3.6 CULTURAL AND PALEONTOLOGICAL

CULTURAL AND PALEONTOLOGICAL - Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

3.6.1 Environmental Setting

The Cultural/Paleontological Resources section has been divided into two separate resource categories (Cultural/Historical Resources and Paleontological Resources) to better assess the potential for Project-related impacts.

3.6.1.1 Cultural and Historical Resources

Cultural resources include any prehistoric or historic sites, buildings, districts, structures, traditional use areas, or objects considered to be important to a culture, subculture or community for scientific, traditional, religious or other reasons. Cultural resources encompass three categories: archaeological resources (both historic and prehistoric), architectural resources, and traditional cultural resources.

Onshore Cultural Resources. The following setting is based upon discussions of onshore cultural resources in proximity to the SYU as described in previous studies and environmental documents; as referenced in the Project EIA (ExxonMobil 2013) and the ExxonMobil Offshore Power System Repair Project (SBC 2003). The onshore portion of the Project has been subject to numerous archaeological investigations. According to ExxonMobil, five sites were identified within a ¼ mile (0.4 km) area near the mouth of Corral Canyon at the southern end of the LFCPF. These sites are identified as SBA-85, SBA-1675, SBA-1731, SBA-1733, and SBA-1732.

The earliest archaeological work in Corral Canyon was conducted by D.B. Rogers (1929), who identified SBA-85, a large prehistoric site on a marine terrace overlooking the mouth of Corral Creek. Intensive investigations began the early 1970s, when Exxon began planning for oil and gas development there. This work documented the boundaries and previous disturbance of CA-SBa-85 and recorded CA-SBa-1344, a

multi-component site evaluated as not significant under CEQA (York et al. 1986: 9-3). In the early 1980s, Exxon commissioned the cultural resources inventory of all of its previously unsurveyed holdings in Corral and Las Flores Canyons, including surveys by Spanne (1982) and Horne (1983a). Spanne's survey 400 covered acres, including upper stream courses, possible pipeline routes along the access road, and the entrance to Corral Canyon; all areas of less than 40 percent slope were covered including ridges, hilltops, rock outcrops and rock shelters. Horne surveyed the land proposed for the Las Flores Terminal Project and areas in the floodplain that could be impacted by construction activity and operations. Horne's survey augmented the Spanne survey by including additional land area as well as re-investigating a portion of the Spanne survey area. The survey involved floodplain, foothills, and steep canyon lands. The combined survey areas are shown in Figure 3.1-1 of Horne (1983b).

As a result of this work, CA-SBa-1733, a prehistoric site in the Corral Canyon Creek floodplain, was identified and evaluated as significant under CEQA. Additionally, excavations were conducted in 1982 at CA-SBa-1731, a prehistoric site at the mouth of Corral Canyon, and this site was also evaluated as significant under CEQA (York et al. 1986). In compliance with its County permit condition XIII-1, Exxon produced a Cultural Resource Management Plan that has guided all subsequent work for the Santa Ynez Unit/Las Flores Canyon.

Onshore Historic Resources. Two historic structures are located on the ExxonMobil property near the mouth of Corral Canyon north of U.S. Highway 101 (SBC 2003). According to Resolution No 93-436 (SBC 1993), the structures include the Orella House and Orella School House (collectively known as the Orella Adobes). Both structures are listed in the California Inventory of Historic Resources and are considered historically significant. The adobes were rehabilitated and given landmark status by Resolution 93-436 adopted by the Santa Barbara Board of Supervisors in 1993.

Offshore Cultural and Historic Resources. The SYU is located in the Santa Barbara Channel which extends along a northwest-southeast-trending embayment of the southern California coast between Point Conception and Ventura. The proposed cable corridors extend from the shoreline to Platforms Hondo, Harmony, and Heritage. Cultural and historic resources associated with offshore activities would be limited to underwater archaeological resources. Underwater archaeological resources are generally defined as submerged sites which may take the form of preserved deposits of prehistoric habitation sites on the continental shelf that were inundated beginning about 11,000 years ago, isolated prehistoric artifacts, submerged historic shipwrecks, or pieces of ship components (such as cannons or guns).

