

CHAPTER 6 CULTURAL RESOURCES

This section describes the potential for prehistoric and historical resources to be impacted as a result of development of the project, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed project. Prehistoric resources include sites and artifacts associated with the indigenous, non-Euro-American population, generally prior to contact with people of the European descent. Historical resources consist of structures, features, artifacts, and sites that date from Euro-American settlement of the region. Information in this chapter is taken from the Palo Alto Comprehensive Plan (Palo Alto 2017), the Palo Alto Comprehensive Plan EIR (Palo Alto 2016), and the Cultural Resources Study prepared for the project (Appendix D).

The comments received in response to the Notice of Preparation for this Environmental Impact Report (EIR) included requests for consideration of whether the Lockey House is a historic resource and the degree to which the project could adversely affect historic resources. The Notice of Preparation, Initial Study and comments received are provided in Appendix A.

6.1 EXISTING CONDITIONS

Pre-History and History Background

Early Human Settlement (Pre-A.D. 1750)

It is believed that the Ohlone peoples settled in the Palo Alto area around 1500 B.C., after migrating from the area that is now eastern Contra Costa County and displacing the groups that had previously settled in the area. The Ohlone people continued settlement of the area until the arrival of Spanish settlers. The Ohlone people, also referred to as the Costanoan people, were a conglomerate of several different tribes defined by a common language, which was a part of the Utian language family. The Ohlone were hunter-gathers, relying on plants, seeds, berries, roots, birds and seafood. They developed bows, tobacco pipes, intensive acorn use, and complicated exchange systems. They settled from the San Francisco Bay to Carmel. The individual tribes were defined by territory and consisted of villages and camps influenced by the surrounding environment. The Ohlone were politically patrilineal and the chief was in charge of directing hunting, fishing, and gathering expeditions along with hosting visitors and ceremonial activities (Palo Alto 2016). The population declined sharply after the arrival of the Spanish, the causes of which included slavery, violence, starvation, disease and reduced birth rates. After the secularization of the missions, many went to work as rancho laborers (Appendix D). A number of archaeological surveys have been conducted within the City in association with specific projects, but there may still be undiscovered archaeological resources in many parts of the City. Such

resources are most likely to occur near the original locations of streams and springs and northeast of El Camino Real near old tidelands (Palo Alto 2016).

Historic Period

European settlement in the region began as early as 1769 with the arrival of Don Gaspar de Portola and his men establishing camp near the San Francisquito Creek under “El Palo Alto,” the tall tree. Colonization of the San Francisco Peninsula by the Spanish occurred through a pattern of establishing missions and converting Native Americans to Catholicism; establishing fortified structures called presidios; and establishing towns known as pueblos and stock-grazing operations called rancheros that supplied necessary goods to the settlements and also provided goods for export.

Spanish Period (1769-1822)

The Spanish missionization of Alta California was initiated in San Diego in 1796 and lasted until 1823. During this period, a total of 21 missions were constructed including five in the region: San Francisco de Asis (1776), Santa Clara de Asis (1776), San Jose de Guadalupe (1797 in Alameda County), San Rafael Arcangle (1817 in Marin County), and San Francisco Solano (1823 in Sonoma County). The missions were connected by a trail that became known as El Camino Real, which continues to serve as a major transportation corridor located approximately 0.5-mile west of Castilleja School. In the San Francisco peninsula, Spanish missionization began with the arrival of Franciscan monks led by Padre Palou and establishment of Mission Dolores and the Presidio of San Francisco in 1776. The Franciscans considered locating another mission in the area that is now Palo Alto, though they ultimately selected the Mission Santa Clara location. Once the mission establishment fell through, Don Rafael Soto from San Jose requested permission to establish a rancho in the area. His rancho was named Rancho Rinconada del Arroyo de San Francisquito and spanned 2,229 acres from “El Palo Alto to the bay and from south of the present Stanford Stadium to the current Bayshore Freeway” (Appendix D).

