exempt from review by the Historic Landmarks Commission.
- g. **Highway 101 Santa Barbara Coastal Parkway Special Design District.** A natural feature, site or area owned or leased by a public entity within the U.S. Highway 101 Santa Barbara Coastal Parkway Special Design District as defined by Municipal Code Section 22.68.060.C, which requires a Coastal Development Permit and which is designated as a Landmark, Structure of Merit, or which is located within any Landmark or Historic District shall be reviewed by the Historic Landmarks Commission.

Municipal Code Chapter 30.157 specifies the procedures and criteria that apply citywide to regulate the designation of individually significant historic resources. In considering a designation or recommendation for a site or feature as a Landmark, Structure of Merit, or for inclusion on the Local Register of Historic Resources, any structure, site, or feature must be at least 50 years of age, retain historic integrity, and meet one or more of the criteria outlined below (City of Santa Barbara 2022b):

1. It is associated with events that have made a significant contribution in our past;
2. It is associated with the lives of persons significant in our past;
3. It embodies the distinctive characteristics of a type, period, architectural style or method of construction, or represents the work of a master, or possesses high artistic or historic value, or represents a significant and distinguishable collection whose individual components may lack distinction;
4. It yields, or may be likely to yield, information important in prehistory or history; or

5. Its unique location or singular physical characteristic represents an established and familiar visual feature of a neighborhood

Nominations for the designation of a Landmark or Structure of Merit are submitted to the Community Development Department's Planning Division for initial review by the City Architectural Historian. Any structure, site or feature having potential historic, architectural, archeological, cultural, or aesthetic significance may be proposed to the Historic Landmarks Commission for designation as a Landmark or Structure of Merit. The designating authority must find that the structure, site or feature retains enough historic integrity of location, design, setting, materials, workmanship, feeling, and association that it conveys its historic significance in accordance with the most recent National Register of Historic Places Bulletin *How to Apply the National Register Criteria for Evaluation*. Pursuant to Municipal Code Section 30.157.050, the Historic Landmarks Commission, through the City's Architectural Historian, maintains and updates a robust Local Register of Historic Resources identifying historic resources that are not designated as Landmarks, Structures of Merit or contributing to a Historic District Overlay Zone, yet qualify for historic designation as defined by Chapter 30.157. The Local Register of Historic Resources is available to the public and is maintained for the purpose of clearly identifying historic resources not officially designated, yet whose preservation is important to the heritage of the community.

Section 30.157.110(F) and Section 30.157.110(G) detail the conditions under which a Landmark or other historic resources could be substantially redeveloped or demolished. Section 30.157.110(G) states a proposal to demolish a historic resource other than a Landmark may only be approved if the Historic Landmarks Commission has made at least one of the following findings:

1. Specific measures have been incorporated into the project scope to mitigate the loss of the historic resource to a less than significant level;
2. The historic resource has been damaged by an earthquake, fire, or other similar casualty such that its repair or restoration is not reasonably practical or economically feasible as supported by substantial evidence provided by at least one qualified structural engineer or architect qualified in historic preservation. The Historic Landmarks Commission may require, as conditions of approval of a demolition, that the property owner(s) salvage historic materials from the property and/or provide archival quality photo documentation of the remaining historic materials of the structure, site or feature to the City;
3. Preservation of the historic resource is not economically feasible or practical, or no viable measures could be taken to adaptively use, rehabilitate, or restore the historic resource as supported by substantial evidence provided by at least one qualified historic preservation specialist, structural engineer (qualified in historic preservation), or architect (qualified in historic preservation) sufficient to warrant demolition; or
4. A compelling public interest justifies demolition.

Municipal Code Chapter 30.57 sets design review standards applicable to properties within designated Landmark District and Historic District Overlay zones. The purpose of these design review standards is to preserve and enhance unique historic and architectural character within the El Pueblo Viejo Landmark District, Brinkerhoff Avenue Historic District, Riviera Campus Historic District, and the El Encanto Hotel Historic District. Any structure, site, or feature constructed or altered which is located within a Historic District or Landmark District is required to be compatible with the design requirements for the respective district.

