

## 4.9 CULTURAL RESOURCES

### 4.9.1 ENVIRONMENTAL SETTING

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Cultural resources encompass paleontological, archaeological, and historic resources. Paleontology is the study of plant and animal fossils; paleontological resources generally are more than 10,000 years old. Archaeology is the study of prehistoric human activities and cultures. Historic resources are associated with the more recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the state's history.

This section summarizes the cultural resources background report prepared for the City by LSA Associates (December 2006) as part of the General Plan update process to: describe the archaeological, ethnographic, historical, paleontological background of the City's General Plan Area; develop maps of archaeological and paleontological sensitivity; and make recommendations on proposed General Plan policies and programs. The section also summarizes the findings of a historical archaeological report prepared by LSA in August 2009. Both reports are included in Technical Appendix F-2, which is available for review at the City of Santa Cruz Planning Department<sup>1</sup> and is also included on the Draft EIR CD and on the online version of the Draft EIR on the City's website at [www.cityofsantacruz.com](http://www.cityofsantacruz.com) - Planning Department link.

This section also draws from the City's Historic Building Survey, Volumes I and II and "Historical Context Statement for the City of Santa Cruz" (Lehmann, October 2000) prepared for the City of Santa Cruz.

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<sup>1</sup> Located at 809 Center Street, Room 107, Santa Cruz, California during business hours: Monday through Thursday, 8 AM to 12 PM and 1 to 5 PM.

## REGULATORY SETTING

### Federal Regulations

#### NATIONAL REGISTER OF HISTORIC PLACES

Federal regulations for cultural resources are primarily governed by Section 106 of the National Historic Preservation Act (NHPA) of 1966, which applies to actions taken by federal agencies. The goal of the Section 106 review process is to offer a measure of protection to sites that are determined eligible for listing on the National Register of Historic Places (NRHP). The criteria for determining NRHP eligibility are found in Title 36 Code of Federal Regulations (CFR) Part 60. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and affords the federal Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in Title 36 CFR Part 800.

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized under the National Historic Preservation Act of 1966, it is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the country's historic and archeological resources. The National Register is administered by the National Park Service under the Secretary of the Interior. Properties listed in the National Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. Property owners must agree to such listing. The National Register includes:

- ❑ All historic areas in the National Park System;
- ❑ National Historic Landmarks that have been designated by the Secretary of the Interior for their significance to all Americans; and
- ❑ Properties significant to the nation, state, or community which have been nominated by state historic preservation offices, federal agencies, and tribal preservation offices, and have been approved by the National Park Service. (National Park Service website).

To be considered eligible, a property must meet the National Register Criteria for Evaluation, found in Title 36 CFR Part 60.4. This involves examining the property's age, integrity, and significance as follows:

- ❑ Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- ❑ Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past?

Archaeological site evaluation assesses the potential of each site to meet one or more of the criteria for NRHP eligibility based on visual surface and subsurface evidence (if available) at

each site's location, information gathered during the literature and records searches, and the researcher's knowledge of and familiarity with the historic or prehistoric context associated with each site.

The American Indian Religious Freedom Act, Title 42 U.S. Code Section 1996, protects Native American religious practices, ethnic heritage sites, and land uses.

#### **NATIONAL HISTORIC LANDMARKS**

National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Today, fewer than 2,500 historic places bear this national distinction. National Historic Landmarks are places where nationally significant historical events occurred, that are associated with prominent Americans that represent those pivotal ideas that shaped the nation, that teach Americans about their ancient past, or that are premier examples of design or construction. While many historic places are important locally or at a state level, a lesser number have meaning for all Americans. National Historic Landmarks are places that "posses exceptional value or quality in illustrating and interpreting the heritage of the United States" (National Park Service website).

### **State Regulations**

#### **CALIFORNIA REGISTER OF HISTORICAL RESOURCES**

The California Register of Historical Resources (California Register) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify, evaluate, and protect California's historical resources, and indicates which properties are to be protected from substantial adverse change (Pub. Resources Code, Section 5024.1(a)). The California Register is administered through the State Office of Historic Preservation (SHPO) that is part of the California State Parks system.

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, state, or national level in accordance with one or more of the following criteria set forth in the State CEQA Guidelines at Section 15064.5(a)(3):

- 1) It is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;
- 2) It is associated with the lives of persons important in our past;
- 3) It 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) It has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time must have passed to allow a "scholarly perspective on the events or individuals

associated with the resource.” Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource according to SHPO publications. The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.” Archaeological resources can sometimes qualify as “historical resources” (State CEQA Guidelines, Section 15064.5(c)(1)). In addition, Public Resources Code Section 5024 requires consultation with SHPO when a project may impact historical resources located on State-owned land.

Two other programs are administered by the state: California Historical Landmarks and California “Points of Interest.” California Historical Landmarks are buildings, sites, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value. California Points of Interest are buildings, sites, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value.

#### **NATIVE AMERICAN CONSULTATION**

Prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, Government Code Sections 65352.3 and 65352.4 require a city or county to consult with local Native American tribes that are on the contact list maintained by the Native American Heritage Commission. The purpose is to preserve or mitigate impacts to places, features, and objects described in Public Resources Code Sections 5097.9 and 5097.993 (Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property) that are located within a city or county's jurisdiction.

#### **HUMAN REMAINS**

Section 7050.5 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 reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. CEQA Guidelines Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

#### **PUBLIC RESOURCES CODE SECTION 5097.5**

California Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having

jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

State CEQA Guidelines Section 15064.5 defines a “historical resource,” which is presented in subsection 4.9.3 below. CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA process (Public Resources Code, Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided, or significant effects mitigated (CEQA Guidelines Section 15064.5(b)(4)).

If the cultural resource in question is an archaeological resource, CEQA Guidelines Section 15064.5(c)(1)) requires that the lead agency first determine if the resource is a historical resource as defined in Section 15064.5(a). If the resource qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource (California Office of Historic Preservation 2001a:5). If the archaeological resource does not qualify as a historical resource but does qualify as a “unique archaeological resource,” then the archaeological resource is treated in accordance with Public Resources Code Section 21083.2 (see also CEQA Guidelines Section 15069.5(c)(3)). “Unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource (LSA, December 2006).

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

Advice on procedures to identify cultural resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor’s Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to, museums, historical commissions, associations and societies, be solicited as part of the process of cultural resources inventory.