American Period (Post 1848)

European settlement in the region continued to expand, influenced by the gold rush and railroad development. The community of Mayfield began with construction of a roadhouse along the route between San Francisco and San Jose in 1853. The township of Mayfield was established in 1855, centered around the California Avenue/El Camino Real intersection in southern Palo Alto. Mayfield was typical of most small farm towns, with the exception of having many saloons that served the hundreds of men who operated small sawmills in the hills west of the town. The sawmills were run to harvest Douglas Fir and Redwood trees for lumber for the growing city of San Francisco to the north (Palo Alto 2019). The town also saw significant growth after French financier Jean Baptiste Paulin Caperon, better known as Peter Coutts, purchased land in Mayfield and four other parcels around three sides of today’s College Terrace in 1875. This addition

comprised more than a thousand acres extending from present-day Page Mill Road to Serra Street and from El Camino Real to the foothills (Appendix D). College Terrace, which also became part of Mayfield, was developed starting in 1887 when Alexander Gordon began subdividing his land and developing streets that were named after eastern universities, with the goal of selling his lots to Stanford faculty members (Appendix D).

A key contributor to the establishment of the community of Palo Alto was the influx of wealthy residents from San Francisco following construction of the Menlo Gate in 1854, which was a huge wooden gate with arches on either side. It was erected by two Irishmen who had purchased 1,700 acres of the Rancho de las Pulgas to mark the driveway to their two homes from the El Camino Real, naming it after their old home in Ireland. When the railroad was extended from San Francisco to Mayfield in 1863, the station was named for the gates. The railroad offered faster travel for wealthy San Francisco barons to reach their country homes; “a round-trip ticket from Menlo Park to San Francisco cost \$2.50 and a one-way ride took 80 minutes, compared to the stagecoach, which took four hours from Redwood City to San Francisco” (Menlo Park 2017). This contributed to the larger-scale development that began in the area in the 1860s and 1870s. While the San Franciscans established large estates around Menlo Park, the ranchos continued to thrive (Appendix D).

Both Palo Alto and Mayfield continued to grow; but the establishment of Stanford University and its association with Palo Alto led to the decline of Mayfield. Leland Stanford, President of the Southern Pacific Railroad and one of the “Big Four” of the Central Pacific Railroad, started buying land in 1876 around the area that would become Palo Alto. Leland Stanford Sr. and his wife founded Stanford University in 1891, naming the university in honor of their son Leland Jr., who died of typhoid fever at age 15 in 1884. By the early 1890s, the first settlers arrived, buying homes on University, Emerson, and Webster Streets, and Lytton Avenue. Commercial development quickly followed along University Street, Lytton and Hamilton Avenues, and near the town’s train depot (Appendix D). In 1894, Palo Alto was officially incorporated and began the process of developing and operating its own utilities, including water, gas, an electric power plant, and a sewage system and treatment plant (Palo Alto 2017). Although Mayfield incorporated as a city in 1903, in 1925, it was unincorporated and the area then annexed to the City of Palo Alto (Palo Alto 2016).

The Professorville Historic District is adjacent to the northwestern side of the project site. The district is significant for its important historical associations and high architectural value and represents one of the earliest residential areas in Palo Alto, housing the first generation of professors at the fledgling Stanford University. By the early twentieth century, the interurban railroad played an important role in connecting Palo Alto and Mayfield with San Jose. Streetcars began operating in 1910, making the daily commute for students and faculty of Stanford University much more convenient. Apartments and boarding houses began springing up along the streetcar

routes to support students and shop workers. As the City’s population continued to grow, more high-end housing began to spring up throughout the City; while low-end rental housing was also introduced through the construction of more affordable bungalow courts (Appendix D). During World War II, many single-family homes were subdivided into apartments to meet the demand for housing during this period of limited construction. After the war, new subdivisions boomed and entire neighborhoods sprang up throughout the City. By the 1950s, the City had transformed from a college town to a leader in technology, and there was a drastic increase in research, light industrial, and office space (Palo Alto 2017).

