

## K. CULTURAL RESOURCES

This section describes existing cultural resources conditions in the City of Albany, identifies potentially significant impacts to such resources that may result from General Plan implementation, and recommends program-level mitigation measures to reduce the severity of potentially significant impacts.

Cultural resources are sites, buildings, structures, objects, and districts that may have traditional or cultural value for their historical significance. Cultural resources include a broad range of resources, examples of which include archaeological sites, historic roadways, landscapes, and buildings of architectural significance. For a cultural resource to be considered a historical resource (i.e., eligible for listing in the California Register of Historical Resources), it generally must be 50 years or older<sup>1</sup> and: 1) be listed in, or determined eligible for listing in, the California Register of Historical Resources by the State Historical Resources Commission; 2) be included in a local register of historical resources, as defined in section 5020.1(k) or identified as part of a survey meeting the requirements of section 5024.1(g) of the Public Resources Code; or 3) be determined by the lead agency as historically significant.

Under CEQA, paleontological resources are a subset of cultural resources and include fossil plants and animals, and evidence of past life such as trace fossils and tracks. Ancient marine sediments may contain invertebrate fossils representing snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Terrestrial sediments may contain fossils that represent such vertebrate land mammals as mammoth, camel, saber tooth cat, horse, and bison.

### 1. Setting

This section: (1) describes the methods used to establish the baseline conditions for cultural resources in the City; (2) provides a brief historical overview of the Albany area; (3) includes the State and local legislative regulatory context for cultural resources; and (4) describes the cultural resources identified in the City and their significance under CEQA.

**a. Methods.** The cultural resources analysis conducted for the project included archival records searches and contact with the Albany Historical Society. This work was done to establish the baseline conditions for cultural resources in the City and vicinity. The results of these efforts are presented below.

**(1) Records Searches.** Records searches were conducted to identify cultural resources within and adjacent to the City. The records searches were conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System, Sonoma State University, Rohnert Park; the Native American Heritage Commission (NAHC), Sacramento; and the University of California Museum of Paleontology (UCMP), Berkeley. The NWIC, an affiliate of the State of California Office of Historic Preservation, is the official State repository of cultural resources records and reports for Alameda County. The NAHC is the official State repository of Native American sacred site location records in California. The UCMP's database includes information on locations

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<sup>1</sup> California Code of Regulations, Title 14 Section 4852(d)(2).

where fossils have been identified, the taxa of fossils found at a particular location, and the geological formations associated with a fossil locality.

As part of the records search, LSA reviewed the following State of California inventories for cultural resources in the City:

- *California Inventory of Historic Resources*;<sup>2</sup>
- *Five Views: An Ethnic Historic Site Survey for California*;<sup>3</sup> and
- *Directory of Properties in the Historic Property Data File*.<sup>4</sup> The directory includes the listings of the National Register of Historic Places, National Historic Landmarks, the California Register of Historical Resources, California Historical Landmarks, and California Points of Historical Interest.

**(2) Literature Review.** Publications and maps were reviewed for archaeological, ethnographic, historical, and environmental information about the project area and vicinity. The purpose of this review was to: 1) identify cultural resources within the project area and their historical context, and 2) identify the potential for the project area to contain such resources.

**(3) Albany Historical Society.** On May 27, 2015, LSA sent the Albany Historical Society a letter requesting information or concerns regarding historical resources that should be considered for the Draft General Plan update. The purpose of this outreach was to identify cultural resources that may not be identified as part of the records searches completed for the General Plan Update (i.e., are not included in published historical inventories or identified as part of the technical study but are of local interest or significance. As of November 2015, the Historical Society did not respond to LSA's request for information or concerns.

**b. Cultural Resources Overview.** This subsection briefly describes the paleontology, prehistory, ethnography, history, and paleontology of the project area vicinity as determined by the records searches and literature review described above.

**(1) Paleontology.** Albany lies on the coastal plain bordering the eastern shore of San Francisco Bay. The basement rocks of this region consist of the Franciscan Complex, which is comprised of a mixture of shale and sandstone that includes greenstone, chert, and greywacke. Outcroppings of Franciscan rock occur at Fleming Point and Albany Hill. The Franciscan Complex is known to contain fossils, most notably for the microscopic single-celled organisms known as radiolaria, which comprise the distinctive red and green radiolarian cherts associated with the Franciscan Complex. Although less common, extinct species of vertebrate marine fossils and shellfish have also been found in the Franciscan Complex.<sup>5,6</sup>

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<sup>2</sup> California Department of Parks and Recreation, 1976. *California Inventory of Historic Resources*. California Department of Parks and Recreation, Sacramento.

<sup>3</sup> California Office of Historic Preservation, 1988. *Five Views: An Ethnic Historic Site Survey for California*.

<sup>4</sup> California Office of Historic Preservation, 2012. California Department of Parks and Recreation, Sacramento. April 5.

<sup>5</sup> Bailey et al., 1964:116-117. *Franciscan and Related Rocks and their Significance in the Geology of Western California*. California Division of Mines and Geology, San Francisco.

The surface geology of Albany consists of artificial fill and Quaternary landforms. These Quaternary landforms consist of Holocene and Pleistocene alluvial fan and fluvial deposit.<sup>7</sup> Holocene alluvial gravels, sand, and clay eroded from the East Bay Hills and, transported by creeks, formed the plains along eastern San Francisco Bay. These Holocene deposits are too recent (11,500 year B.P. to present) to contain significant paleontological resources (fossils). Pleistocene sediments, which may underlie these Holocene landforms and are mapped at or near the surface of Albany, are older and have a potential to contain significant fossils. Locally, these sediments contain invertebrate and extinct vertebrate fossils, many of which are representative of the Rancholabrean land mammal age. Fossils found in alluvium of this age include, but are not limited to bison, mammoth, ground sloths, saber-toothed cats, dire wolves, cave bears, rodents, birds, reptiles and amphibians.

