

# Cultural, Paleontological, and Tribal Resources

This chapter evaluates potential impacts of the proposed Project on cultural and paleontological resources. Cultural resources are defined as buildings, sites, districts, structures, or objects having historical, architectural, archaeological, or cultural significance. Paleontological resources are defined as fossilized remains of vertebrate and invertebrate organisms, fossil tracks and trackways, and plant fossils. This section briefly describes the prehistoric and historic setting of the Project area and presents known cultural and paleontological resources and cultural resource sensitivity in the Project area. It identifies applicable federal, state, and local regulations; identifies potential impacts of construction and operation of the proposed Project; and proposes mitigation measures, where available and applicable, to reduce impacts on cultural and paleontological resources.

## 6.1 Existing Setting

The proposed Project would be constructed within the City of San Mateo and, therefore, existing setting information for San Mateo is presented. The existing setting is primarily summarized from the General Plan EIR (City of San Mateo, 2009) and the Citywide Archaeological Report (Chavez, 1983), and a cultural resource assessment that was conducted specifically within the Project boundaries (Jacobs, 2017). This chapter incorporates by reference all the sources from these documents. The reference documents are available from the City of San Mateo. The study area for this chapter includes all proposed disturbance areas, and a 0.5-mile buffer around the Project site.

### 6.1.1 Area of Potential Effects

The Area of Potential Effect (APE) for all Project elements includes a 25-foot-diameter area around the diversion sewer pipelines and the storage facility construction layout area (as shown in **Figures 2-1 and 2-6**), both of which were examined as part of this investigation.

The areas surveyed also include the vertical APE, with an average depth of 5 feet for the diversion sewer pipelines. According to City engineers, trenches would typically be between approximately 5 and 20 feet deep, and the width would be 2.5 times the pipe diameter. Pipes would range between 36 and 18 inches in diameter. It is assumed the new storage facility's reinforced concrete tank will be placed at about 60 feet bgs.

### 6.1.2 Prehistory

San Mateo is set between two primary physical features, San Francisco Bay to the east and a ridge of hills on the City's west side. Native American occupation and use of the general area appear to extend over 5,000 to 7,000 years and possibly longer. Evidence of early occupation along the Bayshore has been hidden by rising sea levels from about 15,000 to 7,000 years ago or has been buried by sediments caused by marsh infilling along estuary margins since about 7,000 years ago.

Early occupants concentrated on hunting, gathering various plant foods, and collecting shellfish. According to Chavez (1983), the prehistoric way of life in the San Mateo Peninsula can be characterized as a hunting and gathering network of subsistence systems. Seasonally, parties went out from the villages to temporary camps within their territory to exploit the various available resources through hunting and gathering techniques. Subsistence patterns included the exploitation of marine resources by gathering mussel and shellfish in season, fishing for trout and salmon, taking of seals, and hunting

land mammals. Intensive use of plant foods included the common use of acorns through the leaching process.

Known sites in the vicinity generally consist of dark midden (culturally affected) soils containing large quantities of shell, primarily obtained from the Bayshore area. Most of the mound sites in the study area have been leveled and partially covered by roads, buildings, parking lots, and parks over the past 70 to 100 years.

### 6.1.3 Ethnography

The California Native Americans who occupied the Peninsula at the time of European contact are known as the Costanoan. The term Costanoan is derived from the Spanish word *Costanos*, meaning coast people. San Francisco Bay Area descendants of these people prefer the name Ohlone. Sources for Ohlone ethnographic data are limited primarily to European accounts during visits to the coast. Linguistic evidence suggests that the immediate ancestry of the historically known Ohlone people moved into the San Francisco region about A.D. 500. They likely migrated from the San Joaquin-Sacramento River Delta area. This theory of the arrival of Costanoan language in the San Francisco area is chronologically consistent with the appearance of Late Horizon artifact assemblages in San Francisco Bay Area archaeological sites.