More than 500 sunken vessels have been reported within the coastal waters of Southern California. Precise locations are usually unknown, with vague descriptive narratives of the area in which the ship was last known, or thought to have sunk, being

provided. The most common reasons for shipwrecks were either running aground on natural hazards such as prominent rocks or colliding in harbors during stormy weather. As such, the most sensitive areas for shipwrecks along the California coast occur where concentrated shipping traffic coincides with navigational hazards such as reefs, headlands, and prevailing bad weather or fog. Some sensitive areas include offshore islands, seaports, and obstructions. Less sensitive areas include open sea and coastline away from established shipping routes.

Approximately 69 shipwrecks have been logged offshore of SBC within the CSLC Shipwrecks Database. Of those, the closest are the *Brant*, located about 2 miles (3.2 km) from the nearest Project component and the *Rosecrans*, an oil steamer, located more than 3 miles (4.8 km) from the nearest Project component.

Geophysical/Archaeological Surveys. Several Geophysical and Archaeological surveys have been conducted within the offshore Project area in support of activities associated with oil and gas production in the SYU. According to the Project EIA (ExxonMobil 2013), the archeological resources listed below occur within the Project vicinity. However, only items 3 and 4 are located near the Project area. The actual locations are not listed in this public document in order to preserve the confidential nature of potential archaeological resources.

1. A large rectangular feature measuring 100 feet (30 m) long by 40 feet (12 m) wide by 6.3 feet (2 m) high, with an associated scatter of smaller objects; a possible scour or drag mark was also noted. Although this feature may be a mound of sediment deposited by anchoring activity, its height above the sea floor and the possible debris surrounding it suggest that it may be a cultural resource.
2. A "T" shaped configuration of four objects, measuring 25 feet (8 m) across and 100 feet (30 m) long. The linear configuration suggests a cultural origin; it may be associated with oil exploration activities or may be an archeological resource.
3. A complex feature measuring approximately 50 to 100 feet (15 to 30 m) wide, 160 feet (49 m) long, and as much as 16 feet (5 m) high. The lack of bedrock or hard sediments in the area that might indicate a geologic origin for the feature means that this site must be considered a potential cultural resource. Although the feature may have resulted from anchoring, lack of specific identification, regarding the site means that the feature must be considered to be potentially significant.
4. A linear feature of variable height that may either be a construction-related feature or a cultural resource.

More recently, ExxonMobil contracted with Fugro for (1) the OPSR-A power cable project to conduct a side scan sonar survey of the then proposed Cable C1 and D1 routes from the nearshore area to the three SYU platforms, and (2) the OPSR-B to

conduct a side scan sonar survey of the proposed Cable A2 or B2, F2 and G2 routes from the nearshore area to the three SYU platforms (Fugro 2011). (Please refer to Appendix D [2011 Fugro Survey] and Appendix E [Marine Archaeology] for detail.) During these surveys, the reported locations of items 3 and 4 (as described above) were confirmed to be 500 to 600 feet (150 to 185 m) from the centerline of the proposed cable location.

In 2008, video of the seafloor southeast of Platform Heritage revealed two potential archeological features in approximately 1,300 feet (396 m) of water. A review of that video footage by a marine archaeologist indicated that both were rock features and were not significant archaeological or cultural resources (C&C Technologies 2010).

In September 2011, a marine geophysical survey, which included side scan sonar and magnetometer to detect potential archaeological resources on the seafloor, was completed within the cable corridors (Fugro 2011). That survey resulted in the listing of 116 potential seafloor "targets," two of which were listed a possibly significant cultural resource features. Items that were listed as of possible significance were surveyed by divers during the 2011 pre-Project marine biological surveys (Padre Associates, Inc. 2011 and 2012) and were found not to be of significant archaeological or cultural value. One "target" (T-035 in the final listing) corresponded to a previously-identified potential shipwreck and the other (T-033) was identified as a small rock reef from video footage.

