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## 7. CULTURAL RESOURCES

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This EIR chapter describes the project's potential impacts on cultural (archaeological) resources, given the project site location in a Palo Alto Comprehensive Plan-identified zone of "Moderate Sensitivity" for potential discovery of unrecorded archaeological resources.

### 7.1 SETTING

#### 7.1.1 Archaeological Sensitivity of the Project Vicinity

The Palo Alto area is known to have been inhabited by indigenous people for many centuries prior to the arrival of the first Europeans. The flatland areas of Palo Alto are known to contain widely dispersed prehistoric sites with shell midden components, including human burials.

Over 50 archaeological surveys have been conducted in Palo Alto in association with specific projects, but no systematic citywide survey has been undertaken. There may be still undiscovered archaeological resources in many parts of the city. Based on the results of limited previous surface surveys and the type and location of known historic and prehistoric sites, Figure L-8 of the city's Comprehensive Plan illustrates archaeological resource areas of varying archaeological sensitivity. The project site is located on the boundary between an area of "moderate" archaeological sensitivity and an area of "extreme" archaeological sensitivity.

#### 7.1.2 Potential for Cultural Resources on the Project Site

There are no known archaeological sites on or in the vicinity of the 1.51-acre project site. There is a single, one-story commercial office structure on the smaller 0.30-acre triangular shaped parcel. The larger 1.21-acre L-shaped parcel was once used as a concrete batch plant. Due to these and other previous disturbances of the project site, the potential for discovering unrecorded archaeological resources is limited.

The City has recently completed an assessment of Palo Alto properties for eligibility in the National Register of Historic Places or California Register of Historic Resources. No buildings on the project site or properties in close vicinity of the project site were identified as being of historic value.

Based on all of these factors, the likelihood of uncovering buried archaeological or historical resources at the project site is very low. Nevertheless, given the site's location in a Comprehensive Plan-identified area of "moderate" archaeological sensitivity and near the Bay margin, the potential for the site to contain prehistoric artifacts or remains cannot be completely discounted.

## 7.2 PERTINENT PLANS AND POLICIES

The *Land Use and Community Design Element* of the Palo Alto Comprehensive Plan<sup>1</sup> contains the following policy regarding cultural resources relevant to the proposed project:

- *Policy L-60: Protect Palo Alto's archaeological resources.*

Also, as indicated previously, the Palo Alto Comprehensive Plan map of archaeologically sensitive areas (General Plan Map L-8, Archaeological Resource Areas) shows the project site in an area of "Moderate Sensitivity". Lands immediately south of the site which border Adobe Creek are in an area of "Extreme Sensitivity." In addition, the Palo Alto Comprehensive Plan Update EIR, under Mitigation Measure CULT-1, calls for archaeological assessment to be conducted for all projects in designated areas of "Moderate Sensitivity" which would entail excavation of more than five feet below the ground surface.<sup>2</sup>

## 7.3 IMPACT AND MITIGATION FINDINGS

### 7.3.1 Significance Criteria

Based on the CEQA Guidelines (Appendix G)<sup>3</sup> and similar significance criteria established by the City for projects in Palo Alto, the proposed PSB project would result in a significant cultural resources impact if it would:

- (a) Adversely affect a historic resource listed or eligible for listing on the National and/or California Register, or listed on the City's Historic Inventory; or
- (b) Eliminate important examples of major periods of California history or prehistory; or
- (c) Cause damage to an important archaeological resource as defined in §15064.5 of the CEQA Guidelines; or
- (d) Disturb any human remains, including those interred outside of formal cemeteries; or
- (e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- (f) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution.

The Initial Study previously prepared for this project<sup>4</sup> includes the City determination that the project would not adversely affect a historical resource and would not affect a known

<sup>1</sup>City of Palo Alto, Palo Alto Comprehensive Plan, 1998.

<sup>2</sup>Brady and Associates, Palo Alto Comprehensive Plan Update Draft Environmental Impact Report, December 1996; page 352.

<sup>3</sup>CEQA Guidelines Appendix G, item V.

<sup>4</sup>City of Palo Alto, Initial Study and Environmental Checklist Form, City of Palo Alto Public Safety Building; February 7, 2007, pages 18-20; included in Appendix 16.1 herein.

paleontological or geologic feature. Therefore, this EIR-chapter does not further address criteria (a) or (e) listed above.

### **7.3.3 Impacts and Mitigations**

#### **Impact 7-1: Potential Disturbance of Prehistoric Cultural Resources.**

Implementation of the proposed project (Options A and B), including excavation and grading for the proposed Public Safety Building foundation, below-grade parking levels (Option A only), underground utilities, and new landscaping, could disturb as yet unidentified sensitive, on-site, subsurface cultural resources. This potential represents a ***potentially significant environmental impact*** (see criteria [b] and [d] in section 7.3.1, "Significance Criteria," above).

Native American resource sites occur in the immediate region. While the proposed project is not expected to affect cultural resources, it is possible that concentrations of archaeological material could be found during excavation and grading, based on the known prehistory of the project site vicinity. Furthermore, the Palo Alto Comprehensive Plan calls for archaeological assessment to be conducted for all projects which would entail excavation of more than five feet below the ground surface.

**Mitigation 7-1.** The Palo Alto Comprehensive Plan EIR calls for archaeological assessment to be conducted for all projects in Comprehensive Plan-designated areas of "Moderate Sensitivity" for potential discovery of unrecorded archaeological resources, which would entail excavation of more than five feet below the ground surface. To comply with this policy, retain a qualified archaeologist to monitor project-related on-site excavation. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and the qualified archaeologist shall evaluate the finds. The discovery or disturbance of any identified cultural resource shall be reported to the California Historical Records Information System (CHRIS) and the Native American Heritage Commission. Identified cultural resources shall be recorded on State Department of Parks and Recreation (DPR) form 422 (archaeological sites). The discovery or disturbance of any identified cultural resource shall also be reported to the California Historical Resources Information System (CHRIS) and the Native American Heritage Commission. Mitigation measures prescribed by these groups and required by the City shall be undertaken before construction activities are resumed. If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in the City's *Cultural Resources Management Program* and in compliance with sections 15064.5 and 15126.4 of the CEQA Guidelines, shall be implemented. In the event that any human remains are encountered, earth-moving shall be stopped until the County Coroner's office has been contacted. Implementation of these measures would reduce this potential impact to a ***less-than-significant level***.