The Costanoan transformed from hunters and gatherers to agricultural laborers who lived at the Franciscan missions and worked with former neighboring groups such as the Yokut, Miwok, and Patwin. After secularization of the missions between 1834 and 1836, some Native Americans returned to traditional religious and subsistence practices and others labored on Mexican *ranchos*. Thus, multi-ethnic Indian communities grew up in and around Costanoan territory and provided informant testimony to ethnologists from 1878 to 1933.

### 6.1.4 Historic Context

Spanish explorers in the late 1760s and 1770s were the first Europeans to traverse the San Francisco Peninsula. The first party, led by Gaspar de Portola and Father Juan Crespi, traveled up the coast in search of Monterey Bay but failed to recognize it based on previous descriptions. In fall 1769, they first sighted San Francisco Bay from a ridge on the Peninsula. Sergeant Jose Francisco Ortega scouted the area, although his exact route remains uncertain. The second exploratory party, led by Fernando Javier Rivera and Father Francisco Palou, reached the San Francisco Peninsula in late 1774. They selected the Palo Alto area for a mission site but continued to travel north to San Francisco. In 1776, Colonel Juan Bautista de Anza and Father Pedro Font traveled from Monterey to San Francisco to select the settlement sites. Between 1769 and 1823, 21 missions were established by the Franciscan priests along the California coast between San Diego and Sonoma.

During the Spanish Period (1769–1822), the philosophy of government was directed at founding presidios, missions, and pueblos, with the land held by the Crown, whereas the later Mexican policy stressed individual ownership of land. About 1793, an adobe was built on the north bank of San Mateo Creek along El Camino Real, the trail connecting the San Francisco outpost with Monterey (City of San Mateo, 2009). This outpost functioned as a way station between Santa Clara and Mission Dolores. The footprint of the building appears to have straddled the southeast corner of Baywood Avenue and El Camino Real. The outpost produced grain and other crops, cattle, and sheep. By 1800, 30 mission-trained Native Americans were living in and around the adobe.

During the Mexican Period (1822–1848), vast tracts of land were granted to individuals. The Mexican period in California was an outgrowth of the Mexican Revolution, and its accompanying social and political views affected the mission system. The missions were secularized in 1833 and their lands divided among the Californios as land grants called *ranchos*. On the Peninsula, 18 ranchos were granted

from mission lands. The rancho system generally remained intact until 1862–1864, when a drought forced many landowners to sell or subdivide their holdings.

The American Period started after 1848, with the initial population explosion on the Peninsula associated with the California Gold Rush, followed later by the construction of the transcontinental railroad in the late 1860s. European immigration and the development of a prosperous dairy industry had an impact on population growth in the area. Until about World War II, San Mateo County had a substantial agricultural or rural land use pattern. Former ranchos underwent a transformation in concert with the growth of transportation systems, the City of San Francisco, and other towns to the south in San Mateo County.

The town of San Mateo began to develop in the 1860s. In May 1861, construction began on the railroad to link San Francisco with San José. Charles Polhemus, a director of the San Francisco-San José Railroad, which ran through San Mateo, had William Lewis plan the town in 1862; the first plat of San Mateo consisted of about 16 blocks around the railroad depot. The first building to be erected near the tracks was the train station, and soon after buildings were constructed in the area of Main Street and Railroad Avenue. This was the beginning of downtown San Mateo. The opening of railroad service in San Mateo attracted many San Franciscans to the area. San Mateo was incorporated as a town in 1894.

By the turn of the 20th century, San Mateo was a community made up of large estates and summer retreats for wealthy San Franciscans to escape inclement summers in the City. Several subdivisions were planned and constructed for the service industry that grew up around the estates. The population of the City in 1900 was 1,832. A trolley system, constructed to connect San Mateo to San Francisco, was completed in 1903. With a 40-minute runtime from south San Francisco to downtown San Mateo, the trolley allowed middle class people to live outside San Francisco and commute to work daily (Sustainable San Mateo County, 2015). The 1906 earthquake served to increase the population of San Mateo as the City received people displaced by the disaster. By 1910, the population of San Mateo had risen to 4,384 people and by 1920, the population increased to 5,979 (MTC-ABAG Library, 2015).