ExxonMobil has also provided clarification regarding unknown targets identified in the Pre-Project Survey Plan for a Focused Biological Survey and the Archaeological Assessment of ROV Anomaly and Geophysical Survey for the Santa Ynez Unit Offshore Power System Reliability-B Project. Specifically, Exxon provided a focused response letter from C&C Technologies Survey Services stating that ExxonMobil contracted C&C to conduct an archaeological assessment of 63 unidentified sonar contacts recorded during a Fugro geophysical survey and inspect six unsurveyed areas (Gap Areas) of the seafloor within the SYU. The archaeological investigation was conducted using a ROV between November 17 and 22, 2011: 18 additional targets were found and documented within the survey Gap Areas. None of the targets was identified as being historically or archaeologically significant.

3.6.1.2 Paleontological Resources

Although no site-specific paleontological surveys have been conducted at the onshore Project site, no paleontological resources were identified within the Project area during previous cultural surveys. In addition, according to ExxonMobil, the site was capped by approximately 10 to 15 feet (3 to 4.5 m) of fill material during original construction.

3.6.2 Regulatory Setting

3.6.2.1 Federal and State

Table 3.6-1. Laws, Regulations, and Policies (Cultural Resources)

U.S.	Archaeological and Historic Preservation Act (AHPA)	The AHPA provides for the preservation of historical and archaeological data that might be irreparably lost or destroyed as a result of (1) flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of terrain caused by the construction of a dam by an agency of the U.S. or by any private person or corporation holding a license issued by any such agency; or (2) any alteration of the terrain caused as a result of a federal construction project or federally licensed project, activity, or program. This Act requires federal agencies to notify the Secretary of the Interior when they find that any federally permitted activity or program may cause irreparable loss or destruction of significant scientific, prehistoric, historical, or archaeological data. The AHPA built upon the national policy, set out in the Historic Sites Act of 1935, "...to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance...."
U.S.	Archaeological Resources Protection Act (ARPA)	The ARPA states that archaeological resources on public or Indian lands are an accessible and irreplaceable part of the nation's heritage and: • Establishes protection for archaeological resources to prevent loss and destruction due to uncontrolled excavations and pillaging; • Encourages increased cooperation and exchange of information between government authorities, the professional archaeological community, and private individuals having collections of archaeological resources prior to the enactment of this Act; • Establishes procedures to permit excavation or removal of archaeological resources (and associated activities) located on public or Indian land; and • Defines excavation, removal, damage, or other alteration or defacing of archaeological resources as a "prohibited act" and provides for criminal and monetary rewards to be paid to individuals furnishing information leading to the finding of a civil violation or conviction of a criminal violator. ARPA has both enforcement and permitting components. The enforcement provision provides for the imposition of both criminal and civil penalties against violators of the Act. The ARPA's permitting component allows for recovery of certain artifacts consistent with the standards and requirements of the National Park Service (NPS) Federal Archeology Program.
U.S.	National Historic Preservation Act (NHPA) (16 USC 470 et seq.)	This applies only to federal undertakings. Archaeological resources are protected through the NHPA, as amended, and its implementing regulation, Protection of Historic Properties (36 CFR 800), the AHPA, and the ARPA. This Act presents a general policy of supporting and encouraging the preservation of prehistoric and historic resources for present and future generations by directing federal agencies to assume responsibility for considering the historic resources in their activities. The State implements the NHPA through its statewide comprehensive cultural resource surveys and preservation programs. The California Office of Historic Preservation (OHP), within the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level and advises federal agencies regarding potential effects on historic properties. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the State's jurisdictions, including commenting on federal undertakings.
U.S.	Other	• Executive Order 13158 requires federal agencies to (1) identify actions that affect natural or cultural resources that are within a MPA; and (2) in taking such

