

4.5 CULTURAL RESOURCES

4.5.1 Setting

a. Environmental Setting. The Master Plan corridor stretches the entire length of Santa Cruz County from the San Mateo County line north of Davenport to Railroad Avenue in Monterey County. The corridor primarily aligns with the Santa Cruz Branch Rail Line right-of-way, a 32-mile, continuous travel corridor. The RTC now owns 31-miles of the Santa Cruz Branch Rail Line ~~is now owned by the RTC~~. The rail right-of-way would serve both rail service and bike/pedestrian trail functions.

b. Historical Background.

Prehistory. Santa Cruz County is in the Monterey Bay Area, a cultural-historical geographic region which spans the central California coastline from Big Sur northward to just south of the San Francisco Bay. This region generally corresponds to southern Costanoan language groups.

The prehistory of the Monterey Bay Area is categorized according to temporal “periods,” which refer to the general social, economic, and environmental adaptations of Native California populations during a given time in prehistory. David A. Fredrickson’s Paleo-Archaic-Emergent cultural sequence (1974) is commonly used to interpret the prehistoric occupation of Central California and is broken into three broad periods: the Paleoindian Period (10,000-6000 B.C.); the three-staged Archaic Period, consisting of the Lower Archaic (6000-3000 B.C.), Middle Archaic (3000-500 B.C.), and Upper Archaic (500 B.C.-A.D. 1000); and the Emergent Period (A.D. 1000-1800). T. Jones’ (1993) updated period sequence, which integrates data from the central California coast, consists of the Paleoindian (9000-6500 B.C.), Millingstone (6500-3500 B.C.), Early (3500-1000 B.C.), Early/Middle Transition (1000-600 B.C.), Middle (600 B.C.-A.D. 1000), Middle/Late Transition (A.D. 1000-1200), Late (A.D. 1200-1500), Protohistoric (A.D. 1500-1769), and Historic (post A.D. 1769) periods.

Archaeological sites dating to the Paleoindian and Millingstone periods (3500 B.C. or earlier) in the Monterey Bay Area are rare, and the components are poorly defined. Sites from these periods, however, have been identified north of Santa Cruz in Scotts Valley and at Elkhorn Slough, and include crescent-shaped flaked tools, long-stemmed projectile points, cobble/core tools, and milling slabs and handstones. Archaeological evidence of the Late and Protohistoric periods (A.D. 1200-1769) is poorly represented in the Monterey Bay area, although sites dating to this period have been identified in the Santa Cruz Mountains and within City of Santa Cruz limits. Sites dating to these periods include schist, clamshell, and abalone disc beads; small side-notched projectile points; hopper and bedrock mortars; milling slabs; pestles; and handstones.

For over a quarter century, Native American settlement and subsistence patterns in the Monterey Bay Area have been understood in terms of a forager-collector model (Breschini and Haversat, 1980; Dietz and Jackson, 1981) that suggests that before 2,000 years ago, small mobile foraging groups characterized Monterey Bay Area settlement. These foraging groups established temporary residential bases near seasonally available resource patches and gathered food daily, with no storage of food. Foragers were eventually displaced by “collectors” who



occupied year round or semi-permanent residential sites and did not relocate residential sites to seasonal resource patches. More recently, however, the validity of the forager-collector model for understanding the subsistence and settlement practices from the Monterey Bay Area has been questioned (D. Jones, 1992), and Native American settlement-subsistence patterns in the region are a research issue that future archaeological research may help to clarify.

Ethnography. Penutian groups settled around Monterey Bay at approximately 500 B.C., displacing earlier Hokan populations (Breschini and Haversat, 1997). The descendants of the native groups who lived between the Carquinez Strait and the Monterey area prefer to be called Ohlone (Margolin, 1978), although they are often referred to by the name of their linguistic group, Costanoan. Linguists have identified eight Ohlone languages (ShIPLEY, 1978). *Awaswas* was the name of the language spoken in the Santa Cruz area. *Awaswas* speakers' territory basically encompassed the San Lorenzo River watershed.

The Ohlone, like most Native California groups, were organized according to politically independent land-holding groups referred to by anthropologists as "tribelets." There were approximately 40 Ohlone tribelets. The basic Ohlone social unit was the family household of about 15 individuals, which was extended patrilineally (Broadbent, 1972; Harrington, 1933). Households grouped together to form villages, and villages combined to form tribelets. Tribelets exchanged trade goods such as obsidian, shell beads, and baskets; participated in ceremonial and religious activities together; intermarried; and could have extensive reciprocal obligations to one another involving resource collection. At the time of the arrival of the Spanish and establishment of Mission Santa Cruz in 1791, Santa Cruz was within the territory of the Uypi tribelet.

For the Ohlone, like other native Californians, the acorn was a dietary staple, eaten as mush or bread. The Ohlone used a range of other plant resources, including buckeye, California laurel, elderberries, strawberries, manzanita berries, goose berries, toyon berries, wild grapes, wild onion, cattail, amole, wild carrots, clover, and herbs. Animals eaten by the Ohlone included large fauna such as black-tailed deer, Roosevelt elk, antelope, and marine mammals such as sea lion, and sea otter; smaller mammals such as dog, skunk, racoon, rabbit, and squirrel; birds, including geese and ducks; and fish such as salmon, sturgeon, and mollusks (Levy, 1978).

Besides providing sustenance, the Monterey Bay area's flora and fauna provided the Ohlone with raw materials to construct dome-shaped shelters and sweat houses. Animal bones, teeth, beaks, and claws were made into awls, pins, knives, and scrapers. Pelts and feathers became clothing and bedding, while sinews were used for cordage and bow strings. Feathers, bone, and shells were crafted into ornaments (Heizer and Elsasser, 1980).