Called “the Coney Island of the west,” Pacific City was meant to be a tourist destination for local residents as well as day trippers coming down the peninsula from San Francisco. In 1921, real estate investors purchased the 90 acres of land at Coyote Point, located in Burlingame, which is immediately north of San Mateo. At a cost of approximately \$1 million, the massive amusement complex known as Pacific City was constructed and opened for business on July 1, 1922. The park boasted a 3,200-foot boardwalk with associated bathing beach, a 68-foot pier, a dance pavilion, a roller coaster, and other carnival attractions. On opening weekend, more than 100,000 people entered the park and over a million people visited during its first season. When attendance began to dwindle, the facility closed for maintenance and repair before the start of the next season. After its reopening in 1923, the county health department closed the bathing beach due to untreated sewage. This coupled with the inclement weather spelled the doom of the park. By the end of its second season, Pacific City was abandoned (Burlingame Historical Society, n.d.). By the late 1920s, these ongoing sewage problems spurred initiatives to clean up the shoreline (Macabee, 1933).

In 1930, the City’s population had increased to 13,444 citizens. Although the City had a world-class transportation system, other civil infrastructure lagged. In 1933, the City had nine sewer outfalls. It was the Great Depression that offered the City an opportunity to grow. With the general collapse of the economy of the United States, President Franklin Delano Roosevelt instituted a range of programs aimed at boosting the country’s workforce. These programs were known collectively as the New Deal, and they operated from 1933 until America’s entry into World War II (Department of Geography, 2018). As a result of the New Deal, there were many improvements around the City, including a school, golf course, and the post office. Of the many federal programs initiated to help jump-start local economies and provide work for thousands of unemployed, the Federal Emergency Administration of Public Works (Public Works Administration, or PWA) was created under the National Industrial Recovery Act of 1933.

Rather than overseeing the direct hiring of the unemployed like the Works Progress Administration (WPA) or the Civilian Conservation Corps, the PWA funded important projects through the local governments themselves, including the 1936 sewage treatment plant for the City.

During and after World War II, San Mateo County experienced explosive growth in population and housing. During the war years, industries like ship building and steel production came to the county, fostering jobs and more people. After the war, commercial aviation, and later the electronics industry, drove economic and residential expansion in San Mateo. **The population of the City increased to 41,782 in 1950, 69,870 by 1960, and 78,991 by 1970** (MTC-ABAG Library, 2015).

The increases in population brought a need for housing. Consequently, San Mateo’s suburban growth resulted in two famous Mid-Century modern-style tract housing developments of the late 1950s and early 1960s, the Highlands and Nineteenth Avenue Park.

The two well-known San Mateo suburban residential developments, associated with Joseph Eichler, of the Highlands and Nineteenth Avenue Park display architectural distinction and are the best local examples of Mid-Century modern-style tract housing, influenced by the Usonian style. The San Mateo suburban residences feature the style-defining dominant horizontal lines, integrated windows, and either flat or very gently sloped gabled roofs with wide overhanging eaves. Eichler focused on fair housing and affordable construction throughout his career.

Born in New York City on June 25, 1900, Joseph Leopold Eichler attended college at New York University and went on to become a developer in California. During the mid-1940s, Eichler became intrigued with modernist design and was particularly influenced by the design of Frank Lloyd Wright. Beginning in 1949, Eichler became involved with building communities of homes and aligning himself with progressive California architects – first Anshen and Allen of San Francisco, then Jones and Emmons, and later Claude Oakland. Eichler strived at combining quality architectural design and economical construction, characterized as flair and affordability, for California’s benign climate. He is best known for the many unique modernist homes he built. His list of accomplishments includes many housing developments in Northern California, including the San Francisco area and the Bay Area (Eichler Network, 2016; Weinstein, 2016).