**(2) Prehistory and Ethnography.** The Archaic-Emergent cultural sequence developed by Fredrickson,<sup>8</sup> recalibrated by Milliken et al.,<sup>9</sup> is commonly used to interpret the prehistoric occupation of the San Francisco Bay Area. The recalibrated sequence is broken into two broad periods: the Archaic Period, consisting of the Early Holocene Lower Archaic (8000-3500 cal B.C.), Middle Archaic (3500-500 cal B.C.), Initial Upper Archaic (500 cal B.C.-cal A.D. 430), and Late Upper Archaic (cal. A.D. 430-1050); and the Emergent Period, consisting of the Lower Emergent Period (cal A.D. 1050-1550), and Terminal Late (or Upper Emergent) Period (cal. A.D. 1550-historic). The Early Holocene is characterized by “a generalized mobile forager pattern” as indicated by assemblages containing millingslabs and handstones and large wide-stemmed and leaf-shaped projectile points.<sup>10</sup> Archaeological sites from the Early Holocene are rare, although this may in part be an issue of visibility, with these ancient deposits likely underlying several feet of soil. Although local variations occur, the Early Period is generally marked by populations that were less mobile, regional trade, and symbolic integration. *Olivella* and *Haliotis* shell ornaments and the mortar and pestle first appear in the local archaeological record during this period.

An evolution in symbolic integration systems and technology is witnessed in the Lower Middle Period, with the introduction of new shell bead styles and bone tools, including split-beveled and small saucer *Olivella* beads, barbless fish spears, elk femur spatula, bone tubes and whistles, and basketry awls. Culturally distinct traits appear during the Upper Middle Period, suggesting migration of a new population. This new population, referred to as the Meganos Aspect, appears to have spread from the San Joaquin Delta to the East Bay during the Upper Middle Period and is primarily characterized by its mortuary complex, which typically includes extended burial posture.

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<sup>6</sup> Hilton, Richard P., 2003:22. *Dinosaurs and other Mesozoic Reptiles of California*. University of California Press, Berkeley.

<sup>7</sup> Helley, E.J., and R.W. Graymer, 1997. *Quaternary Geology of Alameda County and Surrounding Areas, California*. U.S. Geological Survey, Washington, D.C.

<sup>8</sup> Fredrickson, David A., 1974. Cultural Diversity in Early Central California: A View from the North Coast Ranges. *Journal of California Anthropology* 1(1):41-53.

<sup>9</sup> Milliken, Randall, et al., 2007. Punctuated Culture Change in the San Francisco Bay Area. In *California Prehistory*, edited by Terry L. Jones and Kathryn A Klar, pp 99-124. Rowman and Littlefield Publishers, Inc, Lanham, Maryland.

<sup>10</sup> Milliken, Randall, et al., 2007:114

The Initial Late Period represents the ethnographically documented cultures present at the time of European contact. This period is marked in part by an increase in permanent settlements; status ascription and social stratification observed in burial practices; and the emergence of the Kuksu Cult, a ceremonial system that unified several language groups in Central California at the time of European contact. New technology was also introduced during this period, notably the bow-and-arrow, which is evidenced in the archaeological record by small dart-sized projectile points.

Prehistoric archaeological resources in the East Bay date to at least the Middle Holocene (Middle Archaic Period), as documented at the West Berkeley (CA-ALA-307) and Ellis Landing (CA-CCO-295) shellmounds.<sup>11</sup> In Albany, archaeological excavations at CA-ALA-625 yielded radiocarbon dates from the Middle Archaic Period (3,940 +/- 110 Radio Carbon Years Before the Present [RCYBP]) and the Terminal Late Period (390 +/- 40 RCYBP).<sup>12</sup>

Present-day Albany is within territory once occupied by Costanoan (also commonly referred to as Ohlone) language groups. Eight Ohlone languages were spoken in the area from the southern edge of the Carquinez Strait to portions of the Big Sur and Salinas rivers south of Monterey Bay, to approximately 50 miles inland from the coast.<sup>13</sup> Albany is within ancestral territory of the Chochenyo language group of Ohlone.

Ohlone territories were comprised of one or more land holding groups that anthropologists refer to as “tribelets.” The tribelet, a nearly universal characteristic throughout native California, consists of a principal village occupied year round, and a series of smaller hamlets and resource gathering and processing locations occupied intermittently or seasonally. Populations of tribelets ranged between 50 and 500 persons and were largely determined by the carrying capacity of a tribelet’s territory. The closest known tribelet to the project area was *Huchiun*, whose territory extended from Temescal Creek, north to lower San Pablo and Wildcat Creek drainages.<sup>14</sup> Members of the *Huchiun* are noted on Mission San Francisco registers beginning in 1794.<sup>15</sup>

**(3) Post Indigenous History.** Initial settlement of the Albany area followed the period of Spanish land grants between 1820 and California statehood in 1850. In 1820, the last Spanish governor of California granted 44,800 acres to Luis Maria Peralta, a sergeant in the Spanish army. The property, which was known as Rancho San Antonio, extended from Cerrito Creek in the north to San Leandro Creek in the south. It encompassed the present day cities of Albany, Berkeley, Emeryville, Oakland, Piedmont, Alameda, and portions of San Leandro.

<sup>11</sup> Milliken, Randall, et al., 2007:115.

<sup>12</sup> Chavez, David A., 2004. *Archaeological Investigations at CA-ALA-29, Albany, Alameda County, California*. David Chavez & Associates, Mill Valley, California.

<sup>13</sup> Shipley, William F., 1978. Native Languages of California. In *California*, edited by Robert F. Heizer, pp. 80-90. Handbook of the North American Indians, Vol. 8, William C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

<sup>14</sup> Milliken, Randall, 1995:243. *A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area, 1769-1810*. Ballena Press, Menlo Park, California.

<sup>15</sup> Ibid.

In 1842, Peralta divided his land among his four sons. Albany and Berkeley were deeded to Jose Domingo Peralta. The Peralta homestead was located in Berkeley, just across Codornices Creek from what is now the St. Mary's High School campus in Albany.

In 1849, the California Gold Rush brought an influx of new settlers to the shores of San Francisco Bay. The Peraltas began to lose control of their land as squatters settled on the Rancho. Between 1852 and 1854, Domingo Peralta sold a portion of his land, including present-day Albany, to J.J. Fleming. Fleming raised livestock on the property.

By the late 1870s, the manufacturing of gold mining explosives had begun on Albany Hill, which was then known as Cerrito Hill. The Judson and Shepherd Chemical Works were established along the shoreline in the area now occupied by Golden Gate Fields. There were several serious explosions, including one in 1883 which killed 30 workers and leveled the Chemical Works. Judson Powder relocated to the north side of Albany Hill soon after, planting eucalyptus trees as a buffer to address the concerns of residents nearby. In 1905, a violent blast destroyed the factory again, resulting in its permanent closure.