		actions, to avoid harm to the natural and cultural resources that are protected by a MPA. • NPS Abandoned Shipwreck Act of 1987 (43 USC 2101-2106). Under this Act, states have the responsibility for management of living and nonliving resources in State waters and submerged lands, including certain abandoned shipwrecks. The NPS has issued guidelines that are intended to: maximize the enhancement of cultural resources; foster a partnership among sport divers, fishermen, archeologists, sailors, and other interests to manage shipwreck resources of the states and the U.S.; facilitate access and utilization by recreational interests; and recognize the interests of individuals and groups engaged in shipwreck discovery and salvage. Specific provisions of the Act's guidelines include procedures for locating and identifying shipwrecks, methods for determining which shipwrecks are historic, and preservation and long-term management of historic shipwrecks.
CA	CEQA (Pub. Resources Code, § 21000 et seq.)	As the CEQA lead agency, the CSLC is responsible for complying with all provisions of the CEQA and State CEQA Guidelines that relate to "historical resources." A historical resource includes: (1) a resource listed in, or eligible for listing in, the California Register of Historic Resources (CRHR); (2) a resource included in a local register of historical or identified as significant in an historical resource surveys; and (3) any resource that a lead agency determines to be historically significant for the purposes of CEQA, when supported by substantial evidence in light of the whole record. The CRHR was created to identify resources deemed worthy of preservation on a State level and was modeled closely after the National Register. The criteria, which are nearly identical to those of the National Register but focus on resources of statewide significance (see State CEQA Guidelines § 15064.5, subd. (a)(3)), are defined as any resource that 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 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. Properties listed, or formally designated as eligible for listing, on the National Register are automatically listed on the CRHR, as are certain State Landmarks and Points of Interest. A lead agency is not precluded from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1, subdivision (j), or 5024.1 (State CEQA Guidelines § 15064.5, subd. (a)(4)).
CA	Public Resources Code section 6313.	This code states "the title to all abandoned shipwrecks and all archaeological sites and historic resources on or in the tide and submerged lands of California is vested in the State. All abandoned shipwrecks and all submerged archaeological sites and submerged historic resources of the State shall be in the custody and subject to the control of the commission for the benefit of the people of the State of California." Removal or damaging these resources without authorization is prohibited under Public Resources Code section 6314, subdivision (a).
CA	Coastal Act Chapter 3 policies	Section 30244 states: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.
CA	Health and Safety Code section 7050.5	This code states that if human remains are exposed during construction, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code section 5097.998. The Coroner has 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are determined to be of Native American descent. The NAHC will contact most likely descendants, who may recommend how to proceed.

Under various Federal laws and regulations, the BSEE/BOEM, ensure that OCS activities do not adversely affect significant archaeological resources. Specifically, 30 CFR 250.261 states that the Development and Production Plan (DPP) must describe those resources, conditions, and activities that could be affected by proposed development and production activities, or that could affect the construction and operation of facilities or structures or the activities proposed, including archaeological resources (b)(6). California Coastal Act section 30244 requires that reasonable mitigation measures be included where project development would adversely impact archaeological resources. These resources may include those determined by State CEQA Guidelines (§§ 15064.5, 15126.4) to be a significant cultural resource either prehistoric or historic, as a "historical resource," under the following:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Resources Code, § 5024.1, Cal. Code Regs., tit. 14, § 4850 et seq.).
- A resource included in a local register of historical resources as defined in section 5020.1k of the Public Resources Code or identified as significant in an historical survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building structure, site, area, place record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource provided the lead agency's determination is supported by substantial evidence in light of the whole record. 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 (Pub. Resources Code, § 5024.1, Cal. Code Regs., tit. 14, § 4852) including the following:
    - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - Is associated with the lives of persons important to our past;
    - 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

- Has yielded, or may be likely to yield, information important in prehistory or history.

A resource that is listed on the National Register of Historic Places is automatically included in the California Register of Historical Resources. Additionally, under State law, any submerged archaeological site or submerged historic resource remaining in State waters for more than 50 years is presumed to be archaeologically or historically significant. (Pub. Resources Code, § 6313 subd. (c).)

3.6.2.2 Local

Chapter 8 of the County Environmental Thresholds and Guidelines Manual (Regulations Governing Cultural Resource Projects Undertaken in Conformance with Federal and State Environmental Protection Acts) and its supporting technical documents contain Santa Barbara County's guidelines for implementing CEQA's provisions pertaining to sites of archaeological, historic, or ethnic importance. Chapter 8 contains specific thresholds similar to those found in CEQA Guidelines Section 15064.5. The supporting technical documents consist of the following three individual documents: (1) Archaeological Element (1986, reissued January 1993), (2) Historic Resources Element (1986, revised January 1993), and (3) Regulations Governing Archaeological and Historical Projects Undertaken in Conformance with the California Environmental Quality Act and Related Laws: Cultural Resources Guidelines (1986, revised January 1993) (referenced simply as the "Cultural Resources Guidelines"). Chapter No. 8 specifies that a significant impact on cultural resources would occur if the project would: cause a substantial change in the significance of the resource; cause a substantial adverse change in the significance of an archaeological resource; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and disturb any human remains, including those interred outside formal cemeteries.

