



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ORD 15-005 **Name:** Archaeological & Tribal Cultural Resources Ordinance

Type: Ordinance **Status:** Passed

File created: 4/21/2015 **In control:** Board of Supervisors

On agenda: 4/28/2015 **Final action:** 4/28/2015

Title: a. Find the ordinance described below categorically exempt under the California Environmental Quality Act; and
b. Adopt an ordinance amending Section 21.66.050 (Archaeological Resources Standards) of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American and Archaeological Resources Technical Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8. (REF110065/Archaeological and Tribal Cultural Resources Ordinance)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Draft Ordinance, 3. Completed Board Order & Ordinance 5253

Date	Ver.	Action By	Action	Result
4/28/2015	1	Board of Supervisors	adopted	Pass

a. Find the ordinance described below categorically exempt under the California Environmental Quality Act; and
b. Adopt an ordinance amending Section 21.66.050 (Archaeological Resources Standards) of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American and Archaeological Resources Technical Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8. (REF110065/Archaeological and Tribal Cultural Resources Ordinance)

PROJECT INFORMATION:

Planning File Number: REF110065

Owner: N/A

Project Location: Inland Areas

APN: multiple

Agent: N/A

Plan Area: Inland Areas

Flagged and Staked: N/A

CEQA Action: Categorically Exempt per CEQA Guidelines Section 15308

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find the ordinance described below categorically exempt under the California Environmental Quality Act; and
- b. Adopt an ordinance (Attachment C) amending Section 21.66.050 (Archaeological Resources Standards)

of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American and Archaeological Resources Technical Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8.

SUMMARY:

The 2010 Monterey County General Plan requires the County to adopt guidelines for cultural resource protection consistent with the goals and policies of the General Plan. A draft ordinance, updating the archaeological protection standards in the non-coastal zoning ordinance and adopting a new chapter of the Monterey County Code to create an advisory panel, has been prepared to implement the 2010 General Plan in the inland area only.

On April 14, 2015, the Board of Supervisors introduced, waived reading, and held a public hearing to consider the ordinance. Due to late distribution of the staff report, staff requested that the Board continue the public hearing to April 21, 2015 to provide an additional opportunity for public comment on the ordinance. The Board continued the public hearing on the ordinance to April 21 at 1:30. On April 21, the Board held a public hearing and directed staff to change the name of the advisory panel from the Native American Advisory Panel to the Native American and Archaeological Resources Technical Advisory Panel and to bring the revised ordinance back on April 28, 2015 on the consent calendar (10:30 a.m.) for adoption.

Staff has made the changes to ordinance reflecting the change in the name of the advisory panel and recommends the Board adopt the ordinance. Staff also recommends that the Board find that the ordinance is categorically exempt pursuant to Section 15308 of the California Environmental Quality Act (CEQA) Guidelines, which exempts actions taken by regulatory agencies to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment.

DISCUSSION:

The staff reports to the Board of Supervisors for the April 14 and April 21 hearings on this ordinance provide additional background.

OTHER AGENCY INVOLVEMENT:

The ordinance has been revised per direction of the Board and approved as to form by County Counsel.

FINANCING:

Funding for staff time associated with this project is included in the FY14-15 Adopted Budget for RMA-Planning.

Prepared by: Craig W. Spencer, Associate Planner ext. 5233

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

Carl Holm, Director Resource Management Agency

This report was reviewed by Jacqueline R. Onciano, RMA - Planning Services Manager

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Services Manager; Parks Department; Native American Heritage Commission; California Office of Historic Preservation; Jacqueline R. Onciano, Planning Services Manager; Craig Spencer, Project Planner; The Open Monterey Project; LandWatch

(Amy White); John H. Farrow; Janet Brennan; Gary Brechini; Lynn Mounday; Ruben Mendoza; Susan Morley; John W. Burch; Fredrick Segobia; Valentin Lopez; Irene Zwierlein; Tony Cerda; Ann Marie Sayers; Louise Miranda-Ramirez; Tom “Little Bear” Nason; Donna Haro; Planning File REF110065

Attachment A Draft Ordinance (revised per Board direction)