The area continued to be rural through the latter part of the 19<sup>th</sup> Century. There is pictorial evidence of a number of rural homesteads in the area between 1860 and 1890.<sup>16</sup> Around 1890, Edward Gill acquired 104 acres west of current-day San Pablo Avenue (e.g., the "Gill Tract") and established a homestead that would later become Codornices Village and then University Village. In 1891, the lavish four-story Peralta Park Hotel opened on what is now the St. Mary's College High School campus. The hotel was converted to academic use shortly after it opened. It was partially destroyed by a fire in 1946 and demolished in 1959.

After the 1906 earthquake, thousands of displaced San Franciscans migrated to the East Bay. Albany's landscape was still mostly open grassland, with a salt marsh along the water and creeks meandering from the hills to the marsh. Families purchased property near San Pablo Avenue, which was an unpaved road at the time. The community became known as Ocean View. Larger subdivision tracts were being created in the vicinity. For example, prominent developer John Spring established the Regents Park tract in 1906 and began selling lots for just a few hundred dollars each.

Alameda County tax assessor records from 2014 indicate there are 15 structures remaining in Albany that pre-date 1906, with the oldest having been built in 1895 (1063 Curtis) and the second oldest in 1899 (1119 Kains). All 15 structures are single-family or two-family homes. Another 17 one- and two-family homes built in 1906 and 1907 are still standing in the City today.<sup>17</sup> There are no civic or commercial structures dating from the pre-incorporation period.

**Incorporation and Large-Scale Subdivision.** Ocean View residents voted to incorporate in 1908, largely as a strategy to stop Berkeley residents from dumping their garbage in the community.<sup>18</sup> A temporary school was established in a refurbished barn near what is now the corner of San Pablo and Brighton Avenues. The barn was also the site of the first City Council meetings. The first official

<sup>16</sup> Albany Historical Society, 1983. *Stories of Albany, Pioneer Family Discovered*.

<sup>17</sup> Based on Alameda County Tax Assessor parcel data for "Year Built", 2014.

<sup>18</sup> Karen Sorensen and Albany Historic Society, 2007. *Images of America: Albany*, Arcadia Publishing.

public building constructed was Cornell School, located on the same site at Solano and Talbot Avenues occupied by modern-day Cornell School. A firehouse was constructed nearby on Cornell Avenue.

The town changed its name to “Albany” in 1909 to avoid confusion with other nearby communities named Ocean View. Albany, New York was the birthplace of Frank Roberts, who was Mayor at the time. A City Hall was built in 1915 on Solano Avenue between Adams Street and San Pablo Avenue, and a new firehouse was built at Washington and San Pablo. The Police Department eventually located next door to the firehouse on San Pablo Avenue. A second school was built in 1917 at the corner of Marin and Santa Fe Avenues—the site of today’s Marin School. Sidewalks were installed on San Pablo Avenue in 1910 and streetcar tracks were laid on both San Pablo and Solano Avenues. A trip to San Francisco on the streetcar and ferry cost 20 cents and took about 45 minutes.

Development of the City continued at a rapid pace through the 1910s and 20s. Promoters dubbed Albany the “Bungalow City.” A promotional brochure at the time said “The modern bungalow strongly appeals to the person of moderate means and is fast becoming the favorite home for our residents on the East Bay shore.”<sup>19</sup> More than 1,600 single-family homes were built during the 1920s, establishing the basic form and character of Albany’s neighborhoods. More than 600 homes were built in 1925 and 1926 alone, the years of peak construction.

Figure IV.K-1 shows the number of homes existing in Albany today (2014) based on their year of construction. This information is based on data from the Alameda County Tax Assessor, and includes homes built before 1940 only. Most of the structures noted are single-family detached residences. A few are two-family homes designed to resemble single-family cottages, or single-family homes that were converted into two or three units.

A large number of commercial buildings were added during the 1920s and 1930s, principally along San Pablo and Solano Avenues. Many of these buildings remain today. They have been altered to varying degrees over the years, with some bearing little resemblance to the original structures and others more or less intact. Current tax assessor records indicate only four remaining commercial structures which pre-date 1920, 43 commercial structures built between 1920 and 1929, and 37 commercial structures built between 1930 and 1939.<sup>20</sup> These structures are mostly single-story retail buildings, although a few are single-family homes converted to offices, and several are automotive buildings. A number of automobile dealerships opened along San Pablo Avenue during the 1930s. Other familiar commercial buildings, including the Albany Theater, were established during the 1930s.

Civic structures were built as the City grew, although these buildings proved to be less durable than the City’s residential structures. For example, a hospital was built on Marin Avenue near Evelyn Street in the late 1920s. It was razed in the early 1990s, and replaced by the new Albany Community Center and Library. Albany High School, first completed in 1934, was deemed seismically unsound and replaced in 1997. The 1908 Cornell School was demolished in 1946-47 and replaced by a new

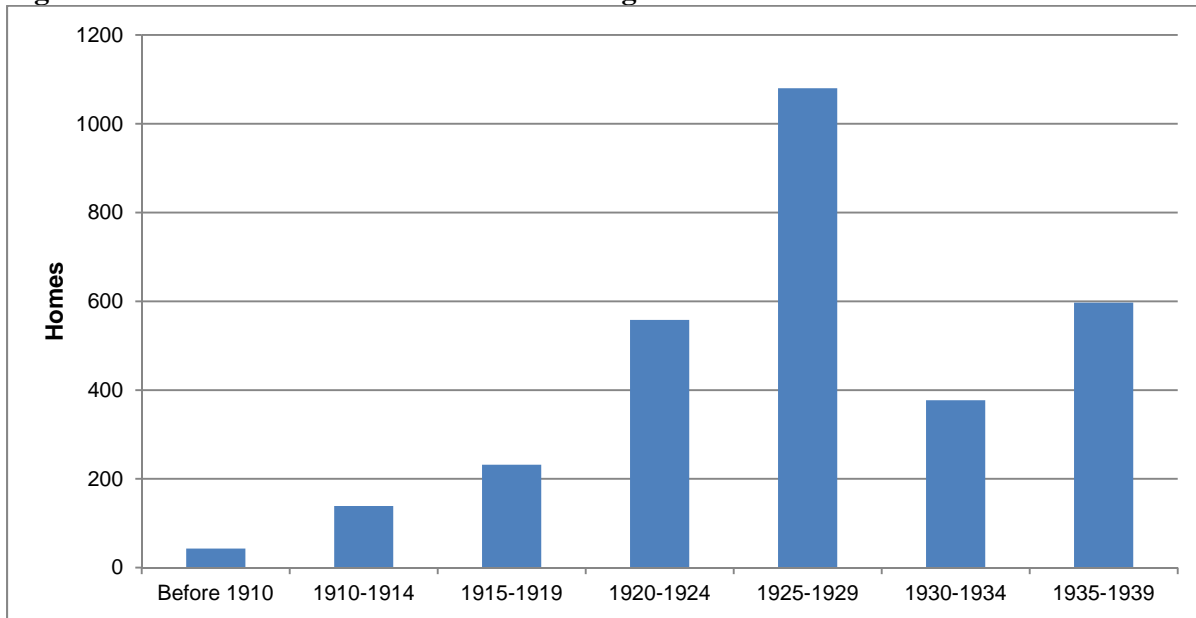
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<sup>19</sup> Ibid.