Castilleja School History

While the Castilleja School is currently located in a residential neighborhood, the school predated most of the residential neighborhood and has expanded over the years to accommodate increased enrollment at the school. As reported in the Cultural Resources Study prepared for the proposed project (Appendix D), in the late 1800s, the education of women was often considered inferior to college preparatory education for men; however, progressive women’s education pioneers sought to change this perspective and began to establish schools focused on preparing women for higher education. The desire to provide college preparatory classes to women spurred Stanford alumna Mary Ishbel Lockey (1872–1939) to found the Castilleja School in 1907 as an all-girls school. Familiar with the Palo Alto area from her time at Stanford, Lockey capitalized on the increased population growth and moderate weather and chose Palo Alto as the location for her school. “Castilleja,” the chosen name for the school, comes from the botanical name for a native flower to Santa Clara County, the Indian paintbrush.

The original school (Castilleja Hall) was founded in 1907 at 1121 Bryant Street. This building has been determined eligible as a contributor to the National Register of Historic Places (NRHP)-listed Professorville Historic District (Appendix D). Lockey then purchased 4.5 acres of land located a short distance south, and outside of the Professorville neighborhood. Much of the surrounding area consisted of open space and orchards, with sparse residential development. The new site offered the opportunity to design a complete campus and increase enrollment; it also provided an unobstructed view of the surrounding meadows, all the way to the foothills (Appendix D). In August 1910, the school relocated to 1310 Bryant Street, into four new structures; a three-story dormitory, a recitation building, a domestic science building and a gymnasium. In the 1920’s, Castilleja added the pool and chapel, a science lab, the Orchard House, and an auditorium. The Western Journal of Education reported that 230 students were enrolled at Castilleja School in 1921. Enrollment declined during the Great Depression and World War II. Following World War II, the City reported that enrollment for the school was only 235, which was only a 5-student increase from 1921. In 1942–1943, the enrollment numbers for the school were at 91, and by 1947, enrollment was at 235. In 1958, the school made a decision to drop the lower grades from the educational platform and only taught grades seven through twelve, until the early 1990s when the

school added grade six to their curriculum. In 1999, the City reported that enrollment for the school was at 385 students, with 90 staff members (Appendix D).

Project Site Cultural Resources Investigation

Dudek’s architectural historians and archeologists conducted a Cultural Resources Study for the project site. As described in this section, the research and analysis effort included database searches, review of past cultural resources studies and other data sources, review of building plans and permits, and a site survey. During the survey, all buildings and structures on campus that were constructed over 45 years ago were photographed, researched, and evaluated in consideration of criteria and integrity requirements established by the California Register of Historic Resources (CRHR) and the City, and in consideration of potential impacts to historical resources under CEQA. The survey entailed walking all portions of the campus and documenting each building with notes and photographs, specifically noting character-defining features, spatial relationships, and any observed alterations.

Archaeological Resources Record Search

As part of the cultural resources investigation, Dudek archaeologists requested a California Historical Resources Information System records search from the Northwest Information Center, which houses cultural resources records for Santa Clara County to identify any known archaeological resources within the project site and vicinity. The records search also included a review of the NRHP, the CRHR, the California Inventory of Historic Resources, the Office of Historic Preservation Historic Properties Directory, the Archaeological Determinations of Eligibility list, and other ethnographic resources. Records indicate that 43 cultural resource investigations have been conducted within 1 mile of the project site. Of these, three studies have overlapped a portion of the project site (S 033061, S-041536, and S-029573). There are no known archaeological resources within or adjacent to the project site.



Description of Survey Resources

The proposed project site includes 6.58 acres on three parcels - Assessor’s Parcel Numbers (APN) 124-12-34, 124-12-33, and 124-12-31. The site is located in the Old Palo Alto neighborhood, and approximately 0.6 miles southeast of the University Ave/Downtown Palo Alto area. The site is bounded by Embarcadero Road, Bryant Street, Kellogg Avenue, and Emerson Street. The site is located south of the Professorville Historic District which lies on the north side of Embarcadero Road.


Table 6-1 provides a description of all buildings and structures surveyed as part of the Cultural Resources Study, which was prepared by architectural historians who meet the Secretary of the Interior’s Professional Qualification Standards for architectural history, including a photograph of the

building, current building name, historic building name (if applicable), year built (if known), a general physical description of the building, and any alterations identified through either building development research or during the cultural resources survey.