### Local Regulations

The City, as part of its status as a Certified Local Government, has a historic preservation ordinance. The historic preservation ordinance (HPO) provides for the protection, enhancement, and perpetuation of significant cultural resources in the GP Area. The HPO provides the statutory framework for local preservation decisions, and contains sections governing the following topics:

- ❑ Historic District Designation (Part 2, Chapter 24.06);
- ❑ Historic Landmark Designation (Section 24.12.420);
- ❑ Archaeological Resource Procedures (Section 24.12.430);
- ❑ Procedure for Amending Historic Building Survey (Section 24.12.440);
- ❑ Procedure: New Construction in Historic Districts (Section 24.12.450);
- ❑ Historic Alteration Permit (Part 10, Chapter 24.08);
- ❑ Historic Demolition Permit (Part 11, Chapter 24.08); and
- ❑ Historic Overlay District (Part 22, Chapter 24.10).

### **HISTORICAL BACKGROUND**

The following overview of prehistory and history is summarized from the Cultural Resources Background Report and Historical Archaeological Report prepared as part of the General Plan Update (LSA, December 2006). As previously indicated, both are included in Technical Appendix F-2.

#### Prehistory

The General Plan planning area is located within the Monterey Bay Area, a cultural-historical geographic region which spans the central California coastline from Big Sur northward to just south of the San Francisco Bay. This region generally corresponds to southern Costanoan language groups.

The prehistoric occupation of Central California is broken into three broad periods: the Paleoindian Period (10,000-6000 B.C.); the three-staged Archaic Period, consisting of the Lower Archaic (6000-3000 B.C.), Middle Archaic (3000-500 B.C.), and Upper Archaic (500 B.C.-A.D. 1000); and the Emergent Period (A.D. 1000-1800). An updated period sequence, includes the following periods: Paleoindian (9000-6500 B.C.), Millingstone (6500-3500 B.C.), Early (3500-1000 B.C.), Early/Middle Transition (1000-600 B.C.), Middle (600 B.C.-A.D. 1000), Middle/Late Transition (A.D. 1000-1200), Late (A.D. 1200-1500), Protohistoric (A.D. 1500-1769), and Historic (post A.D. 1769) periods.

Archaeological sites dating to the Paleoindian and Millingstone periods (3500 B.C. or earlier) in the Monterey Bay Area are rare, and the components are poorly defined. Sites from these periods, however, have been identified north of Santa Cruz in Scotts Valley and at Elkhorn Slough, and include crescent-shaped flaked tools, long-stemmed projectile points, cobble/core tools, and milling slabs and handstones. Archaeological evidence of the Late and Protohistoric periods (A.D. 1200-1769) is poorly represented in the Monterey Bay area, although sites

dating to this period have been identified in the Santa Cruz Mountains and within City of Santa Cruz limits. Sites dating to these periods include schist, clamshell, and abalone disc beads; small side-notched projectile points; hopper and bedrock mortars; millingslabs; pestles; and handstones.

For over a quarter century, Native American settlement and subsistence patterns in the Monterey Bay Area have been understood in terms of a forager-collector model that suggests that before 2,000 years ago, small mobile foraging groups characterized the area's settlement. Foraging groups established temporary residential bases near seasonally available resource patches and gathered food daily with no storage of food. Foragers were eventually displaced by "collectors" who occupied year-round or semi-permanent residential sites and did not relocate residential sites to seasonal resource patches. More recently, however, the validity of the forager-collector model for understanding the subsistence and settlement practices from the Monterey Bay Area has been questioned, and Native American settlement-subsistence patterns in the region are a research issue that future archaeological research may help to clarify.

### **Ethnography**

Penutian groups settled around Monterey Bay at approximately 500 B.C., displacing earlier Hokan populations. The descendants of the native groups who lived between the Carquinez Strait and the Monterey area prefer to be called Ohlone, although they are often referred to by the name of their linguistic group, Costanoan. Linguists have identified eight Ohlone languages. *Awawas* was the name of the language spoken in the Santa Cruz area. *Awawas* speakers' territory basically encompassed the San Lorenzo River watershed.

The Ohlone, like most Native California groups, were organized according to politically independent land-holding groups referred to by anthropologists as "tribelets". There were approximately 40 Ohlone tribelets. The basic Ohlone social unit was the family household of about 15 individuals, which was extended patrilineally. Households grouped together to form villages, and villages combined to form tribelets. Tribelets exchanged trade goods such as obsidian, shell beads, and baskets; participated in ceremonial and religious activities together; intermarried; and could have extensive reciprocal obligations to one another involving resource collection. At the time of the arrival of the Spanish and establishment of Mission Santa Cruz in 1791, Santa Cruz was within the territory of the Uypi tribelet.

For the Ohlone, like other native Californians, the acorn was a dietary staple, eaten as mush or bread. The Ohlone used a range of other plant resources, including buckeye, California laurel, elderberries, strawberries, manzanita berries, goose berries, toyon berries, and wild grapes. Animals eaten by the Ohlone included large fauna such as black-tailed deer, Roosevelt elk, antelope, and marine mammals such as sea lion, and sea otter; smaller mammals such as skunk, racoon, rabbit, and squirrel; birds, including geese and ducks; and fish such as salmon, sturgeon, and mollusks.

Besides providing sustenance, the Bay Area's flora and fauna provided the Ohlone with raw materials to construct dome-shaped shelters and sweat houses. Animal bones, teeth, beaks, and claws were made into awls, pins, knives, and scrapers. Pelts and feathers became clothing and

bedding, while sinews were used for cordage and bow strings. Feathers, bone, and shells were crafted into ornaments.

### **History**

The historic setting of Santa Cruz can be described under two periods. The first period began with the arrival of the Spanish and extended through the Mexican administration of the area, including the Mission period. The second period began in 1848 when California was ceded to the United States under the Treaty of Guadalupe Hidalgo.

#### **SPANISH AND MEXICAN PERIOD**

The first significant Spanish exploration through present-day Santa Cruz occurred in 1769 when Gaspar de Portola, the governor of Baja California, led an expedition from San Diego to locate Monterey Bay. Later in 1791, Mission Santa Cruz was established on the banks of the San Lorenzo River. The Mission soon absorbed the surrounding Native American Ohlone population.

In 1797, Villa de Branciforte was established on the east side of the San Lorenzo River, across from the Mission. The Spanish government established Villa de Branciforte to create a self-sufficient secular settlement populated by retired soldiers, craftsmen, and farmers who could mobilize and defend the coast of Alta California from foreign invasion. After the California missions were secularized in 1834, the Mission Santa Cruz lands came under the control of Villa de Branciforte.

#### **AMERICAN PERIOD**

Commercial development of Santa Cruz and the surrounding region's natural resources was well under way by the time California became part of the United States in 1848. Logging, lime production, and tanneries were three important industries in the early economy of Santa Cruz. The lime and logging industries thrived in response to the growing demand for building materials during San Francisco's post gold rush construction boom. By the mid-1860s, over 28 sawmills had been established in Santa Cruz County. By 1900, much of the useable timber had been logged, generating conservation efforts to save the remaining stands, including Big Basin Redwoods in 1902.