<sup>20</sup> “Year Built” data from the County Assessor generally applies to the primary structure if multiple structures are present.

school on the same site. A few civic buildings of this period, including the Post Office (built in 1938), remain today.

**Figure IV.K-1: Year of Construction of Existing “Pre-1940” Residential Structures in Albany**



Source: Alameda County Tax Assessor Data, 2014

Beginning in the late 1920s and continuing through the 1930s and early 1940s, most new single-family housing in the city was built by Charles M. MacGregor, a local builder and developer. During the Great Depression, two- and three-bedroom “MacGregors” could be purchased for \$500 down and monthly payments of \$45, for a total purchase price of \$4,000 to \$5,000.<sup>21</sup>

**World War II.** Albany saw significant changes during World War II (1939-1945). The City’s proximity to the Kaiser Shipyards brought an influx of residents and a need for wartime housing and defense-related land uses. At the same time, completion of the Eastshore Highway created new opportunities for development along the shoreline.

Just before the War, Fleming Point was graded to expand the City’s land area into the Bay and create a level building site for Golden Gate Fields. The racetrack opened in 1940 but closed in 1941. During the War years, the site was used by the Army and Navy for naval landing craft repair and storage. The racetrack reopened in 1947. The Western Regional Research Center opened its Albany facility on a portion of the Gill Tract in 1940. Most of the rest of the Gill Tract had been acquired by the University of California some years earlier. During the War, Codornices Village was built on the site to provide housing for servicemen and shipyard workers. A railroad was built to carry employees to the shipyards, and an elementary school was added in 1944. A decade after the War’s end, the site was converted to student family housing.

<sup>21</sup> Karen Sorensen and Albany Historic Society, 2007.

Population increases during World War II required the opening of two new elementary schools. A 1946 bond measure enabled the development of Vista School on Jackson Street and MacGregor School at the San Gabriel Street/Brighton Street intersection. Both of these schools later ceased to operate as elementary schools when enrollment declined, and MacGregor School has been demolished. Commercial development, including a number of small family-owned markets, drug stores, restaurants, and department stores, continued to expand along San Pablo Avenue and Solano Avenue during this period.

**Post-War Era.** By the 1950s, Albany's began to look for new growth frontiers. A proposal was made to remove the top 200 feet off Albany Hill and build a luxurious development of 300 homes. The proposal faced local opposition and was not pursued. A subsequent proposal was made for 2,500 apartment units on the west side of the hill. This project was scaled down dramatically, and ultimately resulted in the Gateview condo towers in the early 1970s and the Bridgewater and Bayside Commons condos in the 1980s. Meanwhile, several apartment buildings were located on Taft Street on the east side of the hill through the 1960s and 1970s, capitalizing on new construction technologies which enabled hillside development. Citizen-led campaigns led to the acquisition of most of the remaining undeveloped land on Albany Hill as parkland.

The shoreline was further modified through the creation of the Albany Neck and Bulb, and the use of the Bulb area as a landfill. As on Albany Hill, large scale development proposals were made for the shoreline, including various schemes to create islands, bridges, hotels, shopping areas, and housing. Such proposals continued to be considered through the 1970s and 1980s, ultimately leading to a voter initiative which now requires citizen approval for any future changes of use in the area. San Pablo Avenue continued to function as an auto-oriented thoroughfare during this period, with regional traffic shifting to Interstate 80 (I-80). In 1966, City Hall was relocated to its current location. Marin Avenue was extended to join Buchanan, providing a more direct route to the freeway. The BART tracks were installed in the mid-1960s. A number of commercial buildings and large apartment buildings which typify the modernist architectural styles of the time were built during the 1950s and 60s. Most of these buildings remain today. Substantial reconstruction and upgrading of school campuses also took place in the mid-1970s, following the adoption of new seismic standards.

**c. Identified Cultural Resources.** Recorded archaeological resources and built-environment resources in Albany that qualify as historical resources under CEQA are listed in Table IV.K-1. Recorded cultural resources in Albany consist of: (1) prehistoric archaeological resources; (2) a 1906 residence; and (3) a circa 1939 civic facility. A summary of these resources is discussed in the appropriate subsection, below.

**(1) Paleontological Resources.** A fossil locality search conducted for the Draft General Plan at the UCMP on February 26, 2015, did not identify recorded paleontological resources (fossils) in Albany. Vertebrate fauna of the Rancholabrean Land Mammal Age (circa 240,000 to 11,000 years before present), however, including mammoth, bison, camel, and horse, have been identified in the East Bay. These fossils have been identified in Pleistocene sediments, which are mapped in Albany at (or near) the surface and may underlie more recent Holocene alluvial fan deposits at unknown depth.<sup>22</sup>

<sup>22</sup> Helley, E.J., and R.W. Graymer, 1997, op. cit.