**Table 6-1
Castilleja School Buildings and Structures Surveyed**

Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
<p>Gunn Family Administration Center 1310 Bryant Street (APN 124-12-034)</p> 	1910	Roy Heald (architect) and Gustav Laumeister (builder)	<p>This building is currently listed as a Category 3 building on the City's Historic Buildings Inventory.</p> <p>The 2-story building is irregular in plan and now oriented to face Embarcadero Road. The building sits on a poured concrete foundation. The ground floor is clad in pebble-dash stucco, and the second story is clad in wood shingles. The roof is sheathed in wood shingles. The building was originally designed in the Craftsman style and features overhanging eaves, wood shingle detailing, paired Craftsman style windows, wooden column supports, and dormers. The building is the only remaining original building to the 1910 founding of the school and was designed by prominent local architect Roy Heald and constructed by Gustav Laumeister.</p>	2000: complete reconfiguration of the interior, reconfiguration of the entrance, replacement of all windows, replacement of shingles, replacement of stucco, removal of building from the foundation for basement addition, original porch was enclosed, roof replaced, trellis/arbor addition, and connection of building to Chapel and Rhoades Hall.
<p>Circle Feature 1310 Bryant Street (APN 124-12-034)</p> 	1910	Unknown	The use of greenspace in the original and later designs was important to Lockey and the early students. The circle feature appears on early maps of the campus and has remained a significant element in the overall design of the campus. While much of the campus developed and built up from the original plans, the use of greenspace remains a key component with the circle feature.	The circle feature is largely unchanged with the exception of the grass being replaced by synthetic turf.



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Castilleja School Buildings and Structures Surveyed**

Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
<p>Lockey House, 1263 Emerson Street (APN 124-12-033)</p> 	1912	Unknown	<p>This 2-story, wood frame house that is roughly L in-plan has been significantly altered from its original appearance. The building sits on a poured concrete foundation and is clad in stucco. It features a complex hipped roof sheathed in composition shingles, and exposed rafter tails. The façade of the building is oriented to face the Castilleja School campus to the southeast, which is now the main elevation of the house. The main elevation features a poured concrete stoop that is offset to the west and accessed by brick steps under a triangular pediment. The six-panel wooden entry door is flanked by fixed wood windows, each of which features four panes. The remainder of the façade features a large four-over-one window flanked by two, two-over-one windows. The second floor windows are all three-over-one. There was an addition made to the north elevation of the building for a kitchen expansion.</p>	<p>1990s: Enclosure of the original entry way and addition of porch that is oriented toward campus, interior reconfiguration for use as Alumni house.</p> <p>Dates unknown: garage construction and kitchen addition.</p>



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Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
<p>Elizabeth Hughes Chapel Theater 1310 Bryant Street (APN 124-12-034)</p> 	1926	Birge Clark	<p>This building is currently listed as a Category 3 building on the City's Historic Buildings Inventory.</p> <p>The 2-story Chapel was designed by Birge Clark in 1926. The building was originally designed as a standalone building, but was connected to the Administration building in 2000. Constructed in the Craftsman style, the building retains many visual elements of the style including overhanging eaves, side gabled roof sheathed in wood shingles, wood shingle cladding, and paired Craftsman style windows. However, the building was extensively renovated in 1980 and again in 2000 and has lost much of its exterior and interior integrity and configuration.</p>	<p>1980: Replacement and expansion of the stage area, replacement of the ceiling, and expansion of the building to the west with the addition of the step down style windows.</p> <p>2000: Removal of the building from its foundation for basement construction, connection to the Administration building, replacement of the balcony and reconfiguration of the entrance from Bryant Street.</p>
<p>Arrillaga Family Campus Center 1310 Bryant Street (APN 124-12-034)</p> 	1960–1962	Paul Huston	<p>The 3-story building was poured in place concrete construction with a complex roofline that is roughly rectangular in plan. The building is oriented with entry from Kellogg Street to the southeast and the campus circle to the northwest.</p>	<p>1997: interior reconfiguration of second and third floors to replace the original dormitory space, reconfiguration of the first floor for the library, reconfiguration of north elevation for library entrance, additional safety bars installed on outdoor staircase railings, and the addition of elevator.</p> <p>2010: Building was reroofed with spray foam.</p>




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Castilleja School Buildings and Structures Surveyed**

Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
<p>Rhoades Hall/Middle School Classrooms 1310 Bryant Street (APN 124-12-034)</p> 	1965–1967	William Daseking	<p>The 1967 2-story poured-in-place concrete school building was a phased construction project that is irregular in plan. The building is clad in brick veneer under the first-story windows, then clad in stucco that is accented by vertical concrete slat elements all set under a spray foam roof. The building is oriented with its main entry point facing Bryant Street. The main point of entry is recessed and accessed by a columned flat roof porch leading to an elaborately carved set of double doors slightly offset in a 2-story glass and metal wall panel. Fenestration is regular and all original metal windows are intact. The building also features one of the two sunken gardens on campus, which is located to the west of the building.</p>	<p>1998: second floor reconfigured from dormitory space to classrooms and offices, connection to Administration building and campus center building.</p> <p>2010: building reroofed with a spray foam roof that is in keeping with the color and look of the original roof material.</p>
<p>Maintenance 1310 Bryant Street (APN 124-12-034)</p> 	1960	Paul Huston	<p>The 2-story maintenance building was constructed in 1960. It is irregular in plan with a rear carport under a spray foam gabled roof with overhanging eaves and exposed rafter tails. Fenestration is irregular and a variety of metal windows is featured on all elevations. The building is clad in concrete block on the first story and vertical wood siding on the second story.</p>	<p>1980: The building was reroofed.</p> <p>Circa 1990: Sliding cage doors were added to the carport section of the building.</p>

**Table 6-1
Castilleja School Buildings and Structures Surveyed**

Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
<p>1235 Emerson Street (APN 124-12-031)</p> 	1979	Unknown	<p>The 2-story house is L-shaped in plan, clad in wood shingles with a gabled roof sheathed in composition shingles constructed circa 1980. The house is accessed by Emerson Street by a poured-concrete walkway. The house is surrounded by a wooden fence with a small entry door near the garage that provides access to a sizable yard with mature trees. The house has an irregular fenestration and all windows appear to be either fixed or double-hung vinyl windows. The main façade features a recessed entry point with multiple-pane French style doors.</p>	No significant changes were observed.
<p>Leonard Ely Fine Arts Center 1310 Bryant Street (APN 124-12-034)</p> 	1980	William Daseking	<p>The circa 1980 2-story building is rectangular in plan and is oriented to the northeast. The building is clad with concrete block and features a flat roof. The main (east) elevation of the building features a recessed entry point that is offset to the north of the façade. The main elevation also features a wooden pergola that is supported with concrete columns with a poured concrete walkway. The building also features one of the two sunken gardens on campus, which is located to the east of building.</p>	<p>2010: Reroof of building with spray foam</p> <p>Date unknown: Addition of the lockers, reroof of the building, addition of door to building facing Emerson and replacement of rotted wood on the exterior trellis system.</p>

**Table 6-1
Castilleja School Buildings and Structures Surveyed**

Building Name, Address, and Parcel	Year Built	Architect	Description	Identified and Observed Alterations
Swimming Pool 1310 Bryant Street (APN 124-12-034) 	2001	Unknown	The current swimming pool, the third pool built at the same location, was installed in 2001.	There have been no significant changes to the pool since its installation in 2001.
Pool Storage Building 1310 Bryant Street (APN 124-12-034) 	2001	Unknown	The small, 1-story, flat-roofed, brick-veneer pool storage building is used for chemical and pool equipment storage.	There are no known alterations.
Joan Z. Lonergan Fitness and Athletic Center 1310 Bryant Street (APN 124-12-034) 	2008	Kornberg and Associates	The 2-story gymnasium is roughly rectangular in plan with a flat roof and is clad in stucco and wood shingles. The building is accessed by a glass entryway offset to the east	There are no known alterations.

Source: Appendix D

Previously Recorded Resources

The Northwest Information Center records identified 29 resources within the 1-mile search radius. The closest resources are 1215 Emerson Street (a single family residence adjacent to the northwest

corner of the project area found eligible for the NRHP as an individual property through survey evaluation); a historic utility pole approximately 100 feet to the south of the project area (P-43-0002809, not eligible for the NRHP) and the Professorville Historic District (P-43-000551, NRHP Listed District), located adjacent to the project area, on the north side of Embarcadero Road. Refer to the Cultural Resources Study in Appendix D for information regarding additional resources known to occur within one mile of the Castilleja School project site.