Massive production of lime from limestone found in the Santa Cruz area began in the mid-1850s when A.P. Jordan and Isaac E. Davis formed a partnership. By the 1880s, Henry Cowell had purchased both Jordan's and Davis's interest in the company. Lime quarrying and construction of lime kilns occurred within what is now Pogonip (City-owned greenbelt), the west entrance to the UC campus, and State Park lands within the County. In the 1890s, Santa Cruz's lime industry began to decline due to the depletion of fuel brought about by extensive logging of the region and the development of cement, which used a cheaper, less pure grade of limestone.

Tanneries were also important to the early economy of Santa Cruz. By 1857, three tanneries were established in Santa Cruz (Kirby and Jones on Mission Hill, Porter, and C. Brown and Company on Laurel Street, and the Grove Tannery on River Street). The tanneries produced

skirting, harness, belting, bridle, and sole leather. As with the lime industry, however, the local tanneries' over-harvesting of local timber for barrel staves and fuel resulted in the industry's demise by the turn of the century.

These industries spawned the City's residential growth and infrastructure development during the 19th century. Beginning in the 1850s, Fred Hihn, who owned much of the area between Mission Hill and Beach Hill, developed land north of Lincoln Street. A water system began to develop in 1860, facilitating more residential and industrial growth. In the 1870s, housing and development expanded to the east side of the San Lorenzo River, the West Cliff area, Ocean View, and Riverside Avenue. Pacific Avenue also emerged as the business center for Santa Cruz and fostered the City's first Chinatown. In 1889, the Circles area, located southwest of Neary Lagoon, was laid out by Hihn as the first major geometric planned area in the City.

The economic focus of the City gradually shifted to tourism near the turn of the 19th century. The growth of local tourism was largely a result of railroad access to Santa Cruz County beginning in the late 1870s. Prior to this time, goods were transported and people accessed the area via ship or on narrow, rutted roads. Summer train traffic to Santa Cruz increased after 1894, when Santa Cruz received national attention in *Harper's Weekly* as a tourist destination.

Perhaps more than any other individual, Fred Swanton was responsible for developing Santa Cruz's tourism industry. Swanton, with investors including the Southern Pacific Railroad, formed the Santa Cruz Beach, Cottage, and Tent City Corporation. The corporation opened the Neptune Casino in 1904, but lost that enterprise to fire in 1906. The Casino was quickly rebuilt and reopened a year later. Swanton also built the Casa del Rey Hotel in 1910 across from the Casino to replace a "tent city," which had served as a popular tourist beach accommodation until that time. The Casa del Rey Hotel stood until the 1989 Loma Prieta earthquake, when it sustained extensive damage and was demolished soon after.

Swanton also helped establish the area's first telephone system in the 1880s and the Santa Cruz Electric Light and Power Company in 1890. Although the 1890s were an economically depressed time for the City, the street railroad was electrified and expanded during this period. Residences were also built along lines that stretched from downtown to Soquel Avenue and Seabright Avenue.

During the early 20th century, the popular beach attractions were built, including the Scenic Railway roller coaster in 1908 and the Giant Dipper Roller Coaster in 1924. World War II had a significant effect on the local economy. Tourism declined significantly in Santa Cruz due to travel restrictions and gasoline shortages. The Santa Cruz fishing economy, which was dominated by Italian immigrants, suffered as the result of Executive Order 9066, which established internment and relocation camps for Japanese, German, and Italian immigrants, including those who were United States citizens. Many Italian families were relocated inland from the waterfront and many of the fishing boats were abandoned or used in the war effort.

The commercial fishing industry never recovered after the war, although sport fishing remains a popular activity. The local tourist economy revived, with the Boardwalk undergoing major renovations in the 1950s and in 1981. The Boardwalk, which remains the focus of Santa Cruz's tourist industry, continues to operate with a mix of historic and modern amusement park attractions.

## ARCHAEOLOGICAL RESOURCES

### Pre-Historic Archaeological Resources

#### RECORDED RESOURCES

A records search identified a total of 27 documented archaeological sites in the General Plan planning area, of which 20 sites are prehistoric archaeological sites and seven sites are archaeological sites with both a prehistoric and historical component. The vast majority of these sites have not been systematically studied. Diocarbon and obsidian hydration data indicate that present-day Santa Cruz was occupied beginning in the Early Period, from at least 1750 B.C. and quite possibly earlier. Two sites are considered eligible for listing in the National Register of Historic Places based on the important information they contain for understanding the prehistory of the region.

The Native American Heritage Commission (NAHC) was contacted to request that the NAHC search their sacred lands file for any cultural resources in the General Plan planning area. The NAHC responded that the sacred lands file did not list cultural resources in the planning area.

#### NATIVE AMERICAN CONSULTATION

On behalf of the City of Santa Cruz, LSA contacted Native American tribes and tribal organizations pursuant to the requirements of California Government Code Section 65352.3 (implementation of Senate Bill 18). On September 12, 2006, LSA sent a letter to the Native American Heritage Commission (NAHC) in Sacramento requesting a Senate Bill 18 consultation list. On October 4, 2006, LSA sent letters to the tribes and tribal organizations identified by the NAHC to notify them of their opportunity to consult with the City regarding the General Plan Update. Two organizations, the Pajaro Valley Ohlone Indian Council and the Amah Mutsun Tribal Band, responded affirmatively to the letters and requested consultation with the City pursuant to Senate Bill 18. On November 3, 2006, representatives from the City and LSA met with representatives of the two tribal organizations: the Amah Mutsun Band of Ohlone/Costanoan Indians, represented by Mr. Valentin J. Lopez and the Pajaro Valley Ohlone Indian Council, represented by Mr. Patrick Orozco. Mr. Rob Edwards, Director of the Archaeology Technology Program at Cabrillo College, accompanied Mr. Orozco. The City, LSA, and tribal representatives discussed the nature of the project, the potential for impacts to cultural places, and outlined a process for continued consultation pursuant to Senate Bill 18 (LSA, December 2006).

#### ARCHAEOLOGICAL SENSITIVITY

LSA prepared an archaeological sensitivity map for the as part of the General Plan Update based. Three key factors were reviewed to determine areas that may be archaeologically sensitive: location of known recorded sites; proximity to water sources; and topography. The archaeologically sensitive areas also include: parcels on which previous studies identified (but did not formally record) archaeological materials; parcels within 65 feet of recorded archaeological deposits; and areas with concentrations of documented historical activity (e.g., the original Santa Cruz Mission lands and Mission Santa Cruz State Historic Park). Close sources

of water were a major factor that Native Americans took into account in locating habitation and resource processing sites, and was a key consideration in determining sensitivity zones.