**(2) Archaeological Sites.** Four recorded archaeological resources are recorded within the City of Albany. Recorded prehistoric resources in Albany tend to cluster near water sources such as creeks and near the historical extent of the bayshore. Additional prehistoric archaeological resources may be located within the City, and project-specific reviews would need to be done to assess potential impacts to archaeological sites. Areas that are near natural water sources, e.g., riparian corridors and near tidal marshland, should be considered of high sensitivity for prehistoric archaeological deposits and associated human remains. Buried archaeological sites have been identified in every major valley and the bayshore plains of the San Francisco Bay region.<sup>23</sup> In the East Bay, for example, several buried sites and site components have been identified, dating from the middle and late Holocene.<sup>24</sup> The extent of the buried site phenomenon in central California is largely attributable to regional processes of landscape evolution that occurred during human prehistory, starting during the Late Pleistocene and involving periods of relative landform stability and episodic erosion and deposition. In the Bay Area, prehistoric archaeological deposits can be associated with buried Holocene landforms, and the absence of surface materials or soils indicative of an archaeological deposit does not preclude the possibility of significant subsurface archaeological deposits.

The archaeological sites recorded in Albany include midden deposits (i.e., soils indicative of human occupation); human remains; and lithic and shell scatters representing detritus as a result of subsistence and resource processing. Recorded archaeological sites in Albany are briefly described below.<sup>25</sup>

- **CA-ALA-304.** CA-ALA-304 consists of a Native American “shellmound.” Archaeologist Nels Nelson originally recorded CA-ALA-304 in 1907 as a Native American “shellmound” near tidal marsh. Nelson noted four mounds in the vicinity of CA-ALA-304 that had been “leveled down” by cultivation. In 1999, archaeologists with Tremaine & Associates identified a remnant of CA-ALA-304 during monitoring for a fiber optic cable installation. Marine shell, a chert flake, a groundstone fragment, and fire-affected rock were identified.
- **CA-ALA-305.** Nelson’s original record of CA-ALA-305 from 1907 indicates a Native American shellmound that included human remains. Archaeologists last recorded CA-ALA-305 in 1952 and described it as a “former habitation site: traces of shell remain.”
- **CA-ALA-306.** Nelson’s original record of CA-ALA-306 from 1907 indicates a Native American shellmound and indicates that “a well preserved human skull” had been uncovered by workmen. No subsequent records of CA-ALA-306 are on file at the NWIC.
- **CA-ALA-625.**<sup>26</sup> The County Coroner prepared the first record for CA-ALA-625 on June 3, 1959. The Coroner described a Native American skeleton that had been unearthed in a residential backyard. The skeleton was identified in a matrix of “shells, shell fragments and other organic debris, including fish bones.” Five obsidian projectile points and obsidian debris were also identified with the burial. Archaeologist Albert Elsasser completed a site

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<sup>23</sup> Meyer, Jack, and Jeffrey Rosenthal, 2007. *Geoarchaeological Overview of the Nine Bay Area Counties in Caltrans District 4*. Far Western Anthropological Research Group, Davis, California.

<sup>24</sup> Meyer, Jack, and Jeffrey Rosenthal, 2007:8, 10.

<sup>25</sup> Locations of archaeological sites are not disclosed to the public due to their confidential nature and in pursuance of Public Resources Code sections 6254.10 and 6254(r), and California Code of Regulations Section 15120(d).

<sup>26</sup>This site is also referred to in records on file at the NWIC as CA-CCO-29.

record in 1959 subsequent to the discovery of human remains at the site and described a Native American occupation site containing “dark ashy midden with shell.” Elsasser and Labay have completed additional undated records for CA-ALA-625 that indicate the presence of midden with shell, obsidian and chert, projectile points, and bedrock mortars.

Archaeologist David Chavez conducted an archaeological investigation at this site in 1998, which included excavation of 16.3 m<sup>3</sup> of soil and laboratory analysis of recovered materials. The excavations identified cultural materials and human burials that indicate a village site that was inhabited year round, beginning in the Middle Archaic/Early Period. Middle Archaic occupation of this site is evidenced by a radiocarbon date of 3,940 RCYBP obtained from a piece of charcoal associated with a human burial at a depth of 120-130 cm.

No historical archaeological deposits have been identified within Albany. Such deposits may exist, however, and can include hollow-filled features (e.g., wells and privies), structural remains, and trash scatters. Although Albany has witnessed extensive commercial and residential development, such development does not preclude the possibility of intact historic archaeological deposits. The possibility of such deposits, however, must be evaluated on a project-specific basis.

**(3) Historic Built-Environment Resources.** Based on the records search at the NWIC completed for the project, there are two built-environment resources in Albany that are historical resources for purposes of CEQA (Table IV.K-1). Table IV.K-1 is not an exhaustive list of built-environment resources within the City; it lists only those buildings that have been identified as eligible for listing in either the National Register of Historic Places or California Register of Historical Resources. Other built-environment resources in the City may meet the criteria for listing in the National Register of Historic Places or California Register of Historical Resources. Identification of such resources, however, must be done on a project-specific basis.

There is only one building in Albany that has been formally listed on the National Register of Historic Places. This is the Peterson House, a private home located at 1124 Talbot Avenue. The house was built in 1906 and is considered significant for its post and beam construction, which was unusual at the time. The house was one of the first constructed in the Regents Park tract, which was developed in the months after the San Francisco earthquake.

As noted earlier in this chapter, there are at least 32 homes in the City that pre-date the 1908 incorporation, with the oldest dating to 1895. The oldest buildings are not concentrated on a particular street or in a specific neighborhood.

Roughly 2,000 homes in Albany - half of the single-family housing stock in the City - are 85 years old or more, including many homes built by C.M. MacGregor. Collectively, this housing creates an ambiance and character that is important to Albany residents and representative of an important period in the Bay Area’s history. The City has adopted Residential Design Guidelines which recognize the value of the traditional architectural features of the early 20<sup>th</sup> century period, and which strive to protect the integrity of these features as homes are updated or expanded.

None of the City’s civic or commercial structures have been designated as historic buildings. Some of the City’s oldest structures are commercial businesses operating in structures originally built as single-family homes. For example, a seismic retrofit business occupies a former single-family home built in 1915 at 427 San Pablo Avenue and a hair salon occupies a former single-family home built in 1916 at 1151 Solano Avenue. While there is a large inventory of commercial buildings from the

1920s along San Pablo and Solano Avenue, they have not been systematically evaluated for their historic significance.