History. In July 1769, the governor of Baja California, Gaspar de Portola, departed with an expedition from San Diego to locate Monterey Bay and passed through present-day Santa Cruz. Shortly thereafter, in September 1791, Mission Santa Cruz was established on the banks of the San Lorenzo River. Mission Santa Cruz quickly absorbed the surrounding Ohlone population and, by 1796, included 523 neophytes. At its peak of operation, the Mission had 8,000 head of cattle and produced wheat, barley, beans, corn, and lentils for consumption and trade.



Another colonial institution, Villa de Branciforte, was established on the other side of the San Lorenzo River across from Mission Santa Cruz in 1797. The Spanish government established Villa de Branciforte to create a self-sufficient secular settlement populated by retired soldiers, craftsmen, and farmers who could mobilize and defend the coast of Alta California from foreign invasion. However, the colonial government generally viewed Villa de Branciforte as a failure. Early settlers generally lacked the skills to be self-sufficient farmers and when rumors spread that the French pirate, Hippolyte de Bouchard, had raided Monterey, the residents of Branciforte, instead of defending the Mission, responded by looting much of its assets. In 1834, the California missions were secularized, and Mission Santa Cruz lands came under the control of Villa de Branciforte.

Commercial development of Santa Cruz and the surrounding region's natural resources was well under way by the time California became part of the United States in 1848. Logging, lime production, and tanneries were three important industries in the early economy of Santa Cruz. The lime and logging industries thrived in response to the growing demand for building materials during San Francisco's post gold rush construction boom. These industries spawned the City's residential growth and infrastructure development during the 19th century.

The economic focus of the City gradually shifted to tourism near the turn of the 19th century. The growth of local tourism was largely a result of railroad access to Santa Cruz County beginning in the late 1870s.

The Santa Cruz Branch Rail Line right-of-way began operation in May 1876 as a narrow gauge passenger and freight rail line. In 1881 Southern Pacific purchased the Santa Cruz railroad at auction from the original owners and in 1883 replaced the narrow gauge railroad with a standard gauge line. In 1908, the rail line was extended north toward Davenport, with freight and passenger operations beginning on the northern portion. Passenger service was discontinued in 1938. In 1996, Union Pacific purchased the Watsonville-Santa Cruz line from Southern Pacific and Rio Grande Railroads. The California Transportation Commission subsequently approved acquisition of the Santa Cruz Branch Rail Line for public ownership in 2011.

Perhaps more than any other individual, Fred Swanton was responsible for developing Santa Cruz's tourist industry. Swanton, with investors including financier John Martin and the Southern Pacific Railroad, formed the Santa Cruz Beach, Cottage, and Tent City Corporation. The corporation opened the Neptune Casino in 1904, but lost that enterprise to fire in 1906. The Casino was quickly rebuilt and reopened a year later. Swanton also built the Casa del Rey Hotel in 1910 across from the Casino to replace a "tent city," which had served as a popular tourist beach accommodation until that time. The Casa del Rey Hotel stood until the 1989 Loma Prieta earthquake, when it sustained extensive damage and was demolished soon after. Also during the early 20th century, popular beach attractions were built, including the Scenic Railway roller coaster in 1908 and the Giant Dipper Roller Coaster in 1924.

During World War II, tourism declined significantly in Santa Cruz due to travel restrictions and gasoline shortages. In addition, the Santa Cruz fishing economy, which was dominated by Italian immigrants, suffered as the result of Executive Order 9066, which established internment and relocation camps for Japanese, German, and Italian immigrants, including those who were

United States citizens. Many Italian families were relocated inland from the waterfront and many of the fishing boats were abandoned or used in the war effort. The commercial fishing industry never recovered after the war, although sport fishing remains a popular activity. The local tourist economy revived, with the Boardwalk undergoing major renovations in the 1950s and in 1981. The Boardwalk, which remains the focus of Santa Cruz's tourist industry, continues to operate with a mix of historic and modern amusement park attractions.

c. MBSST Network Setting. The proposed MBSST Network project consists of a multi-use trail that would generally follow the coast of Santa Cruz County. According to the Archaeological Sensitive Areas map, as designated on the Santa Cruz County General Plan and LCP Resources and Constraints Maps filed in the Planning Department, much of Santa Cruz County is potentially archaeological sensitive, especially undeveloped coastal areas, valleys, slopes, and drainages. The densest concentrations of prehistoric and archaeological cultural resources in the region are expected to occur (City of Watsonville, September 2012):

- *On terraces along water courses on the valley floor;*
- *On midslope terraces above watercourses in upland areas;*
- *In areas of rock outcrops near where native oak stands have been located;*
- *At the bases of hills, especially where watercourses enter the valley floor; and*
- *Along historic slough margins.*

Concentrations of historic resources are most likely to occur:

- *Adjacent to transportation corridors (historic highways, railroad);*
- *On historic ranches or agricultural farms; and*
- *Within historic neighborhoods and business districts.*

The proposed MBSST trail alignment primarily aligns with the Santa Cruz Branch Rail Line right-of-way, a long-standing local transportation corridor, and passes through historic agricultural areas and along historic slough margins in Santa Cruz County.

Historic Buildings and Landmarks. The County of Santa Cruz Survey of Historic Resources (County Survey) lists historic resources in each of the county's 16 planning areas. Within the six coastal planning areas through which the MBSST Network would pass (North Coast, Bonny Doon, Live Oak, Aptos, La Selva, and San Andreas), there are 70 resources included in the County Survey. Of these, one is listed in the National Register of Historic Places (Anchor Hotel - Bay View, located at 8041 Soquel Drive), 20 are considered eligible or may become eligible for listing on the National Register of Historic Places, and 49 have local historical significance. There are no designated historic districts within these planning areas.