In the San Mateo area, Eichler’s development company often teamed up with the local contracting company of L.C. Smith. Known primarily as a paving company, L.C. Smith Co. specialized in roads, freeways, sidewalks, and parking lots (First Republic Bank, 2014). Many San Mateo neighborhoods still carry the stamp of the company’s work. The ubiquitous L.C. Smith Co, Contractor, and date stamp appears on sidewalks throughout the City.

### 6.1.5 Known Cultural Resources in San Mateo

The General Plan EIR provides a summary of the Citywide cultural resources survey:

*The 1983 survey concluded that while soil removal and construction have eliminated most above-ground shell mounds, good potential still exists for the presence of undisturbed subsurface archaeological deposits at surveyed sites. It was also concluded that high research potential exists for sites adjacent to San Mateo Creek. The “medium sensitivity” zone includes areas surrounding the high sensitivity areas and other locales where, while no sites are recorded, the settings are similar to those where recorded sites do occur. The majority of the City is in a “low sensitivity” zone wherein archaeological resources are not generally expected but may occur.*

### 6.1.6 Paleontological Setting

As stated in the General Plan EIR (San Mateo, 2009), there are no known paleontological resources in the City of San Mateo.

## 6.2 Regulatory Framework

### 6.2.1 State Regulations

#### 6.2.1.1 California Register of Historical Resources

The California Register of Historical Resources (CRHR) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. CRHR helps government agencies identify and evaluate California’s historic resources and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change [Public Resources Code [PRC] §5024.1(a)]. Resources listed in or eligible for listing in CRHR are to be considered during the CEQA process.

A cultural resource is evaluated under four CRHR criteria to determine its historical significance. For a resource to have historical significance, it must be in accordance with one or more of the following criteria [as defined in PRC §15064.5(a)(3)]:

- i. Is associated with events that have made a significant contribution to the broad pattern of California’s history and cultural heritage;
- ii. Is associated with the lives of persons important in our past;
- iii. 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
- iv. Has yielded, or may be likely to yield, information important in prehistory or history.

Any resource that meets the above criteria, and retains sufficient historic integrity, is considered a historical resource under CEQA.

In addition to meeting one or more of the above criteria, CRHR 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 [California Code of Regulations [CCR] Title 14(11.5) §4852 (d)(2)]. The Office of Historic Preservation recommends documenting, and taking into consideration during the planning process, any cultural resource that is 45 years or older.

CRHR 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.

Resources that are significant, meet the age guidelines, and possess integrity would generally be considered eligible for listing in the CRHR.

#### 6.2.1.2 California Public Resources Code Section 21083.2

Section 21083.2 of the California PRC describes the CEQA requirements for evaluating whether a project may have a significant effect on archaeological or paleontological resources. 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 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; or

- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

CEQA further defines a “historical resource” as a resource that meets any of the following criteria:

- A resource listed in or determined to be eligible for listing in, the CRHR;
- A resource listed in a local register of historical resources, as defined in PRC §5020.1(k);
- A resource identified as significant (e.g., rated 1 through 5) in a historical resource survey that meets the requirements of PRC §5024.1(g); or
- Determined to be a historical resource by a project’s lead agency.

Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered a historical resource.

If the cultural resource in question is an archaeological site, CEQA requires that the lead agency first determine if the site is a historic resource, as defined in CCR Title 14(3)§15064.5(a). If the site qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource. If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological site, then the archaeological site is treated in accordance with PRC §21083.2.

According to PRC §21083.2, if an impact on a historic or unique archaeological resource is significant, CEQA requires feasible measures to minimize the impact. Mitigation of significant impacts must lessen or eliminate the physical impact that a project will have on the resource. Generally, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historic resource. However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate impacts to a less-than-significant level.

CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped when human remains are uncovered, and that the county coroner assess the remains. If the coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. The lead agency must consult in a timely manner with the appropriate Native Americans, if any, identified by the Native American Heritage Commission.