The City’s civic buildings generally date from the second half of the 20<sup>th</sup> Century. However, there are a few exceptions. Most notably, the mission-style Veterans Memorial Building (1325 Portland) was completed in 1932. Albany United Methodist Church was built in 1927 and is the oldest still existing church in the City. Other churches - Mosaic Bay Church (1938), Church on the Corner (1948), the Buddhist Priory (1950), and St. Albans (1955) - are more recent. The USDA facility is representative of the federal buildings of the late 1930s and was recently found eligible for listing in the National Register of Historic Places and California Register of Historical Resources.<sup>27</sup> It has also been recognized by the American Chemical Society as a National Historical Chemical Landmark due to the pioneering work on frozen foods conducted there.

Historically important features may also include districts, landscapes, the sites of important events, and places that are associated with particular persons. In this regard, interest has been expressed in researching the significance of the Albany and Berkeley waterfronts as a cultural landscape. The area is considered to have high artistic values and has played an important role in shaping the development of the Bay Area and California. No formal listing as such has been proposed for the area at this time.

**Table IV.K-1: Recorded Cultural Resources in Albany**

Address	Resource Identification Number <sup>a</sup>	Resource Type	OHP Status Code <sup>b</sup>	Description
–	CA-ALA-304	Archaeological Site	None	Midden Site
–	CA-ALA-305	Archaeological Site	None	Midden Site with Human Remains
–	CA-ALA-306	Archaeological Site	None	Midden Site with Human Remains
–	CA-ALA-625	Archaeological Site	None	Midden Site with Human Remains
800 Buchanan St	P-01-011361	Civic Building	2S2	USDA Western Regional Research Center
1124 Talbot Ave	P-01-005726	Residence	1S	Peterson House

<sup>a</sup> As assigned by the California Office of Historic Preservation.

<sup>b</sup> California Office of Historic Preservation (OHP) Status Code:

**1S** Individual property listed in National Register by the Keeper. Listed in the California Register;

**2S2** Individual property determined eligible for National Register by consensus through Section 106 process. Listed in the California Register

Source: Northwest Information Center, Sonoma State University, 2015.

**(4) Tribal Cultural Resources.** Pursuant to the requirements of Government Code Sections 65352.3 and 65352.4, the City has consulted with eligible local Native American representatives 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 its jurisdiction. Using the tribal list provided by NAHC, representatives of four tribes were contacted. One representative replied, indicating he would like to be kept apprised of any major City plans. Each of

<sup>27</sup> Hibma, Michael, 2012. *Historical Resources Evaluation Report for the Buchanan Street Bicycle/Pedestrian Path Project*. LSA Associates, Inc., Point Richmond, California.

the tribal representatives will be contacted again upon release of the Draft General Plan and EIR, inviting their review of the documents

Debbie Pilas-Treadway, Environmental Specialist III with the NAHC, responded in a faxed letter on March 11, 2015, that “A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area.”

**d. Regulatory and Legislative Context.** CEQA, sections of the California Public Resources Code, the Conservation, Recreation and Open Space Element of the City’s General Plan, and sections of the City Municipal Code comprise the regulatory framework for cultural resources in the project area, and each of these are described below.

**(1) CEQA Requirements.** CEQA applies to all discretionary projects undertaken or subject to approval by the State’s public agencies (California Code of Regulations [CCR] Title 14(3) §15002(i)). Under the provisions of CEQA, “A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (CCR Title 14(3) §15064.5(b)).

CEQA §15064.5(a) defines a “historical resource” as a resource which meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources;
- Listed in a local register of historical resources (as defined at PRC §5020.1(k));
- Identified as significant in a historical resource survey meeting the requirements of §5024.1(g) of the Public Resources Code; or
- Determined to be a historical resource by a project’s lead agency (CCR Title 14(3) §15064.5(a)).

A historical resource consists of “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’ if the resource meets one or more of the criteria for listing in the California Register of Historical Resources” (CCR Title 14(3) §15064.5(a)(3)).

If the cultural resource in question is an archaeological site, CEQA (CCR Title 14(3) §15064.5(c)(1)) requires that the lead agency first determine if the site is a historical 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 (California Office of Historic Preservation 2001:5). If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological resource, then the archaeological site is treated in accordance with PRC §21083.2 (CCR Title 14(3) §15069.5(c)(3)). In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource.<sup>28</sup>

<sup>28</sup> Bass, Ronald E., Albert I. Herson, and Kenneth M. Bogdan, 1999:105. *CEQA Deskbook: A Step-by-Step Guide on how to Comply with the California Environmental Quality Act*. Solano Press Books, Point Arena, California.

If an impact to a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource.

**(2) Public Resources Code 5024.1: California Register of Historical Resources.** Section 5024.1 of the PRC established the California Register. Generally, a resource is considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register (California Code of Regulations [CCR] Title 14(3) Section 15064.5(a)(3)). For a cultural resource to qualify for listing in the California Register it must be significant under one or more of the following criteria:

- Criterion 1:* Associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Criterion 2:* Associated with the lives of persons important in our past;
- Criterion 3:* Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Criterion 4:* Has yielded, or may be likely to yield, information important in prehistory or history.

In addition to being significant under one or more of these criteria, a resource must retain enough of its historic character and appearance to be recognizable as a historical resource and be able to convey the reasons for its significance (CCR Title 14 Section 4852(c)).

**(3) Government Code Sections 65352.3 and 65352.4.** 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.

**(4) Health and Safety Code and Public Resources Code: Human Remains.** The California Health and Safety Code (HSC) Section 7050.5 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.

Section 5097.98 of the California Public Resources Code states that the NAHC, upon notification of the discovery of Native American human remains pursuant to Health and Safety Code §7050.5, shall immediately notify those persons (i.e., the Most Likely Descendent or “MLD”) it believes to be descended from the deceased. With permission of the landowner or a designated representative, the

MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

**(5) Public Resources Code: Cultural and Paleontological Resources.** California Public Resources Code (PRC) Section 5097.5 provides for the protection of cultural and paleontological resources. This PRC section prohibits the removal, destruction, injury, or defacement of archaeological and paleontological features on any lands under the jurisdiction of State or local authorities.

**(6) Albany Municipal Code.** The Planning and Zoning chapter (Chapter XX) of the City's Municipal Code includes Section 20.24.040.F. This section of the Planning and Zoning chapter establishes performance standards that are applicable to the Residential Hillside Development (RHD) District, which encompasses the area included in the Albany Hill Area Specific Plan. These performance standards permit the Community Development Department or the Planning and Zoning Commission to require technical studies for development within the RHD District, including cultural resource surveys.