6.2 REGULATORY FRAMEWORK

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, and/or scientific importance. Several laws and regulations at the federal and state level govern archaeological and historic resources deemed to have scientific, historic, or cultural value. The pertinent regulatory framework, as it applies to the proposed project, is summarized in the following text.

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act of 1966 established the National Register of Historic Places (NRHP) as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. Properties listed in the NRHP, or determined eligible for listing, must meet certain criteria for historical significance and possess integrity of form, location, and setting. Under Section 106 of the act and its implementing regulations, federal agencies are required to consider the effects of their actions, or those they fund or permit, on properties that may be eligible for listing or that are listed in the NRHP. The regulations in 36 CFR 60.4 describe the criteria to evaluate cultural resources for inclusion in the NRHP. Properties may be listed in the NRHP if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and they:

- A. Are associated with events that have made a significant contribution to the broad patterns of our history;
- B. Are associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

These factors are known as Criteria A, B, C, and D.

In addition, the resource must be at least 50 years old, except in exceptional circumstances. Eligible properties must meet at least one of the criteria and exhibit integrity, which is measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original fabric has been retained, and the reversibility of the changes to the property. Archaeological sites are evaluated under Criterion D, which concerns the potential to yield information important in prehistory or history.

The residential building at 1263 Emerson Street (Lockey house) was determined potentially eligible in 1998 for listing on the CRHR, but was not found to be eligible for listing in the NRHP. Further analysis, conducted by Dudek’s architectural historian in 2017 on behalf of the City of Palo Alto (Appendix D), determined the Lockey house was ineligible for CRHR because the home no longer retains integrity of its original design. The residence at 1215 Emerson Street, which is immediately adjacent to the project site, was found in 1998 to be eligible for the NRHP (and therefore also eligible for the CRHR).

State Regulations

California Register of Historical Resources

California Public Resources Code, Section 5024.1, authorizes the establishment of the CRHR. Any identified cultural resources must therefore be evaluated against the CRHR criteria. In order to be determined eligible for listing in the CRHR, a property must be significant at the local, state, or national level under one or more of the four significance criteria, modeled on the NRHP. In order to be determined eligible for listing in the CRHR, a property must be significant at the national, state, or local level under one or more of the following four criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of the history and cultural heritage of California and the United States.
2. It is associated with the lives of persons important to the nation or to California’s 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.
4. It has yielded, or may be likely to yield, information important to the prehistory or history of the state and the nation.

In addition to meeting one or more of the above criteria, a significant property must also retain integrity. Properties eligible for listing in the CRHR must retain enough of their historic character to convey the reason(s) for their significance. Integrity is judged in relation to location, design, setting, materials, workmanship, feeling, and association.

California Public Resources Code

Sections 5097–5097.6 of the California Public Resources Code indicate that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit on public lands, and it provides for criminal sanctions. This section was amended in 1987 to require consultation with the Native American Heritage Commission (NAHC) whenever Native American graves are found. Violations for taking or possessing remains or artifacts are felonies.

California Public Resources Code Section 5097.5 states that “a person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.”

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. The California Health and Safety Code, Section 7050.5, requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

California Environmental Quality Act

Under CEQA (California Public Resources Code, Section 21000 et seq.), public agencies must consider the effects of their actions on both historical resources and unique archaeological resources. Pursuant to CEQA Section 21084.1, a “project 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.” Section 21083.2 requires agencies to determine whether proposed projects would have effects on “unique archaeological resources.”

“Historical resource” has a precise, specialized meaning as defined in the CEQA statute (see California Public Resources Code, Section 21084.1, and 14 CCR 15064.5(a) and 15064.5(b)). The term embraces any resource listed in or determined to be eligible for listing in the CRHR. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be “historical resources” for purposes of CEQA unless a preponderance of evidence indicates otherwise (California Public Resources Code, Section 5024.1, and 14 CCR 4850). Unless a resource listed in a survey has been demolished or has lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the CRHR criteria as discussed previously, prior to making a finding as to a proposed project’s impacts to historical resources (California Public Resources Code, Section 21084.1, and 14 CCR 15064.5(a)(3)). The fact that a resource is not listed or determined to be eligible for listing does not preclude a lead agency from determining that it may be a historical resource (California Public Resources Code, Section 21084.1, and 14 CCR 15064.5(a)(4)).