Currently, approximately 600 buildings are listed in the City of Santa Cruz Historic Building Survey. Buildings of greatest historic and architectural significance have been designated "landmarks" pursuant to section 24.12.430 of the City's Zoning Ordinance. Currently there are 26 designated landmarks in the City. Of these 26 properties, 15 properties are listed on the National Register of Historic Places, and one is listed on the California Register of Historical Resources. The site of Mission Santa Cruz and the site of Villa Branciforte are listed in the California Historical Landmarks. The City of Santa Cruz General Plan 2030 includes maps



depicting Historic Districts and Landmarks within the City. The City's existing historic districts are located approximately 1,500 feet north of the proposed trail alignment, along the rail line that follows Chestnut Street and the Chestnut Street Extension north between Laurel Street and Highway 1.

The City of Capitola contains buildings and architectural styles from the City's initial era of development, as well as many Victorian structures and other buildings from the 1920s and 1930s, including stucco buildings of Mediterranean, Art Deco, and Mission Style. Structures and historic districts in Capitola included on the National Register of Historic Places include the Hihn Building, the Old Riverview Historic District, Rispin Mansion, Six Sisters-Lawn Way Historic District, and the Venetian Court Apartments. These historic resources are located along segment 11 of the proposed trail alignment, near the Soquel Creek rail crossing.

Currently, there are 14 historic structures on the City of Watsonville's local register designated by ordinance, of which six are also listed on National Register of Historic Places. The Watsonville Vista 2030 General Plan, which is not yet adopted, proposes to review the existing survey of local historic buildings and nominate eligible buildings from that list to the Watsonville Register of Historic Resources.

d. Regulatory Setting.

Federal.

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

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

- *All historic areas in the National Park System;*
- *National Historic Landmarks that have been designated by the Secretary of the Interior for their significance to all Americans; and*

- *Properties significant to the nation, state, or community which have been nominated by state historic preservation offices, federal agencies, and tribal preservation offices, and have been approved by the National Park Service (National Park Service website).*

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

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

Archaeological site evaluation assesses the potential of each site to meet one or more of the criteria for NRHP eligibility based on visual surface and subsurface evidence (if available) at each site's location, information gathered during the literature and records searches, and the researcher's knowledge of and familiarity with the historic or prehistoric context associated with each site.

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

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

State.

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

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, state, or national level in



accordance with one or more of the following criteria set forth in the *State CEQA Guidelines* at Section 15064.5(a)(3):

- 1) *It is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;*
- 2) *It is associated with the lives of persons important in our past;*
- 3) *It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- 4) *It has yielded, or may be likely to yield, information important in prehistory or history.*

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

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

Native American Consultation. Prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, Government Code Sections 65352.3 and 65352.4 require a city or county to consult with local Native American tribes that are on the contact list maintained by the Native American Heritage Commission. The purpose is to preserve or mitigate impacts to places, features, and objects described in Public Resources Code Sections 5097.9 and 5097.993 (Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property) that are located within a city or county’s jurisdiction. As the proposed MBSST Network project does not entail a General Plan amendment, no such consultation is required.

Human Remains. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native



American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. *CEQA Guidelines* Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Public Resources Code Section 5097.5. California Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

California Environmental Quality Act (CEQA). The *State CEQA Guidelines* Section 15064.5 definition of a “historical resource” is presented in Section 4.5.2(a) (Methodology and Significance Thresholds) below. CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA review process (Public Resources Code, Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided, or significant effects mitigated [*CEQA Guidelines* Section 15064.5(b)(4)].

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

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

In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource (Bass, Herson, and Bogdan, 1999).

Treatment options under Public Resources Code Section 21083.2 include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation include



excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a “unique archaeological resource”).

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

Santa Cruz County.

Santa Cruz County General Plan. The Conservation and Open Space Element of the Santa Cruz County General Plan includes objectives and policies to protect archaeological and historical resources. The objectives and policies applicable to this project are discussed below.

Policy 5.19.1 *Evaluation of Native American Sites. Protect all archaeological resources until they can be evaluated. Prohibit any disturbance of Native American Cultural Sites without an appropriate permit. Maintain the Native American Cultural Sites ordinance.*

Policy 5.19.2 *Site Surveys. Require an archaeological site survey (surface reconnaissance) as part of the environmental review process for all projects with very high site potential as determined by the inventory of archaeological sites, within the Archaeological Sensitive Areas, as designated on General Plan and LCP Resources and Constraints Maps filed in the Planning Department.*

Policy 5.19.3 *Development Around Archaeological Resources. Protect archaeological resources from development by restricting improvements and grading activities to portions of the property not containing these resources, where feasible, or by preservation of the site through project design and/or use restrictions, such as covering the site with earthfill to a depth that ensures the site will not be disturbed by development, as determined by a professional archaeologist.*

Policy 5.19.4 *Archaeological Evaluations. Require the applicant for development proposals on any archaeological site to provide an evaluation, by a certified archaeologist, of the significance of the resource and what protective measures are necessary to achieve General Plan and LCP Land Use Plan objectives and policies.*

Policy 5.19.5 *Native American Cultural Sites. Prohibit any disturbance of Native American Cultural Sites without an archaeological permit which requires, but is not limited to, the following:*
 (a) *A statement of the goals, methods, and techniques to be employed in the excavation and analysis of the data, and the reasons why the excavation will be of value.*