Pursuant to Titles 28 and 30 of the Municipal Code, two-unit residential developments and accessory dwelling units are prohibited if the development would cause a substantial adverse change in the significance of a historic resource that is listed on the NRHP, CRHR, designated as a City of Santa Barbara Landmark or Structure of Merit, or located in a designated historic district.

Municipal Code Chapter 22.12 is enforced in order to preserve and protect significant archaeological resources found in Santa Barbara. Section 22.12.020 sets standards for known and unknown archaeological sites. Pursuant to Section 22.12.020 in known archaeological sites, grading permits are conditioned such that ground disturbing activities would ensure the preservation or avoidance of the site, minimize adverse impacts, and allow for reasonable time for qualified professionals to perform archaeological investigations. In unknown archaeological sites, where it is subsequently determined significant archaeological resources may exist, the Municipal Code outlines procedures if such archaeological resources are found. This includes notification of appropriate City staff, preliminary investigations, suspension of work, and the development of conditions to address the find.

### **Master Environmental Assessment Guidelines**

The City Master Environmental Assessment (MEA) Guidelines for Archaeological Resources, Historic Resources, and Tribal Cultural Resources were adopted by Resolution of the City Council and updated on April 29, 2025. They establish procedures for determining the significance of impacts on cultural resources which may result from discretionary development projects subject to CEQA review. The MEA Guidelines provide procedures for the preservation and protection of significant historic, archaeological resources, and tribal cultural resources in a manner consistent with the City's General Plan and Municipal Code. The MEA Guidelines for Archaeological Resources require the City's Planning Division staff to determine whether a Phase I Archaeological Resources Report or a Letter Report Confirming No Archaeological Resources is required for new planning applications. When a Phase I Archaeological Resources Report is required, the MEA provides standard reporting procedures that shall be followed. If archaeological resources are identified on a project site during a Phase I or Phase II survey, a Phase III Archaeological Resources Report is required to be prepared with the intention of outlining mitigation of adverse effects to the known archaeological resource through data recovery (City of Santa Barbara 2025). The MEA Guidelines for Tribal Resources require coordination with Native American tribes throughout the assessment process if it is determined archaeological resource could potentially be disturbed. This includes Native American monitoring during ground-disturbing activities. The MEA Guidelines for Historic Resources define when historic resource evaluations are required by qualified consultants or the City's Architectural Historian and clarify the environmental review process for historic resources.

### **Historic Resource Design Guidelines**

The City's Historic Resources Design Guidelines assists owners of historic resources in preservation of historic resources and guides building updates that may be made on a historic resource. The guidelines are intended to assist in designing a project that will be appropriate, compatible, and beneficial to the City's historic resources and historic districts. The Historic Resources Design Guidelines assist the Historic Landmarks Commission, applicants, and City staff in the review of proposed alterations to existing structures and applications for new development on properties identified as having historic significance (City of Santa Barbara 2021).

### 4.4.3 Impact Analysis

#### a. Methodology and Significance Thresholds

The assessment of potential impact to historical, archaeological, and tribal cultural resources were informed based on a review of readily available information from the City's Historic Treasures Webmap, and the City's Archaeological Sensitivity Area Maps. In addition, this assessment includes a summary of the City's consultation efforts pursuant to AB 52 and SB 18. As a programmatic document, this Program EIR presents a citywide assessment of development that would be facilitated by implementation of the Housing Plan. Because the Program EIR is a long-term document intended to guide actions for many years into the future, this analysis relies on program-level and qualitative evaluation. The Housing Plan does not include development proposals for individual projects.

The City's environmental checklist and Appendix G of the CEQA Guidelines state a project may have a significant adverse impact on cultural and/or tribal cultural resources if it would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
3. Disturb any human remains, including those interred outside of formal cemeteries;
4. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1.1(k); or
  - b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The criteria for determining archaeological and historical resource importance are specified in the CEQA Guidelines and 2025 City MEA Guidelines for Archaeological Resources, and Guidelines for and Historic Resources, and are generally summarized as follows:

- **Scientific Value:** Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information;
- **Unique Quality:** Has a special, distinctive quality of a type, period, region, or method of construction, such as being the oldest or best available example of its type;
- **Federal, State, or City Designations:** Landmark or Structure of Merit status or a qualitative assessment of the physical state and context of the resources; and/or
- **Historic Event or Person:** Is directly associated with an important prehistoric or historic event or person.