CEQA also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource, as described previously, and unique archaeological resources. Under CEQA, an archaeological resource is considered “unique” if it:

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

CEQA states that if a proposed project would result in an impact that might cause a substantial adverse change in the significance of a historical resource, then an EIR must be prepared and mitigation measures and alternatives must be considered. A “substantial adverse change” in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (14 CCR 15064.5(b)(1)).

The CEQA Guidelines (Section 15064.5(c)) also provide specific guidance on the treatment of archaeological resources, depending on whether they meet the definition of a historical resource or a unique archaeological resource. If the site meets the definition of a unique archaeological resource, it must be treated in accordance with the provisions of California Public Resources Code, Section 21083.2.

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

Senate Bill 297

SB 297 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction; and establishes the NAHC to resolve disputes regarding the disposition of such remains. The provisions of SB 297 have been incorporated into Section 15064.5(e) of the CEQA Guidelines.

Assembly Bill 52

Assembly Bill (AB) 52 requires consultation with Native American tribes traditionally and culturally affiliated with the geographic area in which a project requiring CEQA review is proposed if those tribes have requested to be informed of such proposed projects. The intention of such consultation is to avoid adverse impacts to tribal cultural resources. This law is in addition to existing legislature protecting archaeological resources associated with California Native American tribes. AB 52 applies to all projects initiating environmental review in or after July 2015. However, no tribes have requested consultation in accordance with AB 52 for projects within the City of Palo Alto, thus the City is not obligated to notify or consult with any tribes in regards to the proposed project...

Local Regulations

City of Palo Alto Municipal Code – Historic Preservation (Chapter 16.49)

In adopting Section 16.49.010 (“Purpose”) of the City Municipal Code, the City found that the protection, enhancement, perpetuation, and use of structures, districts, and neighborhoods of historical and architectural significance located within the City are of cultural and aesthetic benefit

to the community. The City further found that respecting the City's heritage would support the City's economic, cultural, and aesthetic standing. According to Section 16.49.010, the purposes of the City's Historic Preservation chapter are to:

- (a) Designate, preserve, protect, enhance and perpetuate those historic structures, districts and neighborhoods which contribute to the cultural and aesthetic heritage of Palo Alto;
- (b) Foster civic pride in the beauty and accomplishments of the past;
- (c) Stabilize and improve the economic value of certain historic structures, districts and neighborhoods;
- (d) Develop and maintain appropriate settings for such structures;
- (e) Enrich the educational and cultural dimensions of human life by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past;
- (f) Enhance the visual and aesthetic character, diversity and interest of the city;
- (g) Establish special requirements so as to assure the preservation and the satisfactory maintenance of significant historic structures within the downtown area.

Historic Resource Designation Criteria

In accordance with Section 16.49.404(b) of the City Municipal Code, the following criteria, along with the definitions of historic categories and districts in Section 16.49.020, shall be used as criteria for designating additional historic structures/sites or districts to the historic inventory:

- (1) The structure or site is identified with the lives of historic people or with important events in the city, state or nation;
- (2) The structure or site is particularly representative of an architectural style or way of life important to the city, state or nation;
- (3) The structure or site is an example of a type of building which was once common, but is now rare;
- (4) The structure or site is connected with a business or use which was once common, but is now rare;
- (5) The architect or building was important;
- (6) The structure or site contains elements demonstrating outstanding attention to architectural design, detail, materials or craftsmanship.

City of Palo Alto Historic Inventory

The City’s Historic Inventory lists noteworthy examples of the work of important individual designers and architectural eras and traditions, as well as structures whose background is associated with important events in the history of the city, state, or nation. The Inventory is organized under the following four categories:

Category 1: An “Exceptional Building” of pre-eminent national or state importance. These buildings are meritorious works of the best architects, outstanding examples of a specific architectural style, or illustrate stylistic development of architecture in the United States. These buildings have had either no exterior modifications or such minor ones that the overall appearance of the building is in its original character.