- (b) *A plan to ensure that artifacts and records will be properly preserved for scholarly research and public education.*
- (c) *A plan for disposing of human remains in a manner satisfactory to local Native American Indian groups.*

Policy 5.20.3 *Development Activities. For development activities on property containing historic resources, require protection, enhancement, and/or preservation of the historic, cultural, architectural, engineering or aesthetic values of the resources as determined by the Historic Resources Commission. Immediate or substantial hardship to a project applicant shall be considered in establishing project requirements.*

Policy 5.20.4 *Historic Resources Commission Review. Require that applicants for development proposals on property containing a designated Historic Resource submit plans for the protection and preservation of the historic resource values to the Historic Resources Commission for their review and approval; require an evaluation and report by a professional historian or a cultural resources consultant when required by the Commission.*

Policy 5.20.5 *Encourage Protection of Historic Structures. Encourage and support public and private efforts to protect and restore historic structures and continue their use as an integral part of the community.*

Policy 5.20.6 *Maintain Designation as a Certified Local Government. Support existing and further develop local historic resource programs in order to maintain the California State Department of Parks and Recreation's designation of Santa Cruz County as a Certified Local Government (CLG).*

Santa Cruz County Municipal Code. Title 16 (Environmental and Resource Protection) of the Santa Cruz County Municipal Code outlines criteria for Native American cultural studies (Chapter 16.40), historic preservation (Chapter 16.42), and paleontological resource protection (Chapter 16.44).

Chapter 16.40 defines when archaeological surveys and reports are required, required actions when Native American cultural sites or human remains are discovered during the review of a proposed project or during excavation or other ground disturbing activities. Chapter 16.42 defines the significance and designation of protected historic resources on the Santa Cruz County Inventory of Historic Resources and development procedures for designated historic resources. Chapter 16.44 describes requirements for paleontological assessments and reports, permitting requirements for projects on the site of paleontological resources, required actions when paleontological resources are discovered during excavation or other groundbreaking activities.

City of Santa Cruz.

City of Santa Cruz General Plan 2030. The Historic Preservation, Arts, and Culture chapter of the City of Santa Cruz General Plan includes several policies and actions related to preservation of historic resources. These policies and actions are listed below.



- Policy HA1.1 *Preserve (or where not possible, responsibly manage) archaeological and paleontological sites important to the community's heritage.*
- Policy HA1.2 *Protect (or where not possible, responsibly manage) sensitive archaeological and paleontological resources as early in the land-use planning and development process as possible.*
- Action HA1.2.2 *Require preparation of archaeological investigations on sites proposed for development within areas identified as "Highly Sensitive" or "Sensitive" on the "Areas of Archaeological Sensitivity" and "Historical Archaeology Sensitivity" maps, except for exempt uses within "Sensitive" areas as described below, prior to approval of development permits. The investigation shall include archival research, site surveys and necessary supplemental testing as may be required, conducted by a qualified archaeologist. The significance of identified resources shall be ascertained in accordance with CEQA definitions, and impacts and mitigation measures outlined if significant impacts are identified, including, but not limited to recovery options and onsite monitoring by an archaeologist during excavation activities. A written report describing the archeological findings of the research or survey shall be provided to the City.*
- Allow minor projects with little excavation to be exempt from this requirement for preparation of an archaeological assessment within the "High Sensitivity" areas. Minor projects generally involve spot excavation to a depth of 12 inches or less below existing grade, or uses that have virtually no potential of resulting in significant impacts to archaeological deposits. Exempt projects may include: building additions, outdoor decks, or excavation in soil that can be documented as previously disturbed.*
- Action HA1.2.3 *The City shall notify applicants within paleontologically sensitive areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City should require the treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.*
- Policy HA1.3 *Seek and consider input of descendent community and historical organizations on the protection of archeological resources.*
- Action HA1.3.1 *Formalize meetings with descendent communities and historical organizations to gather input on the protection of cultural and historic resources.*
- Policy HA1.4 *Manage the discovery of human remains and the protection of archaeological deposits in accordance with local, State, and federal requirements.*



- Policy HA1.5 *Require that archaeological work within the city be performed by a qualified archaeologist.*
- Policy HA1.6 *Provide opportunities for the interpretation of paleontology and prehistoric and historical archaeology in the city.*
- Policy HA1.7 *Encourage and facilitate the protection and preservation of traditional cultural properties.*
- Action HA1.7.1 *Determine traditional cultural property significance in accordance with California Register criteria.*
- Action HA1.8.5 *Give local landmark status to structures, sites or landmarks listed on the national Register and State Landmark and Register Program.*
- Action HA1.8.6 *Develop an intra-departmental program for the interpretive display of city history.*
- Policy HA1.9 *Require compatible development within historic districts and on sites outside but immediately adjacent to those districts.*
- Action HA1.9.1 *Strongly encourage the preservation of the exterior features of historic buildings through clear Zoning Ordinance regulations.*
- Action HA1.9.2 *Utilize the Secretary of Interior's Standards and Rehabilitation Guidelines for development within historic districts.*
- Action HA1.9.3 *Encourage the restoration, retention, and incorporation of historic features in public right-of-ways and on publicly owned property.*
- Policy HA1.10 *Promote public awareness and appreciation of the city's historic and architectural resources.*
- Action HA1.11.6 *Consider historic preservation in the development and enforcement of City regulations.*

City of Santa Cruz Municipal Code. The City of Santa Cruz Historic Preservation Ordinance (HPO) provides for the protection, enhancement, and perpetuation of significant cultural resources in the General Plan Area. The HPO provides the statutory framework for local preservation decisions.

City of Capitola.