### 6.2.1.3 California Health and Safety Code

Section 7050.5(b) of the California Health and Safety Code specifies the protocol when human remains are discovered:

*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 human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.*

#### 6.2.1.4 Assembly Bill 52

According to the introduction to Assembly Bill 52, on September 27, 2016, Appendix G in the CEQA Guidelines has been modified to address tribal resources. Tribal cultural resources are defined in as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either determined to be eligible for inclusion in the CRHR or are included in a local register of historical resources, as defined in §5020.1(k) and PRC §21074.
- A resource determined by the lead agency, at its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Section 5024.1(c). These would be a cultural landscape that is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape, a historical resource, a unique archaeological resource, or a “non-unique” archaeological resources, as defined in PRC §21084.1 and §21083.2.

In addition, Assembly Bill 52 provides specific guidelines regarding tribal consultation, and states the lead agencies shall:

- Provide information to tribal governments early in the project planning process, to identify and address potential adverse impacts on tribal cultural resources.
- Conduct consultation with any California Native American tribe that requests consultation and is culturally and traditionally affiliated with the geographic area of a proposed project. According to PRC 21080.3.1, this consultation shall occur prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.
- Recognize that Native American prehistory, history, archaeology, cultural, and sacred places are essential elements in tribal traditions, heritages, and identities.
- Establish mitigation measures for tribal cultural resources that uphold to mitigation measures for historical and archaeological resources of preservation in place, if feasible.
- Recognize that Native Americans may have expertise regarding their tribal history and practices that concern the tribal cultural resources with which they are traditionally and culturally affiliated.

### 6.2.2 Local Regulations

#### 6.2.2.1 City of San Mateo Zoning Code Requirements

Chapter 27.66, Historic Preservation, in the Municipal Code (City of San Mateo, 2015) requires review and approval through the City’s SPAR process for projects resulting in exterior façade modification, exterior alteration, or building addition involving any individually eligible building for the National Register of Historic Places (NRHP). Review and approval are also required for other specifically identified buildings in the City’s Downtown Specific Plan Area and all structures in the Downtown Historic District. Modifications are evaluated for conformance with applicable federal guidelines.

## 6.3 Assessment Methods and Thresholds of Significance

The following information was collected and reviewed to determine impacts to cultural resources.

### 6.3.1 Literature Review and Site Survey

A registered archaeologist conducted an archival literature review and a pedestrian survey for the Project Site. The literature review included a records search of the files at the Northwest Information Center California Historical Resources Information System (CHRIS). A 0.5-mile area around the Project

site was included in the search. The CHRIS records search included all recorded archaeological sites, and all known cultural resource survey and excavation reports. The NRHP online database and the Office of Historic Preservation database, which includes sites listed on the California Register, California Historical Landmarks, and California Points of Historical Interest, were searched as well.

The records search revealed that one previous study has occurred within a 0.5-mile radius of the APE and could intersect with a diversion sewer pipeline.

On May 10 and 11, 2017, Jacobs conducted a pedestrian survey of the storage facility site and diversion sewer pipelines. Jacobs had full access to all properties. Potential historic or prehistoric archaeological resources observed are noted below. An intensive survey was conducted for all areas where ground visibility existed, including an examination of all undeveloped areas and all areas of disturbed soil.

### 6.3.2 Archaeological Survey Results

Systematic pedestrian cultural resource surveys of the area of the APE were conducted by a registered archaeologist.

The cultural survey areas were predominately within the built environment. Ground visibility throughout the survey corridor was generally poor because the APE contained roads, urban and residential development, recreational areas, utilities, and other construction. Where fallow fields, cut banks, and other soil exposures were encountered, soils were thoroughly assessed. The survey was conducted in 15-meter transects. Disturbances to the survey area have affected 100 percent of the horizontal and an unknown percentage of the vertical.

No archaeological resources were discovered as a result of the pedestrian survey.

### 6.3.3 Architectural Survey Results

Because the Project area is largely urban and developed, the surveyors conducted a reconnaissance windshield architectural survey for the diversion pipeline alignments. Review was conducted of San Mateo County assessor data to establish building dates. Historical topographic maps and aerial images were also used to establish general dates of construction. Project elements are located near areas with buildings 50 years or older, some of which may be eligible for the CRHR.