Resource importance is determined based on designations (e.g., Landmark status) or a qualitative assessment by archaeologists or historians of the physical state and context of specific resources using the criteria for resource importance. For the Housing Plan Program EIR analysis, the designations and resources sensitivity area maps are used to identify potential areas of important resources. Tribal cultural resources are identified based upon information from California Native American tribes obtained during consultation processes.

## **b. Project Impacts and Mitigation Measures**

<b>Threshold 1:</b> Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
---

---

### **Impact CUL-1 THE HOUSING PLAN COULD RESULT IN POTENTIALLY SIGNIFICANT IMPACTS TO HISTORICAL RESOURCES THAT ARE ELIGIBLE BUT NOT YET DESIGNATED. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

---

Implementation of the Housing Plan would have a significant impact on historical resources if Housing Plan programs and associated residential development would cause a substantial adverse change in the significance of a historical resource. A substantial adverse change would include the demolition or substantial alteration of a resource such that it would no longer be able to convey its significance. Historical resources include properties eligible for listing in the NRHP or CRHR or as a local historic resource, City-designated Landmark, or Structure of Merit. The City of Santa Barbara contains many structures that may be eligible for historic designation but have not yet been formally evaluated. Properties with documented evidence of meeting the criteria for historic designation have been added to the Register. Residential development under the Housing Plan could occur in historic districts or parcels containing designated or eligible structures. Such development would have the potential to result in alteration or demolition of significant historic structures, or may alter the historic setting or character through inappropriate siting and design.

## **Designated and Eligible Historical Resources**

The City's Historic Preservation Ordinance and Historic Resources Element contain a regulatory framework that provide protections against the demolition of City-designated Landmarks, and establish procedures for proposed development that has the potential to affect historical resources as defined in the Santa Barbara Municipal Code. The City Architectural Historian maintains and updates the Local Register of Historic Resources, which lists qualifying historic structures over 50 years old that are not currently designated as Landmarks, Structures of Merit, or contributing to a Historic District Overlay Zone or Landmark District Overlay Zone. Under Municipal Code Chapter 30.157, structures over 50 years old must be evaluated prior to approval of an application for an addition, alteration, or demolition to determine if the structure qualifies as a historical resource pursuant to CEQA requirements. Resources eligible for designation are also defined as historical resources for CEQA purposes and are subject to the same local regulations as designated historical resources. Projects that would alter these eligible historical resources, as determined by the City Architectural Historian and/or Historic Landmarks Commission, may be subject to project-specific environmental review.

Under existing regulations, individual projects are reviewed by the City for consistency with the Historic Preservation Ordinance. The Historic Landmarks Commission reviews projects, including residential and mixed-used projects, that may have a significant effect on character-defining

features of a historic resource. Pursuant to the Historic Preservation Ordinance in Municipal Code Chapter 30.157, the Historic Landmarks Commission must make findings on whether a project containing a historical resource is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. While these procedures provide strong protections for designated resources, they do not fully address the potential for demolition or alteration of unevaluated and undesignated historical resources under ministerial or streamlined approval processes for housing developments.

With adoption of AB 130 (2025) and ministerial and streamlined housing approvals under state law, unevaluated structures may be redeveloped without the City's determination of historic significance, as historic designation is required prior to preliminary project submittal. This leaves unevaluated and undesignated properties unprotected and unmitigable. If a project facilitated by a Housing Plan program proposes to demolish or alter an eligible historical resource, the project would be required to implement measures to reduce impacts to historical resources to a less than significant level unless the City's Historic Landmarks Commission makes the required demolition findings for the resource, based in part, on the analysis and conclusions of the project-specific environmental review document. Housing Plan Program HE-1, which allows for the adaptive reuse of historic buildings, also has the potential to alter and add on to the rear of historic structures; however, as described in Section 3, *Project Description*, these projects must meet the Secretary of Interior's Standards for Rehabilitation, ensuring that alterations are consistent with the historic character-defining features of a building and do not affect the significance of a historic structure.