City of Capitola General Plan. The Capitola General Plan is currently being updated, and a Public Review Draft General Plan is anticipated for June 2013. The current General Plan was adopted in 1989. The Open Space, Parks and Recreation chapter of the existing Capitola General Plan contains the following policies related to cultural and historical resources.



Policy 24 *It shall be the policy of the City of Capitola to provide for the protection, preservation, and proper disposition (where necessary) of archaeological, historical, and paleontological resources within Capitola. This policy shall be implemented in cooperation with the landowners, developers, State Historic Preservation Office and the Archaeological Regional Research Center.*

Policy 26 *The city shall identify architecturally and historically significant structures and provide for their protection. These include special, unique structures in Capitola Village and surrounding bluffs, both public and private.*

City of Capitola Municipal Code. Chapter 17.87 of the Capitola Municipal Code outlines the City's procedure for establishing or designating historic feature designation:

The planning commission, on its own initiative, or by the directive of the city council, or upon application of the owner of any feature, may consider whether a feature should be designated as an historic feature, or whether a feature designated as an historic feature should have that designation dropped and thereby be removed from the register of historic features. Applications submitted by owners or their agents shall be upon such forms as designated by the community development director, shall contain a description of the feature and any proposed alterations of the feature, and such other information as the community development director shall specify. (Ord. 515 § 4 (part), 1982)

In addition, Chapter 17.87 describes requirements for hearings and noticing for establishing or designating historic feature designation, and entry into the registry of historic features.

Section 17.11.030 describes the archaeological survey report requirement, which requires an archaeological survey report for any development within:

1. *Archaeological/Paleontological Sensitivity Areas as mapped on city of Capitola resource map (LUP p. 19, Map I-1);*
2. *Seven hundred fifty feet of a known archaeological resource; or*
3. *An area with a probability of containing archaeological resources, as determined through the planner's onsite investigation or other available information.*

City of Watsonville.

City of Watsonville General Plan. An updated City of Watsonville General Plan was adopted by the City Council in January 2013, but was subsequently challenged in court and is on hold until resolution on the legal issues can be reached. Therefore, at this time, the 2005 General Plan remains in effect. The existing 2005 General Plan, adopted in 1994, identifies a policy and implementation measures for the preservation of archaeological resources, which are listed below.

Policy 9.H *Archaeological Resources. The City shall foster and provide for the preservation of cultural resources and artifacts of historic and prehistoric human occupation within the Pajaro Valley.*

Impl. 9.H.2 *Protection Measures. The City shall notify the Regional Office, California Archaeological Site Survey, and the Ohlone Indian Cultural Association of*



projects within identified archaeological sensitive areas. An archaeological site survey by a professional archaeologist may also be required.

Impl. 9.H.3 Project Conditions. The City shall require appropriate land use controls on projects that may endanger or destroy historic and prehistoric artifacts. Such controls include addition of fill to prevent disruption of site by grading, and site planning to avoid disturbance on sensitive portions of the site.

City of Watsonville Municipal Code. Chapter 8-13 of the Watsonville Municipal Code assigns powers and duties to the Community Development Department and Planning Commission with respect to historical preservation. The Ordinance sets forth the procedures for designation of historic structures and standards for permit review for alteration to an historic structure.

Monterey County. Segment 20 of the proposed MBSST Network project, which is 0.74 miles long, would be located in Monterey County. The purpose of this segment is to provide a regional connection to the Monterey County section of the Monterey Bay Sanctuary Scenic Trail. Implementation of this section would require cooperation and coordination with the Transportation Agency for Monterey County (TAMC) and the County of Monterey. Monterey County General Plan goals and policies, as well as Monterey County Municipal Code regulations, would apply to this segment.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds.

Evaluation Criteria. Based on Appendix G of the *State CEQA Guidelines*, a significant impact could occur if the proposed MBSST Network project would result in any of the following:

- 1) *Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5;*
- 2) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;*
- 3) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value;*
- 4) *Disturb any human remains, including those interred outside of formal cemeteries; or*
- 5) *Disturb unique architectural features or the character of surrounding buildings.*

The significance of a cultural resource deposit and subsequently the significance of any impact is determined by whether or not that deposit can increase our knowledge of the past. The determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *State CEQA Guidelines*.

CEQA Guidelines Section 15064.5 (Determining the Significance of Impacts to Archaeological Resources) states:

(3) [...] Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of



Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) 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

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

Historical resources are “significantly” affected if there is demolition, destruction, relocation, or alteration of the resource or its surroundings. Generally, impacts to historical resources can be mitigated to below a level of significance by following the Secretary of the Interior’s *Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the Secretary of the Interior’s *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* [13 PRC 15064.6 (b)]. In some circumstances, documentation of an historical resource by way of historic narrative photographs or architectural drawings will not mitigate the impact of demolition below the level of significance [13 PRC 15126.4 (b)(3)]. Preservation in place is the preferred form of mitigation for a “historical resource of an archaeological nature” as it retains the relationship between artifact and context, and may avoid conflicts with groups associated with the site [PRC 15126.4 (b)(3)(A)]. Historic resources of an archaeological nature and “unique archaeological resources” can be mitigated to below a level of significance by:

- *Relocating construction areas such that the site is avoided;*
- *Incorporation of sites within parks, greenspace, or other open space;*
- *“Capping” or covering the site with a layer of chemically stable soil before building;*
or
- *Deeding the site into a permanent conservation easement. [PRC 15126.4 (b)(3)(B)]*

In the event that resources cannot be preserved, “unique archaeological resources” can only be excavated as mitigation if they are threatened with damage or destruction by the proposed project. The time and cost limitations that may apply to the excavation of archaeological resources do not apply to activities that determine whether the archaeological resources are “unique” [PRC 15064.5 (c)(3)].