Figure 4.9-1 illustrates archaeological sensitivity areas.<sup>2</sup> The “Highly Sensitive” areas are parcels with recorded archaeological deposits or confirmed archaeological sensitivity in which the property qualifies under any of the following three conditions: (1) the parcel contains all or portions of a recorded archaeological deposit; (2) the parcel lies wholly or partially within a 20-meter (65-foot) buffer around the boundaries of a recorded archaeological deposit;<sup>3</sup> or (3) the parcel contains unrecorded archaeological materials identified by an archaeologist during prior study. “Other Sensitive” designations apply to parcels that do not have recorded archaeological sites, but are located within sensitive areas based on the consultant’s review and GIS analysis. Areas shown as “Discovery Requirement Only” are sites that have had professional archaeological investigations with negative results (i.e., no archaeological deposits were identified), but are located in sensitive areas. The remaining undesignated areas were determined not be archaeologically sensitive (LSA, December 2006).

### **Historic Archaeological Resources**

#### **BACKGROUND**

The cultural resource review included characterization of the types of historical archaeological resources that may be associated with major historical periods in the project area. Historic development trends affect whether historical archeological deposits may be present. As previously indicated, two prominent historical periods occurred in Santa Cruz – the Mission Period and American Period. Mission Santa Cruz was established on the banks of the San Lorenzo River in September 1791, and quickly absorbed the surrounding Native American Ohlone population. Another colonial institution, Villa de Branciforte, was established on the other side of the San Lorenzo River across from Mission Santa Cruz in 1797. In 1834, the California missions were secularized, and Mission Santa Cruz lands came under the control of Villa de Branciforte.

Commercial development of Santa Cruz and the surrounding region was well under way by the time California became part of the United States in 1848 with redwood logging, sawmills, tanneries, and quarrying. By 1890 Santa Cruz’s downtown business district and adjacent residential districts were built out. By 1925, areas west of the downtown and along the beach were developed, corresponding to the marketing of Santa Cruz as a popular seaside recreation destination. By 1940, Santa Cruz grew to most of the extent of its present area. After World War II, development occurred in the southwestern and northeastern portions of the city. Recent development has occurred along the City fringes, most closely associated with the founding of the UC campus in 1962.

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<sup>2</sup> All EIR figures are included in Chapter 7.0 at the end of the EIR (before appendices) for ease of reference as some figures are referenced in several sections.

<sup>3</sup> The buffer is provided to account for the possibility that unidentified portions of the recorded deposit may lie outside of its known boundaries and extend onto adjoining parcels.

Five historical archaeological property types are potentially found within the City's General Plan area. These include: residential, industrial, service/mercantile, social (saloons, theatres, etc.), and infrastructure/public space. Before the days of organized refuse collection, some of the properties may include features such as such as refuse pits, abandoned wells, cisterns, and outhouses (over privy vaults) which were used as receptacles of the by-products of everyday living such as discarded ceramics, food bones, containers of various materials, and other items. Properties may also contain architectural remains of structures, consisting of foundations, footings, platforms, and collapsed wood buildings.

Development of municipal water and sewage systems also affects whether historic archaeological deposits may be present. This an important factor in identifying sensitive areas in Santa Cruz because changes in the City's waste disposal and water service reduced the number of building occupants who relied on backyard privies and wells. These structures, often of great interest to archaeologists because of their contents, would not likely be constructed after the widespread availability of water and sewage facilities. Most of the General Plan Update area has the potential to contain vault privies and wells, although to a much lower degree in the extreme northeastern and western portions of the city.

#### **HISTORIC ARCHAEOLOGICAL SENSITIVITY**

Research conducted by LSA Associates indicates that most of the General Plan Update area has the potential to contain historical archaeological deposits. Some areas exceed this nominal potential and are categorized as sensitive, and other areas have heightened sensitivity due to the presence or proximity of recorded archaeological deposits. There are documented occurrences of archaeological deposits dating to the Spanish and Mexican periods in California. These eras are of high interest due to the relative paucity of intact, recoverable deposits associated with these periods. Sites associated with similar communities have had significant archaeological research value and have been found to be historically significant.

Figure 4.9-2 depicts those areas with sustained residential, institutional, industrial, and commercial activity during the Spanish and Mexican eras, including the Santa Cruz Mission and Villa de Branciforte. The second period began in 1848 when California was ceded to the United States under the Treaty of Guadalupe Hidalgo. Figure 4.9-2 also depicts the Historical American-Period Development Pattern at two points in time: 1866 and 1889. Figure 4.9.3 depicts the historical archaeological sensitivity areas in the City with both historic periods combined.

The following sites are included in the California Historical Landmarks: Site of Mission Santa Cruz, the site of Center of Villa Branciforte, and the Santa Cruz Beach Boardwalk (Office of Historic Preservation website).

## **HISTORICAL RESOURCES**

As one of California's oldest settlements, founded in 1791, Santa Cruz has many historical buildings. As a result of the City's *Historic Preservation Plan*, adopted in 1974 as an element of the General Plan, the Historic Preservation Commission and the Historic Preservation Ordinance (Section 24.12.400 of the City's Zoning Ordinance) were established to protect the City's

historic resources. Historic districts may be designated pursuant to criteria and procedures in the Zoning Ordinance as further described below. The City of Santa Cruz has designated historic buildings and landmarks as further described below. Permits are required for alteration or demolition of listed historic buildings or landmarks pursuant to the City of Santa Cruz Municipal Code Chapter 24.08 requirements.

### **Historical Architectural Styles**

Five styles—and several substyles—of architecture have been identified in the City:

- ❑ Spanish Mission and Spanish Colonial Style (1791-1846),
- ❑ Salt Box (c. 1850-1870),
- ❑ Romantic styles (c. 1850s-1920),
- ❑ Victorian styles (c. 1880s-1900), and
- ❑ Eclectic styles (1895-1975).

Mission period structures within the City consist of the Mission Adobe at Santa Cruz Mission State Historic Park and the Craig-Lorenzana Adobe on Branciforte Avenue. The oldest frame house in the City at 109 Sylvar was constructed circa 1850, and is an excellent example of the Salt Box-style homes scattered throughout the City. Several examples of Romantic architecture are found throughout the City, including on Mission, Washington, Cedar, Center, and Locust. Victorian is perhaps the most impressive historical architecture seen in the City, with the best examples downtown on Walnut Avenue and adjacent streets, Ocean View, and on Mission Street. Eclectic styled architecture draws its inspiration from Classical, Medieval, and Renaissance styles. Good examples of Eclectic styles, which include Colonial Revival, Mission and Spanish Colonial Revival, Bungalow, Craftsman, Moderne, and Vernacular, can be seen on Mission, Walnut, West Cliff Drive, Escalona, and King (LSA, December 2006).