3.6.3 Impact Analysis

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

Onshore: No Impact. Excavation work would be located approximately 0.5 mile (0.8 km) south of the Orella Adobes. Therefore no impacts to historic resources from Project work activities would result.

Offshore: Less than Significant with Mitigation. Cultural and historic resources associated with offshore activities would be limited to underwater archaeological resources such as historic shipwrecks. The two sources of potential offshore cultural resource impacts are from vessel anchoring and cable installation and retrieval. ExxonMobil proposes to use a dynamically positioned CIV, which would not anchor

during Project activities except for in an emergency. Support vessels, however, could anchor adjacent to the nearshore conduit terminus. During a safety or emergency situation, there may be the unplanned need for a vessel to deploy anchors, which could adversely impact submerged or previously unknown offshore resources. Cable installation and retrieval could also impact offshore resources, although the nearest known cultural/historical resource is more than 700 feet from the cable corridor. Potential impacts would be mitigated through implementation of the **MM CUL-1: Avoidance of Offshore Cultural Resources**.

MM CUL-1: Avoidance of Offshore Cultural Resources. The following measures shall be implemented:

- ExxonMobil shall arrange for responsible agencies to attend a meeting with the cable installation contractor ship's captain to review cultural site avoidance procedures prior to commencing cable installation activities. If agency personnel cannot attend, the meeting shall be held and documentation of meeting submitted to those agencies
- Contractors and vessel operators working in areas of a probable location of the previously identified site shall be instructed to remain outside of a 300-foot-diameter (90-meter [m]) protective zone to the extent possible during all offshore installation activities. This protective zone is to account for routine uncertainties in using remote sensors to precisely locate potential cultural resources in deep waters.
- If complete avoidance of the protective zone is not possible, a remotely operated vehicle (ROV) with a color-imaging or equivalent accuracy sonar with a range of at least 300 feet (90 m) in polar-scanning mode shall be used to monitor cable retrieval and installation activities within the protective area to allow real time monitoring and detection of potential cultural resources.
- ExxonMobil shall immediately halt cable laying operations or retrieval operations and notify Bureau of Safety and Environmental Enforcement (BSEE) and California State Lands Commission (CSLC) staffs if impacts may occur to a previously undetected cultural resource site. ExxonMobil shall perform an investigation, according to BSEE/CSLC staff instructions, to assess whether the site is significant. If the site is significant, the BSEE/CSLC staffs shall inform ExxonMobil how to protect the resource.
- In the event that a cable needs to be laid outside of the previously surveyed area, ExxonMobil shall use a ROV to identify potential cultural resources within the revised corridor prior to installation. If a previously undetected resource site is discovered, the applicant shall notify the BSEE and CSLC staffs.
- The BSEE and/or the CSLC staffs shall retain the option for inspectors to be present on a vessel at the sites to ensure that proper cable installation and retrieval procedures are conducted.

In addition, **MM MBIO-1b: Anchoring Plan**, require preparation of an anchoring plan approved by CSLC and BSEE staffs prior to any anchoring activities. With implementation of **MMs CUL-1** and **MBIO-1b**, potential impacts to known offshore resources would be less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Onshore: Less than Significant with Mitigation. Based on the results of previous studies discussed in Section 3.6.1.1, the entire Project area has been surveyed for cultural resources. Previous studies indicate that prehistoric site CA-SBA-1733 is located within the Project area. As a condition of approval of Exxon's Santa Ynez Unit Development, and as outlined in the Santa Ynez Unit Cultural Resources Management Plan (page 50), this site was capped with approximately 10 to 15 feet of archaeologically sterile soil and the pipeline trench was excavated entirely within the fill. Excavation required as part of the Project would be limited to 8 to 9 feet (3 to 4.5 m) below ground surface. A small trench may need to be excavated in native soil from the fill pad to an existing pull box (a distance of approximately 50 to 100 feet or 15 to 30 m), to connect the fiber optic cable. However, based on the survey map in Horne (1983b Figure 3.1-1 [confidential]), this area was included in previous surveys and no cultural resources were identified in this location. In accordance with the requirements of the Santa Ynez Unit Cultural Resource Management Plan and the SBC's Cultural Resources Guidelines, a preconstruction meeting shall be held during which all construction personnel shall be informed of the cultural resources sensitivity of the Project area. All ground disturbance associated with the Project within native soil shall be monitored by a qualified archaeologist and Native American observer. In the event that cultural material is encountered during excavation, work in the immediate vicinity shall be halted until the find is evaluated and treated according to the requirements of the SBC's Cultural Resources Guidelines.