If an archaeological resource does not meet either the historic resource or the more specific “unique archaeological resource” definition, impacts do not need to be mitigated [13 PRC



15064.5 (e)]. Where the significance of a site is unknown, it is presumed to be significant for the purpose of the EIR investigation.

b. Project Impacts and Mitigation Measures.

Impact CR-1 The proposed MBSST Network project would potentially damage existing prehistoric and archaeological cultural resources and historical structures along the proposed trail alignment. Impacts would be Class II, significant but mitigable.

The proposed MBSST Master Plan corridor would generally follow the Santa Cruz Branch Rail Line right-of-way through Santa Cruz County. As discussed in Section 4.5.1(b), above, cultural resources are likely to occur along water courses, near rock outcrops, oak stands, and along historic slough margins. The proposed MBSST trail alignment is located near or adjacent to several of these features throughout Santa Cruz County. In addition, the proposed trail primarily aligns with the Santa Cruz Branch Rail Line right-of-way, a long-standing local transportation corridor, and passes through historic agricultural areas in Santa Cruz County; therefore, there are likely to be concentrations of historic sites and structures within the MBSST Network right-of-way. Development activities associated with the Master Plan could affect prehistoric and archaeological cultural resources and historic structures along the MBSST corridor. Potential impacts to cultural resources, including designated historical resources, are described below.

Northern Reach. The proposed MBSST Network would parallel Highway 1 in the northern reach. Structural improvements along the northern portion of the northern reach (segments 1 and 2) would be limited, as the trail would consist of a Class III on-street/road shoulder bike route, much of which is currently in place. Improvements would therefore be limited to routine road edge clearing, signs, and shoulder pavement striping. Potential cultural resource impacts for these segments would be less than significant, assuming that no further grading is required.

Beginning in segment 3, the proposed MBSST Network would include a new multi-use paved path adjacent to Highway 1. This path would be an approximately twelve foot wide paved surface with center lane striping in some areas. Structural improvements may include: various types of trail fencing; trail furnishings such as benches and seating areas, trash receptacles, bike racks, and picnic and shade shelters; landscaping; night lighting (in some areas); and signage. In addition, parking lot improvements to an existing dirt lot near the Davenport Overlook would be implemented along sub-segment 5.1. Some of this area has been previously subject to grading and other ground disturbance; however, other portions of these segments have not undergone previous ground disturbance where grading is required or been subject to a prehistoric and archaeological cultural resources survey, and therefore there is a greater potential for discovery of and impact to significant prehistoric and archaeological cultural resources. The northern reach also includes 4.61 miles of coastal bluff trails. These trails would be five to six feet wide, unpaved, and blended into the site character and slope. These unpaved trails would not include structural improvements; however, they may require grading, and therefore, may result in impacts to prehistoric and archaeological cultural resources.

For portions of the proposed trail alignment that have not previously been graded and/or surveyed for prehistoric and archaeological cultural resources, impacts would be potentially significant. Mitigation is required to reduce potential impacts to prehistoric and archaeological cultural resources to a less than significant level.

Central Reach. The central reach is primarily urban in nature and traverses portions of Santa Cruz County, the City of Santa Cruz, and the City of Capitola. Structural improvements along the central reach would include: various types of trail fencing; trail furnishings such as benches and seating areas, trash receptacles, bike racks, and picnic and shade shelters; rest areas containing trail furnishings, kiosks with traveler information, and interpretive signage; new pre-engineered and/or retrofitted bridges; roadway and railway crossings; landscaping; night lighting (in some areas); and signage.

As with the northern reach, portions of the central reach that have not undergone previous ground disturbance or been subject to a prehistoric and archaeological cultural resources survey would result in potentially significant impacts to prehistoric and archaeological cultural resources. Therefore, mitigation is required.

Within the City of Santa Cruz, the trail alignment would not pass through an historic district (City of Santa Cruz General Plan, 2012); however, segment 8 of the trail alignment would pass by two City landmarks - Depot Park and the Santa Cruz Beach Boardwalk. The portion of the trail that would pass by Depot Park is an existing Class I bicycle lane, and the portion of the trail that would pass by the Santa Cruz Beach Boardwalk is comprised of existing on-street bicycle lanes and sidewalks. Any structural improvements along segment 8 would occur within the existing roadway right-of-way, and would therefore not be expected to result in alteration or damage to these existing City landmarks, or a substantial adverse change to their setting.

Within the County of Santa Cruz, segment 12 would pass by the Anchor Hotel - Bay View, located at 8041 Soquel Drive. This property is listed in the NRHP. The proposed structural improvements in this portion of the trail alignment include a paved trail on the east side of the existing rail line, various types of trail fencing, trail furnishings, and signage. Landscaping and night lighting may also be included. These improvements would not be expected to result in alteration or damage to this existing historic structure.

Within the City of Capitola, segments 10 and 11 would pass through the Old Riverview Historic District and Six Sisters-Lawn Way Historic District, which are listed on the NRHP and include the historic Hihn Building, Rispin Mansion and the Venetian Court Apartments. The proposed structural improvements in this portion of the trail alignment include a paved trail on the coastal side of the existing rail line, improvements to existing on-street Class II and Class III bicycle lanes and routes and pedestrian sidewalks, a modified trail at-grade railroad crossing, and a rail crossing at Soquel Creek. These improvements would not be expected to result in alteration or damage to the existing historic district. Potential impacts related to alterations to the Soquel Creek rail crossing are discussed in greater detail below.