### **Historic Districts**

Historic districts may be designated pursuant to criteria and procedures in the Zoning Ordinance (Part 2 of Section 24.06). A proposed historic district must be a geographically definable area possessing a significant concentration or continuity of sites, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development, and the collective value of the historic district taken together may be greater than the value of each individual structure. Additionally, Part 22 of Section 24.10 of the City's Zoning Ordinance sets forth parameters for establishing historic overlay districts within the City. The purpose of this district is to provide a means to preserve and enhance areas of historic, architectural, and engineering significance located within the city.

Existing and potential historic districts are shown on Figure 4.9-4. Currently there are designated local historic districts (Mission Hill and Downtown Neighborhood) and one National Register district (Cowell Limes Work District). Potential historic districts are located in the Beach Hill and Ocean View Street neighborhoods.

### **Historic Buildings and Landmarks**

In 1976, the City completed a “Historic Building Survey,” which identified and evaluated historic and architecturally significant buildings. The survey, conducted by the firm of Charles Hall Page and Associates, identified 306 properties, and structures were selected on the basis of historical and cultural, environmental and architectural significance. Volume I of the survey covered architectural development in the City from approximately 1850 to 1930. The Survey’s evaluation of individual buildings considered historical and architectural significance, importance to the neighborhood, desecration of original design, and physical condition, and assigned each an overall rating of exceptional, excellent, good or fair. All properties in the 1976 survey were officially listed and protected under the City historic preservation policies and regulations (City of Santa Cruz, Historic Preservation Commission website).

In 1989, Volume II of the City Historic Building Survey was produced, which catalogues a total of 247 additional structures from three categories: significant buildings from 1930 to 1950; important structures not included in the first survey; and significant vernacular buildings from 1850 to 1910, the latter of which comprise approximately one half of the structures in Volume II. Neighborhood context was emphasized in Volume II, with a focus on contiguous rows of historic buildings. More than 90% of properties in Volume II of the Survey have been listed officially (City of Santa Cruz, Historic Preservation Commission website).

Currently, approximately 600 buildings are listed in the City’s Historic Building Survey. Buildings of greatest historical and architectural significance have been designated “landmarks” pursuant to section 24.12.430 of the City’s Zoning Ordinance. Currently there are 26 designated landmarks in the City as identified on Table 4.9-1. Fifteen properties are listed on the National Register of Historic Places, and one additional structure is listed on the California Register of Historic Places. The following sites are listed in the California Historical Landmarks: Site of Mission Santa Cruz, Site of Villa Branciforte.

### **PALEONTOLOGICAL RESOURCES**

Paleontological resources are fossilized remains of plants and animals, and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources.

The cultural resources investigation conducted as part of the General Plan Update identified 48 vertebrate fossil localities within five miles of Santa Cruz. These localities have yielded 786 recorded vertebrate fossil specimens that have been found in the Santa Margarita Sandstone, Santa Cruz Mudstone, Purisima Formation, and from the Late Pleistocene terrace deposits in and near the General Plan planning area. Based on a literature review, four geologic units in the General Plan area are known to contain fossils: Late Pleistocene alluvium; the Purisima Formation; the Santa Cruz Mudstone; and the Santa Margarita Sandstone.

**TABLE 4.9-1**  
**City-Designated Landmarks and National Register Buildings (Updated June 2008)**

ADDRESS	Volume*/Page	NAME/STYLE	DESIGNATION
215 Beach	1/26	La Bahia Apartments	CLM
400 Beach	1/28	Roller Coaster & Carousel	NRHP
724 California	1/53	Thomas Weeks House	CLM
529 Chestnut	1/60	Hinds House	NRHP
401 Cliff	1/32	Cliffcrest	CLM
417 Cliff	1/34	H.S. Deming House	CLM
118 Cooper	1/89	Hall of Records/Octagon	CLM/NRHP
114 Escalona	1/104	Perry House	CLM
519 Fair	1/165	St. Elias Chapel/Shrine	CLM
844 Front	1/88	Veteran's Memorial	NRHP
850 Front	1/88	USPS	NRHP
333 Golf Club	na	Pogonip Club	Cal Landmark
123 Green	1/100	Reynolds-Hug-Sadler	CLM
1156 High	1/152-55	Cowell Lime Works	NRHP
203 Highland	1/105	McPheters House	CLM
1120 King	1/50	Byrne House	CLM
319 Laurel	1/76	Four Palms Apts	CLM
412 Lincoln	1/80	Cope Row Houses	CLM/NRHP
315 Main	na	Carmelita Cottages	CLM/NRHP
105 Mentel	1/139	Hagemann House	CLM/NRHP
207 Mission	1/92	Davis-Hasley House	CLM
1135 N. Branciforte	1/117	Dr. Carmean House	CLM
1351 N. Branciforte	1/118	Craig-Branciforte-Lorezana Adobe	NRHP
363 Ocean	1/129	Stick-Eastlake	NRHP
250 Ocean View	1/131	Captain Gray Home	CLM
1502 Pacific	1/86	Santa Cruz County National Bank	NRHP
1545 Pacific	2/58	Compass Rose Building	CLM
130 School	1/96	Neary-Rodriguez Adobe	CLM/NRHP
105 Sylvar	1/94	Willey House	CLM
109 Sylvar	1/95	Francisco Alzina House	CLM
924 Third	1/30	Golden Gate Villa	CLM/NRHP
304 Walnut	1/73	William Douglas Haslam House	CLM
101 Water	na	Town Clock	CLM
240 West Cliff	1/40	Period Bungalow	CLM
705 Woodrow	na	Garfield Park-Carnegie Library	CLM/NRHP
CLM – City Landmark      NRHP – National Register of Historic Places			
<b>SOURCE:</b> City of Santa Cruz			

During the Pleistocene, 11,000 to 2.5 million years ago, the Coast Ranges of California were heavily uplifted, and locally, the sea carved a sequence of terraces into the hardened and uplifted Purisima and Santa Cruz Mudstone formations. The coastal cliffs represent the lowest and youngest terrace. These deposits along West Cliff Drive have yielded a whale vertebra and fossil shells (Perry, 1977). Paleontological resources also have been found within the City of Santa Cruz in a few other scattered locations near DeLaveaga Park and Moore Creek (Clark, 1981).