### **Historic/Landmark Districts**

Within the City's historic/landmark districts, the loss or alteration of contributing buildings, or inappropriate development that is out of scale with the existing setting, or incompatible in design or lay-out, could diminish a district's physical character, setting, feeling, and associations. Residential development facilitated by Housing Plan programs, such as HE-7 Objective Design Standards and HE-12 Affordable Housing Strategy, could potentially result in increased residential density or facilitate construction within districts such as El Pueblo Viejo Landmark District and Brinkerhoff Historic District, as well as potential historic districts in West Beach, lower De La Vina Street, Castillo Street, Mission Gardens, and Plaza Bonita, that have not been formally designated. In addition, Housing Plan programs could result in more structures developed up to the City's zoning and Charter height limits in historic districts, including the Downtown in the El Pueblo Viejo Landmark District. The combined effect of multiple new residential developments within or adjacent to a district has the potential to cumulatively alter the district's historic character.

Although the City reviews discretionary projects for consistency with the Municipal Code, the Historic Resources Element, and Historic Resources Design Guidelines, unevaluated resources and undesignated resources on the site of certain infill housing projects may not receive protection under AB 130. Consequently, development under the Housing Plan could potentially alter the historic integrity of districts and their contributing structures.

Housing Plan Program HE-1, Adaptive Reuse, has the potential to alter contributing buildings; however, compliance with the Secretary of Interior's Standards for Rehabilitation, would ensure alterations are consistent with the historic character-defining features of a building. Therefore, adaptive reuse facilitated by the Housing Plan would protect character-defining features of contributing buildings in the City's Historic Districts and Landmark Districts.

## Conclusion

Although existing City policies and regulatory processes provide an extensive framework for preservation of the integrity of important historic resources and historic and landmark districts, the Housing Plan would facilitate increased levels of housing development across the City, including in areas with unevaluated resources. As a result, the potential exists for demolition or alteration of significant but currently undesignated resources, as well as cumulative changes to the integrity of historic districts. Therefore, the impact on historical resources from implementation of the Housing Plan would be potentially significant.

## Mitigation Measures

### *CUL-1 Historical Resources Protection*

The City of Santa Barbara Community Development Department shall amend the City's Municipal Code as necessary to ensure the protection of eligible historic resources that have not been formally designated. Key provisions include the following:

- **Identify and Add Historic Resources to the Local Register of Historical Resources.** The City Architectural Historian or qualified designee shall identify structures, sites, or features eligible for inclusion on the Local Register of Historical Resources based upon the criteria established for the National Register of Historic Places (36 CFR Part 60), California Register of Historical Resources (PRC 5024.1), and/or the Historic Preservation Ordinance (SBMC 30.157).
- **Planning Application Requirements.** The Community Development Department shall amend the planning application checklist to require a historic resource evaluation for structures over 50 years old.
- **Application to AB 130 projects.** Projects processed under California AB 130 (2025) shall not be deemed complete and/or approved for demolition permits until compliance with the historic resource evaluation requirements under the Historic Preservation Ordinance SBMC Chapter 30.157 have been demonstrated.

## Significance After Mitigation

Implementation of Mitigation Measure CUL-1 would ensure new residential development, including projects subject to streamlined or ministerial approvals, are reviewed for potential historical significance. Where significant resources are identified, protections under the City Historic Preservation Ordinance would be implemented to avoid impacts to historical resources. Implementation of Mitigation Measure CUL-1 would reduce impacts to historical resources to a less than significant level.