The storage facility and diversion sewer pipelines are located near the Fiesta Gardens area of San Mateo, on the grounds of the County Event Center and the former Bay Meadows Racetrack. Saratoga Drive is to the northeast and Event Center Drive appears to the northwest. Single-family residential buildings are north of the Project site, across Saratoga Drive. The area for the storage facility is a partially paved and gravel lot and is mostly bounded by opaque fencing. Within the fenced area is storage for recreational vehicles (RVs) and trailers.

Impacts on cultural resources may occur if the proposed Project would result in the following:

- Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
- Disturb any human remains, including those interred outside of formal cemeteries
- Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k)



- Cause a substantial adverse change to a California Native American Tribal resources, determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of a tribal cultural resource

## 6.4 Environmental Impacts

### ***Impact 6-1. Would the proposed Project cause a substantial adverse change in the significance of a historic resource or archeological resource pursuant to CEQA §15064.5?***

No impacts to any historic buildings or structures would occur as a result of the proposed Project. All Project elements are located within a previously disturbed paved parking area and City streets and would not require the direct removal or alteration of any historic buildings, or their settings and viewsheds.

The archival review identified one known resource within the Project site. The archaeological survey did not identify any surface indicators of prehistoric and historic archaeological resources within the designated survey areas within the Project site. Though the site would be located in an area that is already disturbed, the Project site has a low to moderate sensitivity for intact buried deposits throughout the APE.

Additionally, prehistoric archaeological resources are known to occur in the general vicinity of the Project site, as the records search demonstrated. Therefore, there is some theoretical potential that prehistoric archaeological resources could be found in undisturbed soils during construction activities, such as grading and excavation.

San Mateo has developed specific conditions of project approval that address the potential for discovery of cultural resources. Implementation of Final PEIR **Mitigation Measure 6-1b, Halt construction if archaeological resources are discovered**, would provide for avoidance, recovery, or other mitigation of any unknown subsurface cultural resources encountered during construction activities at any location.

In addition to Final PEIR **Mitigation Measure 6-1b**, the City will implement Project-specific **Mitigation Measure 6-1c, Conduct worker environmental awareness training**, for all personnel before working at the Project site. The training will emphasize and educate workers regarding sensitivity for cultural resources on the site and procedures should cultural resources be encountered.

The City will also implement Project-specific **Mitigation Measure 6-1d, Designate a qualified archaeologist to conduct full-time monitoring of all ground-disturbing activities during construction**. Full-time monitoring would reduce impacts to archaeological deposits or human remains by allowing the archaeologist to evaluate inadvertent archaeological discoveries to determine their significance. If cultural resources are discovered during ground-disturbing activities, construction work in the vicinity of the discovery would cease, and the area would be protected by a 50-foot buffer until the find could be evaluated by a qualified archaeologist. Mitigation measures recommended by the archaeologist will be implemented; cultural resource mitigation measures will be consistent with guidance and standards in Section 15126.4 of the CEQA Guidelines.

With implementation of Final PEIR **Mitigation Measure 6-1b**, and Project-specific **Mitigation Measures 6-1c** and **6-1d** impacts of the proposed Project on cultural resources would be less than significant.

### ***Impact 6-2. Would the proposed Project destroy a unique paleontological resource or site or unique geologic feature?***

Although no paleontological resources are known in San Mateo, the potential does exist for unknown subsurface paleontological resources to be encountered during construction activities, such as grading

and excavating. San Mateo has developed specific conditions of project approval that address the potential for discovery of paleontological resources as a result of development in the City. These conditions would be implemented as part of Final PEIR **Mitigation Measure 6-2, Halt construction if paleontological resources are discovered**, to reduce impacts of construction of the proposed Project to less than significant.

***Impact 6-3. Would the proposed Project disturb human remains?***

No known human remains existing onsite. In the event that human remains are discovered during Project excavation, in addition to following the City’s standard project conditions, the construction contractor is required to follow California Health and Safety Code Section 7050.5(b), which specifies protocols if human remains are discovered. In the event that human remains are discovered, the City will implement Project-specific **Mitigation Measure 6-3, Protect human remains upon discovery**.