As shown on Figure 4.9-5, most sedimentary geological units in the General Plan planning area are highly sensitive for paleontological resources. Though Holocene alluvium is generally considered too young to contain paleontological resources, this geologic unit is moderately sensitive for paleontological resources because it is underlain by sedimentary geologic units that have a high paleontological sensitivity. The crystalline rocks that underlie the sedimentary rocks of the General Plan planning area have a low paleontological sensitivity because igneous and metamorphic rocks do not generally contain paleontological resources.

## 4.9.2 RELEVANT PROJECT ELEMENTS

### PROPOSED GOALS, POLICIES & ACTIONS

The proposed *General Plan 2030* includes goals, policies and actions that address cultural resources. The draft *General Plan 2030* includes a **HISTORIC PRESERVATION, ARTS & CULTURE** chapter that sets forth two goals and 13 associated policies and actions that address archaeological, historic and paleontological resources, as well as arts and cultural facilities. Two other goals address arts and cultural programs and the City's identity as an arts and culture community. The two goals related to cultural resources are:

- GOAL HA1**      *Protection and preservation of cultural resources:*
- GOAL HA2**      *Facilities for arts and culture.*

Policy HA1 seeks to protect cultural resources, including archaeological, paleontological and historical resources. Eleven supporting policies and action sets address these resources. The other goals and actions relate primarily to promotion of arts and cultural programs. Several policies and actions in other chapters of the proposed General Plan also seek to protect and preserve landmarks in the City (CD2.3.2 and CD3.5.1). The Draft General Plan also encourages the protection and preservation of traditional cultural properties (HA1.7), although this type of resource does not specifically fall under the definition of a historical resource under CEQA. Traditional Cultural Properties (TCP) are a special type of resource valued by living communities for culturally important reasons, especially if they embody or help reinforce that community's values, beliefs, and customs.

### FUTURE DEVELOPMENT POTENTIAL

The *General Plan 2030* Land Use Map and land use designations are largely unchanged from the 1990-2005 General Plan / Local Coastal Program, except that three new mixed use land designations have been developed and applied to the following major transportation corridors: Mission Street, Ocean Street, Soquel Avenue, and Water Street.

Land Use actions LU1.1.4 and LU1.1.5 address development and land use for specific sites: the Swenson property and the Golf Club Drive property, respectively. LU2.2.3 also includes addition of a 5.5-acre parcel adjacent to the Dimeo Lane landfill and Resource Recovery Center, but specific uses haven't been identified, although the site will not be used as part of

expansion of the landfill disposal area. Additionally, some of the draft *General Plan 2030* policies and actions support specific types of land uses and/or development. The draft plan supports development of a desalination plant as part of the actions outlined to implement the City's adopted *Integrated Water Plan* (Policy CC3.1.3), but a specific site is not identified. See the WATER SUPPLY (Chapter 4.5) section of this EIR for further discussion regarding a potential desalination facility and impacts.

### 4.9.3 IMPACTS AND MITIGATION MEASURES

#### CRITERIA FOR DETERMINING SIGNIFICANCE

In accordance with the California Environmental Quality Act (CEQA), State CEQA Guidelines (including Appendix G), City of Santa Cruz plans, policies and/or guidelines, and agency and professional standards, a project impact would be considered significant if the project would:

- 9a Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 or to a unique archaeological resources (see definition below);
- 9b Disturb any human remains, including those interred outside of formal cemeteries;
- 9c Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 (see definition below) to include physical demolition, destruction, relocation, or alteration of historic resources or of the immediate surroundings of historic resources, such that the significance of the resources would be materially impaired (see definition below); or
- 9d Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

CEQA defines a “*unique archaeological resource*” as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one or more of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC §21083.2(g)).

State CEQA Guidelines Section 15064.5 defines a *historical resource* as:

- A resource listed in, or determined to be eligible for listing in, the California Register;
- A resource listed in a local register of historical resources.

- 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...Generally, a resource shall be considered by the lead agency to be historically significant.” Generally a resource is considered historically significant if it meets criteria for listing in the California Register of Historical Resources, including:
  - Is associated with events that made a significant contribution to the broad patterns of California’s history and cultural heritage.
  - Is associated with the lives of people important in our past.
  - Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values.
  - Has yielded or may be likely to yield information important in prehistory or history; OR
  - A resource determined to be a historical resource by a project’s lead agency.

CEQA Guidelines Section 15064.5(b) defines a “*substantial adverse change*” to a historical resource as: “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. The significance of an historical resource is *materially impaired* when a project demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources or in registers meeting the definitions in Public Resources Code 5020.1(k) or 5024.1(g).

## IMPACT ANALYSIS

Based on the significance criteria identified above, the following impact analyses address archaeological resources (9a, 9b); historical resources (9c); and paleontological resources (9d).

### **Potential Future Development & Buildout**

Adoption and implementation of the proposed *General Plan 2030* would not directly result in increased new development. However, the draft General Plan includes policies and a land use map that support additional development as summarized in subsection 4.9.2 above. Buildout projections indicate that potential new development accommodated by the draft general plan to the year 2030 could total 3,350 residential units, 3,140,000 square feet of commercial, office and industrial development and new hotel rooms, primarily on infill and underutilized lots, as described in the PROJECT DESCRIPTION (Chapter 3.0) and LAND USE (Chapter 4.2) sections of this EIR.

Development under the proposed General Plan would primarily occur on remaining vacant infill sites, on underutilized properties that could be redeveloped at higher densities and/or land use intensities, and in the new mixed-use districts along the City's four major street corridors: Mission Street, Ocean Street, Soquel Avenue, and Water Street. Based on the estimated development occurring under the proposed plan,<sup>4</sup> approximately 55% of all new housing, 45% of new commercial development, and 52% of new office development would be located along these corridors.

**Impact 4.9-1: Archaeological Resources and Human Remains**

Adoption and implementation of the proposed *General Plan 2030* would accommodate future development that could directly or indirectly disturb or alter archaeological resources, historical archaeological, and/or human remains. Even with implementation of the proposed General Plan policies and actions for cultural resource protection, this is considered a *potentially significant impact*.

The proposed *General Plan 2030* would accommodate future development pursuant to planned land use designations contained in the Plan. Development under the proposed General Plan would primarily occur on vacant infill sites, on underutilized properties that could be redeveloped at higher densities and/or land use intensities, and in the new mixed-use districts along the City's four major street corridors: Mission Street, Ocean Street, Soquel Avenue, and Water Street. Based on the estimated development occurring under the proposed plan, more than half of the estimated new development would be located along major transportation corridors. Some segments along these corridors are located within mapped archaeological sensitivity areas as shown on Figure 4.9-1.