**e. 1992 General Plan Goals, Policies, and Actions.** The current 1992 General Plan includes the following policy that addresses cultural resources.

- **Policy LU 9.1:** Retain the historic character of Solano Avenue as a local-serving, pedestrian-oriented shopping district. Special amenities such as outdoor seating and landscaping should be encouraged in the Design Review Ordinance, and considered as part of the Capital Improvements Program.

## **2. Impacts and Mitigation Measures**

This section provides an assessment of the potential cultural resources impacts related to implementation of the Draft General Plan. This section begins with the criteria of significance, which establishes the thresholds for determining whether an impact is significant. The latter part of this section identifies potential impacts and evaluates how they relate to policies and actions of the Draft General Plan. Where potentially significant impacts are identified, mitigation measures are recommended.

**a. Criteria of Significance.** Implementation of the Draft General Plan would have a significant impact on cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

**b. Impact Analysis.** The following sections provide an evaluation and analysis for the potential less-than-significant, significant and cumulative impacts of the Draft General Plan for each of the criteria of significance listed above.

(1) **Historical Resources.** The proposed General Plan Update would have a significant effect on the environment if it would cause a substantial adverse change in the significance of a historical resource as defined in *CEQA Guidelines* Section 15064.5. A “substantial adverse change” to a historical resource includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired (*CEQA Guidelines* Section 15064.5(b)(1)).

**Built Environment Resources (Architecture).** Albany has two buildings that have been identified as historical resources under CEQA: the USDA Western Regional Research Center at 800 Buchanan Street and a private residence at 1124 Talbot Avenue. Numerous other buildings in Albany may have historical value as well, including those that are not formally listed in, or have been previously evaluated for, the California Register of Historical Resources or National Register of Historic Places. These include single-family residences, civic buildings, and commercial buildings 50 years old or older.

The Land Use Element of the Draft General Plan encourages new high density transit-oriented mixed-use development along commercial corridors. Most growth in the City under the Draft General Plan is anticipated to occur in mixed-use projects along San Pablo Avenue (and secondarily along Solano Avenue). The Solano Avenue/San Pablo Avenue intersection is identified as a “node” where more intense development may be appropriate. This development has the potential to directly (i.e., demolition) or indirectly (i.e., adverse effects to historical setting from adjacent construction) impact historical buildings and structures that may be eligible for listing in the California Register of Historical Resources or National Register of Historic Places. The Draft General Plan contains policies and actions that would mitigate potentially adverse impacts, listed below:

- **Action LU-2C: Architectural Prototypes.** Develop an inventory of architectural “prototypes” that describes the prevailing design styles and features of homes in each Albany neighborhood.
- **Policy LU-6.1: Historic Preservation.** Encourage expanded recognition, public education, and appreciation of Albany’s large inventory of early 20<sup>th</sup> Century homes and commercial buildings. Such buildings help define Albany’s sense of place and identity.
- **Action LU-6.D: Preservation Advocacy.** Explore the feasibility of a formal historic preservation program for Albany. Such a program would include a potential register of locally important historic buildings, markers and plaques which acknowledge key landmarks and sites, provisions to protect and enhance the defining qualities of the City’s older buildings, and education and outreach on local resources and the benefits of preservation.
- **Action LU-6.G: Cultural Resource Identification.** Pursue an agreement with the Northwest Information Center (NWIC) at Sonoma State University to identify properties on which further field studies of cultural resources may be required in the event demolition or construction on those properties is proposed. Where such resources are present, the City may require preconstruction surveys and project-specific recommendations to protect significant archaeological, paleontological, or historic resources.

The policies listed above include expanded public recognition and public education of early 20<sup>th</sup> century homes and commercial buildings in Albany (Policy LU-6.1); developing an inventory of architectural “prototypes” for the City to be considered as part the design of future alterations and infill development (Action LU-2C); and exploring the feasibility of a historic preservation program (Action LU-6D). In addition, Action LU-6.G would reduce potential impacts to historical built-environment resources that could result from development allowed under the Draft General Plan

through: (1) the identification of such resources during the early project-planning stage with archival research and field survey; and (2) the establishment of recommendations for mitigating impacts to such resources, as appropriate and based on the outcome of the archival research and field survey.

Given the above goals, policies, and actions, the proposed Draft General Plan will have a less-than-significant impact on historical resources and no additional mitigation measures are required.

**Archaeological Deposits.** Under CEQA, archaeological sites can also qualify as historical resources (CCR Section 15064.5(c)). For purposes of this discussion, the impacts of the Draft General Plan to archaeological deposits are discussed below under the section addressing archeological resources.

**(2) Archaeological Resources.** The Draft General Plan would have a significant effect on the environment if it would cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

As discussed in this chapter, Albany includes four recorded archaeological sites. These are prehistoric sites that include Native American subsistence remains (e.g., shellfish remains and animal bone), various artifacts, and human remains. Additional, previously unknown, prehistoric and historic-period archaeological sites could be identified in Albany and may be present beneath artificial fill or Holocene-age landforms. Development allowed under the Draft General Plan has the potential to unearth unknown archaeological sites. The Draft General Plan contains policies and actions, in addition to those listed above, that would identify and avoid potentially adverse impacts to archeological resources, listed below:

- **Action LU-5.B: Prehistoric and Archaeological Resource Protection.** Continue to maintain standard conditions of approval for new development which require consultation with a professional archaeologist in the event that any subsurface prehistoric or archaeological remains are discovered during any construction or preconstruction activities on a development site. This includes consultation with Native American organizations prior to continued site work in the event such remains are discovered.
- **Policy LU-5.4: Archaeological Resources.** Protect Albany's archaeological resources, including remains and artefacts from Native American settlement. The City will coordinate with local tribal representatives and follow appropriate mitigation, preservation, and recovery procedures in the event that important resources are discovered during development.
- **Policy W-1.4: Archaeological Resources.** Protect and preserve archaeological resources in the event such resources are identified as shoreline park improvements are completed.
- **Policy CON-1.4: Albany Waterfront.** Protect and sustain the Albany waterfront and surrounding wetlands as a natural and cultural resource, a vital ecosystem, a place of scenic beauty, and a defining feature of Albany's physical environment.