**Threshold 2:** Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**Impact CUL-2 PROJECTED DEVELOPMENT FACILITATED BY THE HOUSING PLAN COULD IMPACT PREVIOUSLY UNDISCOVERED ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES. IMPACTS ON ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

The Santa Barbara region was settled by several Chumash villages and the City contains known archaeological sites and areas of tribal cultural sensitivity. There is the potential to encounter previously unidentified archaeological and tribal cultural resources on sites that may be developed



with residential uses under implementation of the Housing Plan. While the city is largely developed with few vacant parcels, sites located along waterways, bluffs, and estuaries have a higher potential to contain previously unidentified archaeological and tribal cultural resources given the greater likelihood of Chumash habitation in these areas. However, ground disturbance into native (previously undisturbed) soils on any development site could encounter previously undiscovered prehistoric or historic-period resources. The potential exists for archaeological and tribal cultural resources to occur below the ground surface throughout Santa Barbara, which may be disturbed and damaged by grading and excavation activities associated with new housing development. The 2025 City MEA Guidelines for Archaeological Resources establish procedures for the evaluation and protection of archaeological resources and sites, consistent with the CEQA Statute and Guidelines. In addition, Municipal Code Chapter 22.12 provides standard conditions in the event of unanticipated discovery of archaeological and tribal cultural resources. Through imposition of standard conditions, survey requirements, and procedures for unanticipated discovery, the City ensures impacts to archaeological and tribal cultural resources are minimized.

The Housing Plan would facilitate residential development that may not be subject to the City's MEA Guidelines. Such development has the potential to result in substantial ground disturbance in areas with archaeological sensitivity and could potentially uncover and disturb significant archaeological and tribal cultural resources. Thus, development projects that involve substantial ground disturbance in archaeologically sensitive areas have the potential to result in impacts to previously unidentified archaeological resources. Therefore, this impact is potentially significant.

## **Mitigation Measures**

### *CUL-2 Archaeological Resources Protection*

- The City of Santa Barbara Community Development Department shall amend the City's Municipal Code with requirements applicable to development involving substantial ground disturbance occurring in areas with potential for known or unknown archaeological resources to exist. The amendments to the Municipal Code shall implement and enforce archaeological resource protections requirements.
- The City shall require development or redevelopment projects that have the potential to impact areas identified as archaeologically sensitive to complete an archaeological resource report. Archaeological resource reports shall identify site-specific measures to avoid or lessen effects in areas of suspected but not known archaeological resources. Measures may include, but are not limited to, archaeological monitoring and implementation procedures in the event of an unanticipated discovery.
- Where archaeological resources are identified and may be impacted by the project, the City shall require additional testing and evaluation, or other measures to minimize significant impacts, such as site avoidance.
- If resources are determined to be significant or unique, avoidance of the resource shall be the preferred mitigation. If site avoidance is not possible, appropriate site-specific measures shall be identified. Measures may include, but are not limited to, a Phase III Data Recovery Program or other appropriate actions to be determined by a qualified archaeologist.
- Data Recovery Program or other appropriate actions to be determined by a qualified archaeologist.

### *CUL-3 Tribal Cultural Resources Protection*

- The City of Santa Barbara Community Development Department shall amend the City's Municipal Code with requirements applicable to development involving substantial ground disturbance occurring in areas with potential for tribal cultural resources to exist. The amendments to the Municipal Code shall implement and enforce tribal cultural resource protection requirements.
- Measures may include, but are not limited to, coordination with tribal representatives, Native American monitoring, and implementation procedures in the event of an unanticipated discovery.

### **Significance After Mitigation**

Implementation of Mitigation Measures CUL-2 and CUL-3 would ensure new residential development, including projects subject to ministerial approval, within areas of archaeological and tribal cultural resource sensitivity would be adequately reviewed and standard measures would be implemented to avoid impacts to archaeological and tribal cultural resources prior to ground disturbing activities. Implementation of Mitigation Measures CUL-2 and CUL-3 would reduce impacts to archaeological and tribal cultural resources to a less than significant level.

**Threshold 3:** Would the project disturb any human remains, including those interred outside of formal cemeteries?

### **Impact CUL-3 GROUND DISTURBING ACTIVITIES ASSOCIATED WITH DEVELOPMENT FORECASTED IN ACCORDANCE WITH THE HOUSING PLAN COULD RESULT IN DISTURBANCE OF HUMAN REMAINS. IMPACTS ON HUMAN REMAINS WOULD BE LESS THAN SIGNIFICANT.**

Human burials outside of formal cemeteries can occur in prehistoric archaeological contexts. Excavations during construction activities could have the potential to disturb remains, which could include Chumash burial sites. Although it is unlikely that unidentified human remains are present, there is a remote possibility of uncovering previously unidentified human remains during construction and ground disturbance.