Although the City of Santa Cruz is primarily developed, except for a few remaining vacant lots located within developed areas, the following three areas within the planning area are primarily undeveloped or underdeveloped and would be subject to potential future development: the Swenson site adjacent to Antonelli Pond; the Golf Club Drive area adjacent to Pogonip Creek, and the area along Seventh Avenue that is within the City's Sphere of Influence (SOI), but outside city limits. The Swenson property and SOI area along Seventh Avenue are identified within potentially sensitive areas, and the Golf Club Drive area is within a sensitive area. The small addition to the landfill property is not within an archaeologically sensitive area.

Grading, trenching, and other subsurface construction activities associated with future development and buildout of the General Plan could have the potential to encounter undiscovered archaeological resources that could potentially be damaged or destroyed, especially in identified sensitive areas. The same development activities also have the potential to disturb or destroy burial sites if known or encountered in development areas. Additionally, historical archaeological resources representing different phases of Santa Cruz's history, including Spanish colonial, Mexican and American periods, may be encountered, especially with the sensitivity areas shown on Figure 4.9-3. Such deposits may be sufficiently intact to yield

<sup>4</sup> See Table 3-3 in the PROJECT DESCRIPTION (Chapter 3.0) section of this EIR and Figure 2-3 for estimated distribution of new development in specific areas in the City.

information important to the history of the City, which would qualify them for listing in the California Register, and thus, be considered historical resources.

The proposed *General Plan 2030* includes a number of policies and actions that serve to protect archaeological resources, and thus, mitigate potential impacts to archaeological resources and/or human remains that may occur as a result of development under the General Plan. These policies and actions seek to preserve, protect and manage archaeological sites and protect human remains. Additionally, Section 24.12.420 of the City's Municipal Code outlines procedures to be followed in the event that unknown archaeological resources are encountered during construction. This includes stopping work until the significance of the find is evaluated and appropriately mitigated, and/or appropriate contacts are made as specified in the event of discovery of human remains.

The General Plan policies and actions outlined in Table 4.9-2 and existing City regulations will serve to protect cultural resources that may be present or encountered as part of future development accommodated by the proposed General Plan. However, the proposed policies and actions do not provide guidance regarding when and how archaeological investigations should be implemented as part of future development proposals. Proposed Action HA1.2.1 calls for preparation of "informational materials for property owners regarding potential cultural resources and early development planning strategies", but the draft *General Plan 2030* does not include a process under which future development proposals would be screened for potential archaeological resources. Similarly, Policy HA1.5 requires that any archaeological work conducted within the City be performed by a qualified archaeologist, and companion Action HA1.5.1 calls for a review process for archaeological work and creation of guidelines for archaeological and historic reports, but the policy or action specifying when such reports would be required is absent.

The cultural resources background report prepared for the General Plan recommends that proposed development within designated "High Sensitivity" or "Sensitive" areas as shown on Figure 4.9-1 would be required to prepare an archaeological investigation prior to approval of development permits, except for exempt projects within "Sensitive" areas as further discussed below. The archaeological study would determine if a parcel contains archaeological deposits that meet the CEQA definition of historical or archaeological resources, and, if so, whether such deposits may be impacted by the permitted action. The study would also recommend ways to avoid or offset potential impacts.

No study would be required for those parcels outside the sensitive areas, including parcels identified on Figure 4.9-1 as "Discovery Requirement Only. For construction in these areas, as well as in areas not designated as "Highly Sensitive" or "Sensitive, the City's accidental discovery procedures (Municipal Code Section 24.12.430) would still apply for these parcels, should permitted construction encounter unidentified archaeological deposits. This regulation requires that construction be stopped if archaeological resources are encountered during construction, and that the Planning Director be notified and the discovery analyzed. If determined not be an archaeological resource, construction could proceed, but it is determined to be a resource, implementation of appropriate measures would be required.

**TABLE 4.9-2  
Proposed General Plan Policies & Actions  
That Avoid or Reduce Cultural Resource Impacts**

Type of Measure / Action	Policies / Actions
ARCHAEOLOGICAL SITE & RESOURCE PROTECTION	<ul style="list-style-type: none"> <li>♦ Preserve archaeological sites: HA1.1, HA1.1.1 (Zoning regs), HA1.1.2 (sensitivity map updates)</li> <li>♦ Protect/manage archaeological resources in development: HA1.2, HA1.2.1</li> <li>♦ Manage discovered archaeological sites: HA1.4</li> <li>♦ Hold meetings with descendent communities for input on resource protection: HA1.3, HA1.3.1</li> <li>♦ Archaeological review and report guidelines: HA1.5, HA1.5.1, HA1.5.2</li> </ul>
DISTURBANCE TO HUMAN REMAINS	<ul style="list-style-type: none"> <li>♦ Preserve archaeological sites: HA1.1</li> <li>♦ Maintain &amp; update Zoning Ordinance archaeological protection regulations &amp; archaeological maps: HA1.1.1, HA1.1.2</li> <li>♦ Protect human remains: HA1.4, HA1.4.1, HA1.4.2</li> </ul>
HISTORICAL RESOURCE PROTECTION	<ul style="list-style-type: none"> <li>♦ Protect, restore, rehab historic or architecturally significant buildings, sites, landmarks (HA1.8) through Zoning Ord regs and landmark status (HA1.8.1, HA1.8.2, HA1.8.3), information to property owners (HA1.8.4), incorporate historic features in public property (HA1.9.3), seek funding for preservation (HA1.11.4)</li> <li>♦ Identify/preserve landmarks: CD2.3.2, HA1.8.5 (for Nat'l &amp; State Register properties)</li> <li>♦ Ensure compatible development within historic districts: HA1.9</li> <li>♦ Historic building preservation guidelines: HA1.9, HA1.9.2</li> <li>♦ Maintain &amp; expand historic districts: LU3.9.4</li> <li>♦ Consider historic preservation in City regulations: H1.11.6</li> <li>♦ Incentives for listing, preservation and/or rehab of architecturally significant buildings, sites and landmarks: HA1.11, HA1.11.1, HA1.11.3, HA1.11.5</li> <li>♦</li> </ul>
PALEONTOLOGICAL RESOURCE PROTECTION	<ul style="list-style-type: none"> <li>♦ Preserve paleontological sites: HA1.1</li> <li>♦ Maintain &amp; update Zoning Ordinance for paleontological protection regulations &amp; sensitivity maps: HA1.1.1, HA1.1.2</li> <li>♦ Protect/manage paleontological resources in development: HA1.2, HA1.2.1</li> </ul>

The cultural resources background report also recommends that small projects be exempt from requirements of an archaeological study within areas designated as “Sensitive”. These projects generally include uses with minimal potential for impacting archaeological deposits, such as spot excavation to a depth of 12 inches or less below existing grade, or uses that have virtually no potential of resulting in significant impacts to archaeological deposits. Examples of possible exemptions include, but are not limited to: minor building additions, deck construction, excavation in soil that can be documented as previously disturbed. If development is within a “High Sensitivity” area, it was suggested that the City may elect to forego the archaeological

study and instead require that an archaeologist review initial ground clearance and excavation to identify archaeological deposits prior to extensive ground disturbance. Those uses that qualify for a small projects exemption would still be conditioned with the requirement to identify, evaluate, and, if necessary, mitigate impacts to accidental archaeological discoveries.