## 6.5 Mitigation Measures

### 6.5.1 Final PEIR Mitigation Measures

Implementation of the following mitigation measures from the Final PEIR, would ensure that potential impacts on cultural and historical resources would remain at a less-than-significant level.

**Final PEIR Mitigation Measure 6-1b. Halt construction if archaeological resources are discovered.**

In the event of the discovery of archaeological resources, the applicant shall be responsible for halting construction activities, notifying the chief of planning, and retaining a qualified archaeologist. The archaeologist would be required to evaluate the uniqueness of the find and to contact local Native American and historical organization and recommend a course of action.

**Final PEIR Mitigation Measure 6-2. Halt construction if paleontological resources are discovered.**

Should any potentially unique paleontological resources (e.g., fossils) be encountered during construction activities, work shall be halted immediately within 50 feet of the discovery. A qualified paleontologist shall determine the significance of the discovery, evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Depending on the significance of the discovery, the actions may include avoidance, preservation in place, excavation, documentation, recovery, or other measures determined by the paleontologist.

### 6.5.2 Project-Specific Mitigation Measures

Implementation of the following Project-specific mitigation measures would ensure that potential impacts on cultural and historic resources would remain at a less-than-significant level.

**Mitigation Measure 6-1c. Conduct worker environmental awareness training.**

A qualified Cultural Resources Specialist (CRS) will prepare the cultural resources portion of the Worker Environmental Awareness Program; Worker environmental awareness training will be required for all personnel before working at proposed construction sites. The training will emphasize and educate workers regarding sensitivity for cultural resources on the site and procedures should cultural resources be encountered.

**Mitigation Measure 6-1d. Designate a qualified archaeologist to write a Monitoring Plan and to conduct full-time monitoring of all ground-disturbing activities during construction.**

A qualified Cultural Resources Specialist (CRS) will complete a construction monitoring program to be implemented per recommendations. Monitoring and mitigation comprise a number of required activities that may prescribe measures to ensure avoidance of resources or compensate for the loss of significant cultural resources due to unavoidable impacts resulting from the exigencies of a project’s

construction. The objectives of monitoring are to protect extant historical resources and unique archaeological resources; to identify at the time of discovery any archaeological materials exposed during ground disturbance; and to protect such resources from damage until recommendations of eligibility for the CRHR can be made.

During all ground-disturbing activities, the contractor shall retain a qualified archaeologist to monitoring soil conditions prior to disposal.

If cultural resources are discovered during ground-disturbing activities, construction work in the vicinity of the discovery would cease, and the area would be protected by a 50-foot buffer until the find could be evaluated by a qualified archaeologist. Mitigation measures recommended by the archaeologist will be implemented; cultural resource mitigation measures will be consistent with guidance and standards in Section 15126.4 of the CEQA Guidelines.

**Mitigation Measure 6-3. Protect human remains upon discovery.**

If human remains are discovered, the discovery would be treated in accordance with the requirements of §750.5(b) of the California Health and Safety Code. Pursuant to §7050.5(c) of the California Health and Safety Code, if the coroner determines that the human remains are of Native American origin, San Mateo County would ensure that the discovery is treated in accordance with the provisions of §5097.98(a)–(d) of the California PRC.

### 6.5.3 Native American Consultation

Jacobs contacted NAHC on September 6, 2017, to request a Sacred Lands File Search that includes information about traditional cultural properties, such as cemeteries and sacred places in the Project area. NAHC responded on October 4, 2017, with a list of Native Americans interested in consulting on development projects. Each individual and group were contacted via a written letter on September 10, 2018, with follow-up calls on November 20, 2018, in compliance with Assembly Bill 52 (PRC Section 21080.3.1). No comments have been received.

## 6.6 References

Burlingame Historical Society. No date. *Pacific City*. “The Coney Island of the West.” Available at: <https://burlingamehistory.org/exhibitions/pacific-city/>.

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