Human burials and remains have specific provisions for treatment and protection in the Public Resources Code (PRC) Section 5097 and California Health and Safety Code Sections 7050.5, 7051, and 7054. Existing state regulations protect them from disturbance, vandalism, or destruction, and include established procedures in the scenario that Native American human remains are discovered. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the NAHC to resolve any related disputes.

Development projects are subject to State of California Health and Safety Code Section 7050.5 which states that, if human remains are unearthed, no further disturbance can occur until the County Coroner has made the necessary findings as to the origin and disposition of the remains pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the County Coroner has 24 hours to notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. Therefore, this impact is less than significant.

## Mitigation Measures

Mitigation Measures CUL-1 and CUL-2 would further reduce this less than significant impact.

## Significance After Mitigation

Implementation of Mitigation Measures CUL-1 and CUL-2 would ensure new residential development that has the potential to impact undiscovered human remains would comply with the provisions set forth pursuant to California Health and Safety Code Section 7050.5 and PRC Section 5097.98. Implementation of Mitigation Measures CUL-1 and CUL-2 would further ensure the potential for impacts to human remains is less than significant.

**Threshold 4a:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

**Threshold 4b:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

**Impact CUL-4** PROJECTED DEVELOPMENT FACILITATED BY THE HOUSING PLAN WOULD BE SUBJECT TO ADOPTED CITY REGULATORY REQUIREMENTS DEVELOPED TO MINIMIZE IMPACTS TO POTENTIAL TRIBAL CULTURAL RESOURCES. COMPLIANCE WITH CONSULTATION CONDUCTED PURSUANT TO THE REQUIREMENTS OF AB 52 AND THE CITY MEA GUIDELINES WOULD MINIMIZE POTENTIAL IMPACTS TO TRIBAL CULTURAL RESOURCES. IMPACTS ON TRIBAL CULTURAL RESOURCES WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

A tribal cultural resource is a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe. This may include prehistoric archaeological resources, and sites listed within the Sacred Lands File.

In order to assess the potential for Housing Plan programs to impact tribal cultural resources, the City conducted the request for tribal consultation process pursuant to AB 52 and SB 18. The City contacted the Native American Heritage Commission (NAHC) on December 14, 2021, and requested a list of tribal representatives and a Sacred Lands File search. The NAHC responded on February 23, 2022 and found the Sacred Lands File search to be negative for the City of Santa Barbara. The City sent letters to seven Native American tribal representatives in April 2022 that had previously requested to be formally notified of proposed projects in Santa Barbara. Responses were received from the Barbareño Band of Chumash Indians and the Santa Ynez Band of Chumash Indians, who both requested to be informed of project updates and added to the interested parties list. However, there were no requests for formal consultation for the Program EIR. Communications with tribal representatives under AB 52 and SB 18 did not yield any information about tribal cultural resources that could be impacted by the Housing Plan. Nonetheless, due to the programmatic nature of the Housing Plan, it remains a possibility that tribal cultural resources may be present within geographic areas affiliated with Chumash tribes.

Individual residential development projects facilitated by the Housing Plan could adversely affect resources that may qualify as tribal cultural resources. There is potential to encounter tribal cultural resources on potential sites for residential development facilitated by the Housing Plan. Individual projects that require preparation of a Mitigated Negative Declaration or Environmental Impact Report, require AB 52 tribal consultation with local California Native American Tribes prior to approval of the project. Compliance with state regulations and local policies related to Native American consultation and tribal cultural resources would minimize the potential for impacts to occur. AB 168 requires a pre-consultation process with Native American Tribes to identify and protect tribal cultural resources prior to the submission of an SB 35 permit for affordable housing development. Furthermore, ministerial development, such as housing development pursuant to AB 130 and ADUs, has the potential result in the disturbance of tribal cultural resources, as no consultation processes are currently required for ministerial approvals. Therefore, implementation of the Housing Plan has the potential to result in significant impacts to tribal cultural resources.