**Conclusion.** Adoption and implementation of the proposed *General Plan 2030* would not directly result in new development, but new development accommodated by the plan would result in construction that may result in impacts to buried archaeological resources. Implementation of the proposed General Plan policies and actions outlined above, as well as compliance with local and state regulations, would help reduce impacts. However, the proposed Plan does not specify a process for evaluating potential archaeological resources during the development process, and thus the impact is potentially significant.

### **Mitigation Measures**

Implementation of Mitigation Measure 4.9-1 below, in conjunction with implementation of the proposed General Plan policies and actions and compliance with local regulations, will mitigate potential impacts of future development on archaeological resources to a less-than-significant level.

**MITIGATION 4.9-1** Add Action HA1.2.2 that establishes a procedure for preparing archaeological investigations as follows:

HA1.2.2 Require preparation of archaeological investigations on sites proposed for development within areas identified as “Highly Sensitive” or “Sensitive” on the “Areas of Archaeological Sensitivity” and “Historical Archaeology Sensitivity” maps, except for exempt uses within “Sensitive” areas as described below, prior to approval of development permits. The investigation shall include archival research, site surveys and necessary supplemental testing as may be required, conducted by a qualified archaeologist. The significance of identified resources shall be ascertained in accordance with CEQA definitions, and impacts and mitigation measures outlined if significant impacts are identified, including, but not limited to recovery options and onsite monitoring by an archaeologist during excavation activities. A written report describing the archeological findings of the research or survey shall be provided to the City.

Allow minor projects with little excavation to be exempt from this requirement for preparation of an archaeological assessment within designated “Sensitive” areas, but not within the “High Sensitivity” areas. Minor projects generally involve spot excavation to a depth of 12 inches or less below existing grade, or uses that have virtually no

potential of resulting in significant impacts to archaeological deposits. Exempt projects may include: building additions, outdoor decks, or excavation in soil that can be documented as previously disturbed.

**Impact 4.9-2: Historical Resources**

Adoption and implementation of the proposed *General Plan 2030* would accommodate future development that could directly or indirectly disturb or alter historical resources. With implementation of the proposed General Plan policies and actions for historic resource protection, this is considered a *less-than-significant impact*.

Future development accommodated by the proposed *General Plan 2030* could potentially damage, degrade, or destroy the historic integrity of historical resources, especially along the mixed-use corridors where historic buildings may be present. Redevelopment of existing developed sites may result in removal of or damage to historic structures. As indicated above, approximately one-half of the anticipated future development would occur along existing road corridors in which historic or older buildings may be located.

The proposed *General Plan 2030* includes a number of policies and actions that serve to protect historical resources, and thus, mitigate potential impacts to these resources that may occur as a result of development under the General Plan. These policies and actions are summarized in Table 4.9-2. In particular, Policies HA1.8 and HA1.9 and supporting actions, seek to protect, restore, and/or rehabilitate historic or architecturally significant buildings, sites, and landmarks; ensure compatible development within historic districts; and utilize historic building preservation guidelines. The draft plan also promotes incentives for listing and rehabilitation of significant buildings (HA1.11 and actions). Several policies in the Land Use and Community Design sections of the draft *General Plan 2030* (as noted on Table 4.9-2) also seek to maintain and expand historic districts and landmarks (LU3.9.4, CD2.3.2).

The General Plan policies and actions outlined in Table 4.9-2 will serve to protect cultural resources that may be present or encountered as part of future development accommodated by the proposed General Plan. Additionally, compliance with local regulations regarding historic alteration or demolition permits will also serve as the mechanism for review of projects that may alter existing historical resources. The draft Plan does call for updating the Zoning Ordinance to simplify and streamline the review process for a Historic Alteration Permit (HA1.11.2), although this shouldn't affect the basic intent of the regulations to protect historic resources.

**Conclusion.** Adoption and implementation of the proposed *General Plan 2030* would not directly result in new development, but new development accommodated by the plan would result in construction that may result in impacts to historic resources. Compliance with local regulations regarding protection of historic resources, and implementation of the proposed General Plan policies and actions outlined above, would reduce impacts to a less-than-significant level.

**Mitigation Measures**

No mitigation measures are required a significant impact has not been identified.

**Impact 4.9-3: Paleontological Resources**

Adoption and implementation of the proposed *General Plan 2030* would accommodate future development that could directly or indirectly disturb or alter paleontological resources. Even with implementation of the proposed policies and actions for cultural resource protection, this is considered a *potentially significant impact*.

Potential development that could occur under the proposed General Plan is described above under the Impact 4.9-1 analysis. Excavation activities may also have the potential to damage or destroy paleontological resources if present.

The proposed *General Plan 2030* includes a number of policies and actions that serve to protect archaeological resources, and thus, mitigate potential impacts to paleontological resources as a result of development under the General Plan. In particular, Policy HA1.1 and associated actions seek to preserve, protect and manage paleontological resources. However, the proposed policies and actions do not provide guidance on how such protection and/or management would occur, especially as a result of development projects. The cultural resources review recommends that permit applicants within paleontologically sensitive areas (as shown on Figure 4.9-5) be provided notification of the potential for encountering paleontological resources during construction and procedures to follow if such resources are found.

**Conclusion.** Adoption and implementation of the proposed *General Plan 2030* would not directly result in new development, but new development accommodated by the plan would result in construction that may result in impacts to buried paleontological resources. However, with implementation of the proposed General Plan policies and actions outlined above, impacts would be reduced. However, the proposed plan does not specify a process for evaluating potential paleontological resources during the development process, and thus the impact is potentially significant.

**Mitigation Measures**

Implementation of the proposed General Plan policies and actions outlined above, and Mitigation Measure 4.9-2 identified below will mitigate potential impacts of future development to a less-than-significant level.

**MITIGATION 4.9-2** Add Action HA1.2.3 that establishes a procedure for preparing archaeological investigations as follows:

HA1.2.3 The City shall notify applicants within paleontologically sensitive areas of the potential for encountering such resources during construction and condition approvals that

work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City should require the treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.

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