Additionally, the City requires the following standard condition of approval for construction projects:

- In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline



appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

Potential impacts to archeological resources also would be mitigated through protection and preservation elsewhere in Albany (Policy LU-5.4) and from identification of potential impacts to such resources during the planning process (Action LU-6.G). While Action LU-6.G and the City's Standard Condition of Approval regarding review and protection of potential cultural resources if discovered would reduce potential impacts to archaeological resources, including those that qualify as historical resources under CEQA, additional mitigation measures are necessary to protect unknown cultural resources.

**Impact CULT-1: Potential development under the Draft General Plan could impact archaeological deposits that may qualify as historical resources. (S)**

Mitigation Measure CULT-1a: Prior to approval of development permits for projects that include significant ground-disturbing activities, City staff may require that the applicant review the most recent and updated Northwest Information Center (NWIC) list: Historic Property Directory to determine if known archaeological and paleontological sites underlie the proposed project. If it is determined that known cultural resources are within ¼ mile of the project site, the City shall require the project applicant to conduct a records search at the NWIC at Sonoma State University to confirm whether there are any recorded cultural resources within or adjacent to the project site. The NWIC will provide recommendations based on previously identified resources, as well as environmental and archival indicators of sensitivity (e.g., proximity to watercourses or historic map information). The studies may include identification efforts for historical buildings and structures, archaeological resources, fossils, and human remains. Consistent with Policy LU-5.4, coordination with local Native American communities shall be done when significant prehistoric archeological sites are identified as part of pre-approval site analysis. Based on that research, the City shall determine whether field study by a qualified cultural resources consultant is recommended.

Mitigation Measure CULT-1b: Should City staff determine that field study for cultural resources is required, the project applicant shall have a cultural resource professional meeting the Secretary of the Interior's Standards in history and/or archaeology conduct a pre-construction survey to identify significant cultural resources – including archaeological sites, paleontological resources, and human remains – in the project site and provide project-specific recommendations, as needed.

Pursuant to the recommendations of the consulting archaeologist, and in consultation with City officials and potential stakeholders such as tribal representatives, additional mitigation to offset potential impacts to cultural resources shall be required should the resources at issue qualify as historical or unique archaeological resources under CEQA (cf. PRC Section 21084.1 and 21083.2, respectively). Such mitigation may include further intensive recording/documentation or excavation and analysis according to professional archaeological standards. (LTS)

With the inclusion of the new policies and actions and the two-part Mitigation Measure CULT-1, potential impacts to archaeological resources would be reduced to a less-than-significant level on a program-level basis. Please note that cultural resource impacts generally must be determined on a project-specific basis.

**(3) Paleontological Resources.** The Draft General Plan would have a significant effect on the environment if it directly or indirectly destroys a unique paleontological resource or site or unique geologic feature.

There are no recorded paleontological resources (fossils) within Albany nor does the City include a unique geological feature associated with paleontological resources. As described in this chapter, the project site is underlain by Holocene-age landforms that are too recent to contain significant fossils. Older Quaternary (i.e., Pleistocene) and Franciscan Complex deposits are mapped in Albany. These older deposits have a potential to contain significant fossils, such as bison, mammoth, ground sloths, saber-toothed cats, dire wolves, cave bears, rodents, birds, reptiles, amphibians.

The Draft General Plan contains no policies that address potential impacts to paleontological resources. Adoption of the Draft General Plan, therefore, has the potential to significantly impact paleontological deposits as a result of new ground-disturbing developments that may occur on or within older landforms.

**Impact CULT-2: Ground-disturbing activities associated with development allowed under the Draft General Plan could adversely affect significant paleontological deposits under CEQA. (S)**

**Mitigation Measure CULT-2:** Implement Mitigation Measure CULT-1 to determine the potential for paleontological deposits within a project site and, if present, to ensure project-specific mitigations for such resources are identified and incorporated as conditions of project approval. (LTS)

With implementation of the above mitigation measure, potential impacts to paleontological resources would be reduced to a less-than-significant level by preserving the resources or the scientific information associated with them.

**(4) Human Remains.** The project would have a significant effect on the environment if it results in disturbance to human remains, including those interred outside of formal cemeteries.

Human remains interred outside of formal cemeteries have been identified in association with prehistoric archaeological sites in Albany, and development allowed under the Draft General Plan has the potential to unearth previously unidentified Native American human remains. This potential impact is mitigated through coordination with local tribal representatives (Policy LU-5.4) and with implementation of the appropriate procedures outlined under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. With implementation of this policy and appropriate State laws regarding the treatment of Native American human remains and implementation of Mitigation Measure CULT-1, the Draft General Plan would have less-than-significant impacts on such remains. This less-than-significant impact is achieved through: (1) coordination between the City, project applicant, and the Native American Most Likely Descendent (MLD) in the event that remains of Native American origin are identified during development; and (2) appropriate and respectful treatment of these remains in consultation with the MLD.

**c. Cumulative Impacts.** Implementation of the Draft General Plan, in conjunction with other development in the City, has the potential to cumulatively impact cultural resources. For built-environment historical resources, proposed development allowed under the Draft General Plan could adversely affect such resources due to their demolition or incompatible site designs that could impact the historical integrity of nearby historical buildings. Development within the City also has the potential to adversely affect archaeological resources, paleontological resources, and human remains through their destruction or disturbance. Before mitigation, therefore, developments within the City, as well as other local recent and current developments, have the potential to cause adverse cumulative impacts to cultural resources due to their destruction or loss of historical integrity.

However, it should be noted that each development proposal received by the City will undergo environmental review, consistent with the City's current procedures, and would be subject to the mitigation measures proposed above. Neither the proposed Draft General Plan nor other development projects are expected to cumulatively result in significant impacts to cultural resources, provided that appropriate pre-development environmental review occurs (i.e., Mitigation Measure CULT-1) and appropriate mitigation measures, including but not limited to preservation in place, capping, data recovery, or compliance with the U.S. Secretary of Interior Standards for the Treatment of Historic Properties, are implemented as a condition of development. Therefore, implementation of project-specific mitigation measures and appropriate Draft General Plan Policies and Actions encouraging environmental review and mitigation reduce any potential cumulative impacts related to cultural resources to a less-than-significant level.

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