Implementation of **MM CUL-2: Avoidance of Onshore Cultural Resources** will reduce the potential impacts to onshore resources to less than significant.

MM CUL-2: Avoidance of Onshore Cultural Resources. The following measures shall be implemented:

- All onshore construction plans shall state that excavation shall be limited to approximately 8 to 9 feet (2.4 to 2.7 meters [m]) below ground surface and to 3 to 6 feet (0.9 to 1.8 m) below the cable from the entry point at the tunnel north wall for a distance of approximately 400 feet (122 m) north of the wall. Evidence of compliance with this mitigation measure shall be documented prior to land use clearance and monitored by the Santa Barbara County (SBC) Environmental Quality Assurance Program Monitor in the field

- In areas where native soil would be disturbed, ExxonMobil shall have a County-approved archaeologist and a Native American representative monitor construction in compliance with the provisions of the County Archaeological Guidelines. Prior to Project approval, ExxonMobil shall submit a contract or Letter of Commitment between ExxonMobil and the archaeologist, consisting of a project description and scope of work, for County review and approval. ExxonMobil shall also provide County staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting.
- If potential cultural resource material is encountered during excavation within previously filled areas, work shall be halted until a Planning and Development-qualified archaeologist and Native American representative are consulted. Protection of archaeologically significant material shall be in accordance with SBC Guidelines.
- A pre-construction meeting, inclusive of agency personnel, shall be organized to educate onsite construction personnel as to the sensitivity of archaeological resources in the area. If agency personnel cannot attend, the meeting shall be held and documentation of meeting submitted to those agencies. ExxonMobil personnel shall instruct all construction and Project personnel to avoid removing cultural materials from the property. Evidence of compliance with this mitigation measure shall be documented prior to land use clearance.

Offshore: Less than Significant with Mitigation. As discussed above in the response to question *a)*, offshore impacts to cultural resources would be limited to underwater archaeological resources such as historic shipwrecks. The response to question "a)" above applies to question b as well. Impacts to historical resources would be less than significant through implementation of **MM CUL-1**.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No impact. No paleontological resources would be at risk for offshore Project activities. No known paleontological resources have been identified within the onshore Project area.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Onshore: Less than Significant Impact. The onshore portion of the Project would be limited to previously disturbed areas in the lower Canyon. Approximately 800 to 1,000 cubic yards of material would be excavated to expose the two out-of-service and one in-service submarine power cables and install the replacement cables. Due to the fact that work areas would be located in previously disturbed soils, it is unlikely that any cultural

or historical human remains would be disturbed. However, in the unlikely event that human remains are discovered onsite, the site would be subject to California Health and Safety Code Section 7050.0 which requires that if human remains are exposed during construction, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code section 5097.998. The Coroner has 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are determined to be of Native American descent. The NAHC will contact most likely descendants, who may recommend how to proceed. No impact would result.

Offshore: No Impact. As discussed above in the response to question a), offshore impacts to cultural resources would be limited to underwater archaeological resources such as historic shipwrecks. No impacts to human remains would result from offshore work activities.

3.6.4 Mitigation Summary

ExxonMobil has committed to the protection of cultural resources during able retrieval and replacement and has proposed the following:

- MM CUL-1: Avoidance of Offshore Cultural Resources.
- MM CUL-2: Avoidance of Onshore Cultural Resources.
- MM MBIO-1b: Anchoring Plan (see Section 3.5.3).