The proposed MBSST Network project would include numerous railroad bridge/trestle crossings in the central reach. The majority would be new pre-engineered pedestrian/bicycle bridges of varying spans. However, in some locations existing bridge would be retrofitted. All

of the existing railroad bridges and trestles along the MBSST Network corridor were constructed between 1903 and 1977 (RTC, 2012). Due to their age, many of these bridges are potentially eligible for listing on the California Register. As noted above, one of these structures – the Soquel Creek rail crossing – spans the Old Riverview Historic District in Capitola. Specific improvements that may occur at existing bridge/trestle structures consist of retrofitting to allow for pedestrian and bicycle passage, or installing new pre-engineered pedestrian and bicycle bridges attached or adjacent to existing rail bridges. Because many of the existing rail bridges are potentially eligible for listing on the California Register, and are therefore potentially historical resources, alterations to these structures would be a potentially significant impact. Mitigation is required to reduce impacts to existing historical rail bridges and other structures to a less than significant level.

Watsonville Reach. The Watsonville reach traverses portions of Santa Cruz County and the City of Watsonville. Structural improvements along the majority of this reach would include: various types of trail fencing; trail furnishings; at-grade road crossings; rail bridge/culvert crossings; new pre-engineered rail bridge crossings; landscaping; night lighting (in some areas); and signage. Improvements along segment 19 would be limited to the addition of a Class II bike lane along Walker Street and new sidewalks on the inland side of Walker Street beginning at Riverside Drive/Highway 129. No improvements would be constructed in the southern coastal section of the MBSST Network other than the proposed on street improvements (Class II, Class III and sidewalks) to Beach Street, as the trail consists of an existing shoreline beach route (low tide access) in this area.

As with the northern and central reaches, portions of the Watsonville reach that have not undergone previous ground disturbance or been subject to a prehistoric and archaeological cultural resources survey would result in potentially significant impacts to prehistoric and archaeological cultural resources. Therefore, mitigation is required to reduce impacts to a less than significant level.

Within the City of Watsonville, the trail alignment would not be adjacent of any of the 14 historical structures listed on the local register designated by ordinance (City of Watsonville General Plan, 1994). However, the Watsonville reach would include several new pre-engineered pedestrian/bicycle bridges of varying spans. All of the existing railroad bridges and trestles along the MBSST Network corridor were constructed between 1903 and 1977 (RTC, 2012). Due to their age, many of these bridges are potentially eligible for listing on the California Register. Because many of the existing rail bridges are potentially eligible for listing on the California Register, and are therefore potentially historical resources, alterations to these structures would be a potentially significant impact. Mitigation is required to reduce potential impacts to these existing structures.

Mitigating Design Features. The proposed MBSST Network Master Plan contains design features related to prehistoric and archaeological cultural and historic resources. Specifically, historic resource exhibits (interpretive exhibits) would be placed along the trail at strategic locations offering a variety of information. For example, information concerning the history of railroads, lumber, beaches, and farming in the area would be portrayed. While these design features would provide public information related to prehistoric and archaeological cultural and historical resources in the Master Plan area, the proposed Master Plan would still result in

potentially significant impacts to prehistoric and archaeological cultural resource sites and historic structures, as described above.

Mitigation Measures. The following mitigation measures are required to reduce impacts to prehistoric and archaeological cultural resources and historical structures during MBSST Network construction and apply to the construction of all segments of the trail.

CR-1(a) Cultural Resources Records Search. Prior to ~~the issuance of grading permits~~ completion of final design for each trail segment, the RTC and/or implementing entity shall contract with a qualified archaeologist to perform a cultural resources records search. The cultural resources records search shall include both the Area of Direct Impact as well as a suitable buffer area encompassing an Area of Indirect Impact as determined by a qualified archaeologist. If a cultural resources survey has previously been adequately performed for the subject trail segment/impact area, and existing prehistoric or archaeological cultural resources were not identified, no further pre-construction mitigation would be required. If no previous survey has been performed for the subject trail segment/impact area, or if a previous survey has identified prehistoric or archaeological cultural resources, mitigation measure CR-1(b) shall be implemented.

CR-1(b) Pre-Construction Prehistoric and Archaeological Resources Survey. Prior to ~~the issuance of grading permits~~ completion of final design for each segment that has not been previously graded and/or surveyed for prehistoric and archaeological cultural resources [as determined by mitigation measure CR-1(a)], the RTC and/or implementing entity shall contract with a qualified archaeologist to perform a Phase I cultural resources assessment. In the event that prehistoric or archaeological cultural resources are identified within the Area of Direct Impact during the Phase I assessment and avoidance of impacts to the resource by redesign are not feasible, the implementing agency shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

If the site is determined significant, the RTC and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or



archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping or further archaeological investigation shall be required, though archaeological monitoring may still be required. The results and recommendations of the Phase II and/or Phase III studies shall determine the need for construction monitoring.

In the event that prehistoric or archaeological cultural resources are identified within the Area of Indirect Impact during the Phase 1 assessment, the implementing entity shall contract with a qualified archaeologist to determine whether avoidance or minimization measures are required to prevent looting and aggravation of existing resources. If required, these measures could include, but shall not be limited to: installation of signage prohibiting the public from accessing the site(s), installation of fencing around the identified sites, installation of protection landscape screening, and/or placement of cultural sterile and chemically neutral fill upon the site(s). Selection of feasible avoidance or minimization measures shall be in consultation with the appropriate resource agency, implementing entity, and/or RTC. Following implementation of feasible avoidance or minimization measures the RTC and/or implementing entity shall prepare a four year monitoring plan that includes annual review of sites within the Area of Indirect Impact to assess whether impacts are occurring, supplemental measures to address identified impacts and an annual report of findings which would be available for review by the relevant resources agencies. The plan shall be implemented for a minimum of four years, or until it is clear that resources are not being impacted by the project.