### **Mitigation Measures**

Implement Mitigation Measures CUL-2 and CUL-3.

### **Significance After Mitigation**

Implementation of Mitigation Measures CUL-2 and CUL-3 would require the City to develop procedures to coordinate with tribal representatives and evaluate potential impacts to tribal cultural resources from development projects. Implementation of Mitigation Measures CUL-2 and CUL-3 would reduce impacts to tribal cultural resources to a less than significant level.

#### **4.4.4 Cumulative Impacts**

Regional cumulative impacts consider City-wide impacts together with similar impacts of reasonably anticipated regional projects/programs including the City's Objective Design Standards, the City's Safety Elements update, Open Space Element update, the City's State Street Master Plan, and the California Department of Transportation's (Caltrans') South Coast Highway 101 High-Occupancy Vehicle Lanes project. Cumulative impacts also include planned and pending residential development projects that contribute to the City's RNHA. The general approach to cumulative impact analysis used in this Program EIR is discussed in Section 4, *Environmental Impact Analysis*.

Existing City regulations codified in the Municipal Code prevent the physical demolition, destruction, relocation, or alteration of a historic resource unless measures are provided to mitigate potential impacts, the historic resource is damaged, preservation is not economically feasible or practical, or a compelling interest justifies demolition. Pursuant to Municipal Code Section 30.57.220, design compatibility standards for historic districts in the City apply to all properties located within or propose to be located within Landmark District or Historic Districts of the City. Therefore, all development within a Landmark District or Historic District would be subject to the required architectural styles of the respective district and revised as part of the City's review of developments prior to permit issuance. As a result, cumulative development would not contribute considerably to a substantial adverse change in the significance of historical resources within the City's historic districts. Further, implementation of Mitigation Measure CUL-1 would amend the Historic Preservation Ordinance and would minimize the potential for cumulative impacts to eligible historic resources related to housing development.

Cumulative development could increase ground disturbing activities within the City's identified archaeological sensitivity areas, which could increase the likelihood of encountering previously undiscovered archaeological and tribal cultural resources. Cumulative ministerial development that involves ground-disturbing activities would not be required to be reviewed for the potential to disturb archaeological resources prior to construction which, similar to the implementation of the Housing Plan, would result in potential to result in uncovering and destroying unanticipated archaeological and tribal cultural resources. Implementation of Mitigation Measures CUL-1 and CUL-2 would require the City to amend the Municipal Code to provide for the increased protection of archaeological and tribal cultural resources. With implementation of Mitigation Measures CUL-2 and CUL-3, development facilitated by the Housing Plan would minimize the potential destruction of archaeological and tribal cultural resources. As a result, the Housing Plan would not contribute considerably to the regional cumulative impact on archaeological and tribal cultural resources.

Cumulative development could occur in geographic areas affiliated with tribal organizations where tribal cultural resources may be present. Compliance with the requirements of AB 52 would assess whether a specific project would have an adverse impact on tribal cultural resources. However, cumulative development could result in the disturbance of tribal cultural resources. As described above, the Housing Plan would require implementation of Mitigation Measures CUL-2 and CUL-3, which require the City to amend the Municipal Code to avoid or minimize potential impacts to tribal cultural resources from ministerial and discretionary development projects. With implementation of Mitigation Measures CUL-1 and CUL-2, the Housing Plan would not contribute considerably to the regional cumulative impact on tribal cultural resources.

The disturbance of human remains is largely site-specific, and the disturbance of remains at one site is generally not considered additive at another site. In addition, the disturbance of human remains is regulated under the California Health and Safety Code Section 7050.5 and PRC Section 5097.98. Together, these regulations set standard procedures for the discovery of human remains and further evaluation if the remains are determined to be of Native American origin. While cumulative development has the possibility of uncovering unidentified human remains, all cumulative development would be subject to the requirements set forth within California Health and Safety Code Section 7050.5 and PRC Section 5097.98. Consequently, the potential disturbance of human remains would not result in a cumulatively significant impact.

*This page intentionally left blank.*