County of Monterey

Board of Supervisors
Chambers
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Legislation Details (With Board Report)

File #:	PC 18-122	**Name:**	Carmel Point
Type:	Planning Item	**Status:**	Agenda Ready
File created:	10/24/2018	**In control:**	Monterey County Planning Commission
On agenda:	10/31/2018	**Final action:**	
Title:	REF180041 - REPORT ON THE STATUS OF ARCHAEOLOGICAL RESOURCES ON CARMEL POINT Overview regarding the archeological resources status on Carmel Point (the Point), in response to Planning Commission Referral No. 18.09 Project Location: Unincorporated portions of Carmel under Monterey County jurisdiction, Coastal Zone, Carmel Area Land Use Plan. Proposed CEQA action: N/A		
Sponsors:			
Indexes:			
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Attachments:	1. Staff Report, 2. Exhibit A - Carmel Point Discussion, 3. Hearing Submittal_Agenda Item No. 4 - 10-31-18		

Date	Ver.	Action By	Action	Result
10/31/2018	1	Monterey County Planning Commission		

REF180041 - REPORT ON THE STATUS OF ARCHAEOLOGICAL RESOURCES ON CARMEL POINT

Overview regarding the archeological resources status on Carmel Point (the Point), in response to Planning Commission Referral No. 18.09

Project Location: Unincorporated portions of Carmel under Monterey County jurisdiction, Coastal Zone, Carmel Area Land Use Plan.
Proposed CEQA action: N/A

RECOMMENDATION:

It is recommended that the Planning Commission review the Carmel Point report, consider staff recommendations and provide direction regarding the suite of options presented.

PROJECT INFORMATION: N/A

SUMMARY:

In August 2018, the RMA received a referral from the Planning Commission, Referral No. 18.09. The question to be addressed is whether the applied conditions of approval and mitigation measures have protected and preserved the Archaeological Resources at the Point in accordance with the existing policies of the Carmel Area Land Use Plan and state law. The attached report provides an overview on the status of the Point as it relates to archaeological resources and after a systematic review of the land use entitlements that have been granted staff has found that applied mitigations have not minimized, protected or avoided the archaeological resources, and has been reactive in nature. In 1982, the Monterey County Board of Supervisors adopted the Carmel Area Land Use Plan (LUP) and in 1983 it was certified by the California Coastal Commission. Land Use Plans establishes

policies to balance the protection of resources with development. According to the Carmel Area Land Use Plan, key policy 2.8.2 states:

> *"Carmel's archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed and mapped, shall be maintained and protected for their scientific and cultural heritage values. New land uses, both public and private, should be considered compatible with this objective only where they incorporate* ***all site planning and design features necessary to minimize or avoid impacts to archaeological resources****."*

After over three decades of processing land use entitlements associated with archeological investigations, information analyzed has yielded information that has solidified the archaeological and tribal significance of the area. The Carmel Point area is documented to be an Ohlone settlement dating to at least 4,000 years ago and has produced the oldest known archaeological artifact in Monterey County. Carmel Point has a rich archaeological history- there are three recorded archaeological sites on Carmel Point: CA-MNT-17, CA-MNT-16, and CA-MNT-1286. Cultural resources which have been formally recorded with the Regional Information Center of the California Historic Resources Information System are referenced by this trinomial designation. CA-MNT-17, which extends well beyond the current project area, has been characterized as an expansive and moderately dense accumulation of marine shell, mammal bone, flaked and ground stone tools. The Carmel Area Land Use Plan recognizes the intensive prehistoric use of the Carmel area. According to the Carmel Coastal Implementation Plan (Part 4), the Point is considered a "high sensitivity zone"- an area where archaeological sites are already identified with a strong possibility of prehistoric/historic Native American occupation.

This report generally summarizes the archeological research received by the County to date for individual projects located at or near the Point, and provides information regarding relevant existing policies applicable to the area that require archeological resource protection. Additionally, it introduces new technology and provides a suite of options that would assist in determining the status of the area and preventing further unintended disturbance to the resource.

Several projects on the Point have recently proposed development of basements for new homes. In just the past year, RMA-Planning has received six requests for basement approvals on the Point. Carmel's key policy on Archaeological Resources is such that when development is proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids or substantially minimizes impacts to such cultural sites. The key components of this and other relevant and applicable policies include the following:

Coastal Implementation Plan (CIP)

- All avoidable measures, including purchase of archaeological easements, dedication to the County; tax relief and purchase of development rights shall be explored to avoid development on sensitive prehistoric or archaeological sites.

- When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required to avoid impacts to such cultural sites.

Carmel Area Land Use Plan

- "… emphasis should be placed on preserving the entire site rather than on excavation of the resource, particularly where the site has potential religious significance".

- ALL available measures, including purchase of archaeological easements, dedication to the County, tax relief, purchase of development rights, consideration of reasonable project alternatives, etc., shall be explored to avoid development on sensitive archaeological sites.

A comprehensive list of all relevant policies is contained in Exhibit A.

The key questions addressed via the information contained in the report include:

- How can currently available archaeological methodologies used to identify the presence of deeply buried cultural resources help to better inform decisionmakers and RMA planning staff regarding proposed projects located on the Point?

- Given the documented archaeological importance of the Point, should Monterey County proceed with potentially pursuing a comprehensive Historic Resources (HR) site overlay, and/or consider the larger neighborhood eligible for listing on the California Register of Historic Resources as well as the National Register of Historic Places as an archaeological district? Monterey County has not made a determination on whether the Point, as a whole is an "historic resource" as described by CEQA Guidelines Section 15064.5, and has not pursued elevated official status of the Point. Instead, the County's practice has been to analyze the potential effects of proposals on archaeological resources on a case-by-case project basis.

- Should other policy issues be considered, such as requiring all projects located on the Point to conduct more intensive Extended Phase 1 archaeological investigations (e.g., Geoprobes), when deeper excavations are proposed?

There are several options available to help protect the resources at the Point, and staff awaits direction from the Commission on how to proceed.

DISCUSSION:

See attached Exhibit A.

OTHER AGENCY INVOLVEMENT: N/A
Prepared by: Christina McGinnis, Interim Long Range Planning Services Manager, x6733
Reviewed by: Jacqueline R. Onciano, RMA Chief of Planning
Approved by: John Dugan, FAICP, RMA Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

Exhibit A - Carmel Point Discussion

cc: Front Counter Copy; Planning Commission; Brandon Swanson, RMA Services Manager; Christina McGinnis, RMA Services Manager; California Coastal Commission; Carmel Area Land Use Advisory Committee; Luis J. Miranda Ramirez, Ohlone/Costanoan-Esselen Nation; Anthony Lombardo, interested party; Chris Adamski, interested party; Monterey County List of Historical/Archaeological Consultants dated 11/24/2018; State Historic Preservation Office, Pietro Family Investments, property owners; Robert Carver, interested party; Barbara Rainer, interested party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File REF 180041.