- CR-1(c) Alteration of Potential Historical Bridges/Structures.** Prior to issuing permits for development of trail segments that would result in alteration of existing rail bridges, trestle structures, or other structures greater than 50 years old (at the time development is anticipated to occur), a qualified architectural historian shall inventory and evaluate the significance of potentially historical bridges and other structures located along the proposed trail alignment.

Preliminary investigations have not identified any historic bridges; however, the trestle over Soquel Creek in Capitola is located in a historic district. If a bridge or other structure located along the proposed trail alignment is determined to be historic, the following shall be conducted prior to any rehabilitation, changes, alterations, or additions:

A report shall be prepared by a professional architectural historian and shall be accompanied by requisite sets of large format camera Historic American Engineering Record (HAER) Level II black-and-

white 8-by-10 inch archival quality prints taken by a professional photographer. A minimum of twelve views shall be documented (two profiles, two centerline shots, four abutment shots, and four engineering details) and two sets of prints shall be sent to the California State Library in Sacramento. Measured drawings shall be prepared of the structure under the supervision of a qualified architectural historian.

After this effort, any proposed rehabilitation, changes, alterations, and additions to historical structures shall comply with the Secretary of the Interior Standards for Rehabilitation. Alterations shall be similar to the surrounding historical landscape and consistent with the character-defining features of the bridge/structure, as determined by procedures implementing the National Historic Preservation Act. Adjacent property owners and local government shall be consulted about the design details of any alterations to existing historical resources. Alterations shall be consistent with applicable local historic preservation policies and guidelines.

Significance After Mitigation. Implementation of mitigation measures CR-1(a) and CR-1(b) would reduce impacts to prehistoric and archaeological cultural resources to a less than significant level. Implementation of mitigation measure CR-1(c) would reduce impacts to historical resources to a less than significant level.

Impact CR-2 Construction of the proposed MBSST Network would involve surface excavation. Although unlikely, construction activities have the potential to unearth or impact previously unidentified prehistoric or archaeological cultural resources. Impacts would be Class II, significant but mitigable.

Project construction activities, including ground clearing, grading and excavation, could have adverse impacts on previously unidentified prehistoric or archaeological cultural resources. Pre-construction reconnaissance can only confidently assess the potential for encountering surface prehistoric or archaeological cultural resource remains. As discussed in Section 4.5.1(b), above, cultural resources are likely to occur along water courses, near rock outcrops, oak stands, and along historic slough margins. The proposed MBSST trail alignment is located near or adjacent to several of these features throughout Santa Cruz County. Therefore, the possibility remains for encountering subsurface prehistoric or archaeological cultural resources during construction activities.

If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the City or County Coroner (depending on the jurisdiction in which the discovery occurs) has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.



Adverse impacts would occur if the implementation of the MBSST Network Master Plan would result in construction activities that would damage previously unidentified prehistoric or archaeological cultural resources. Impacts to such resources would be potentially significant.

Mitigation Measures. The following mitigation measures are required to reduce impacts to previously unidentified prehistoric and archaeological cultural resources.

CR-2(a) Archaeological Resource Construction Monitoring. Prior to the commencement of construction activities for each trail segment, an orientation meeting shall be conducted by an archaeologist, general contractor, subcontractor, and construction workers associated with earth disturbing activities. The orientation meeting shall describe the potential of exposing archaeological resources, the types of cultural materials may be encountered, and directions on the steps that shall be taken if such a find is encountered.

A qualified archaeologist shall be present during all initial earth moving activities for each trail segment. In the event that unearthed prehistoric or archaeological cultural resources or human remains are encountered during project construction, mitigation measure CR-2(b) shall take effect.

CR-2(b) Unearthed Prehistoric or Archaeological Cultural Remains. If prehistoric or archaeological cultural resource remains are encountered during construction or land modification activities, work shall stop and the RTC and appropriate City or County planning, building department (depending on the jurisdiction in which the discovery occurs) or implementing entity shall be notified at once to assess the nature, extent, and potential significance of any prehistoric or archaeological cultural remains. The implementing entity shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

If the site is determined significant, the RTC and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further

archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.

Significance After Mitigation. Implementation of mitigation measures CR-2(a) and CR-2(b) would reduce impacts to previously unidentified prehistoric or archaeological cultural resources to a less than significant level.

c. Cumulative Impacts. Proposed development in conjunction with other cumulative projects in Santa Cruz County, including within the cities of Santa Cruz, Capitola, and Watsonville, would have the potential to adversely impact additional prehistoric or archaeological cultural resources. The proposed MBSST Network project would not contribute to any significant cumulative impacts, and cumulative construction impacts related to known and unknown prehistoric and archaeological cultural resources would be similar to that which is described for project-specific impacts and would be addressed on a project-by-project basis.

Cumulative development in Santa Cruz County may include removal and/or replacement of existing bridges along the MBSST Network corridor. In such instances, the Master Plan encourages that future design of any replacement bridges consider including multi-use path facilities on the bridge deck. Although no historic bridges have been identified through preliminary investigations, investigation in future may result in identification of historic bridges. Should this occur, impacts associated with removal or replacement of historic bridges would be addressed on a case-by-case basis as part of environmental review that would be required for future projects. Because the MBSST Network project does not propose removal or replacement of any existing bridges, the project would not contribute to cumulative impacts associated with removal of these historic structures.

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