Category 2: A “Major Building” of regional importance. These buildings are meritorious works of the best architects, outstanding examples of an architectural style, or illustrate stylistic development of architecture in the state or region. A major building may have some exterior modifications, but the original character is retained.

Category 3 or 4: A “Contributing Building” which is a good local example of an architectural style and relates to the character of a neighborhood grouping in scale, materials, proportion or other factors. A contributing building may have had extensive or permanent changes made to the original design, such as inappropriate additions, extensive removal of architectural details, or wooden facades resurfaced in asbestos or stucco.

City of Palo Alto Comprehensive Plan

The City’s Comprehensive Plan provides specific policies for preserving historic and archaeological resources. The Land Use and Community Design Element emphasizes the value and importance of the sustainable management of archaeological resources as well as historic buildings and places (City of Palo Alto 2007).

The Land Use and Community Design Element of the Comprehensive Plan provides general guidelines for the treatment of archaeological resources. In general, these guidelines correspond with the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation (48 FR 44720–44726) and the California Office of Historic Preservation (OHP) Instructions for Recording Historical Resources (1995). In addition to these standards and guidelines, the City’s Comprehensive Plan Land Use and Community Design Element specifies, “using the archaeological sensitivity map [Figure L-8] in the Comprehensive Plan as a guide, continue to assess the need for archaeological surveys and mitigation plans on a project basis, consistent with the California Environmental Quality Act and the National Historic Preservation Act” (City of Palo Alto 2007).

6.3 PROJECT IMPACTS

Methods of Analysis

A records search along with a pedestrian survey of the site was conducted in February 2017 by Dudek's architectural historians Samantha Murray, MA, Sarah Corder, MFA, and Kara Dotter, MSHP, who meet the Secretary of the Interior's Professional Qualification Standards for architectural history, and Dudek archaeologists Adam Giacinto, MA, Registered Professional Archaeologist (RPA), and William Burns, MSc, RPA. The results of these searches and surveys are included in the *Cultural Resources Study for the Castilleja School Project, City of Palo Alto, Santa Clara County, California* (Appendix D). The survey also included consultation with the NAHC and a sacred lands file search. No Native American cultural resources were identified within the survey area. This research established the historic context and derived locations of other resources that may exist or have existed within the project area.

Although the project-specific impact analysis for cultural resources necessarily includes separate analyses for prehistoric resources, historic-period resources, and human remains, the cumulative analysis combines these resources into a single resource base and considers the additive effect of project-specific impacts to significant regional impacts on cultural resources.

Significance Criteria

Potential impacts associated with cultural resources have been evaluated using the following criteria, based on Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.). The proposed project would have a potentially significant impact related to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines, Section 15064.5.
- Disturb any human remains, including those interred outside of formal cemeteries.

An adverse change in the significance of a historical or archaeological resource is one that would disturb, damage, or destroy the resource, while the disturbance of damage would reduce or eliminate the potential for the resource to yield important information and context regarding history.

Impact Analysis

IMPACT 6-1	Cause a substantial adverse change in the significance of a historical or archeological resource.
SIGNIFICANCE:	Potentially Significant
MITIGATION MEASURES:	Mitigation Measures 6a and 6b
SIGNIFICANCE AFTER MITIGATION:	Less than Significant

In preparation of the Cultural Resources Study, Dudek completed an extensive archival research and intensive pedestrian survey of the Castilleja School. It found that the campus contains one historical resource: the Administration/Chapel building, which is currently listed as a Category 3 building on the City’s inventory of historic resources; listed in the Office of Historic Preservation’s Historical Resources Inventory with a status code 5S2 (individual property that is eligible for local listing or designation). The report states that while the campus conveys its original plan on the most basic level, all other buildings/features on campus were found to be ineligible for either individual listing or as a contributing element of a historic district. Only buildings and structures over 45 years old were evaluated for historical significance. Table 6-2 provides a summary of findings for all buildings/features on campus.

Table 6-2
Castilleja School Buildings

Component	Year Built	Findings
Gunn Family Administration Center Building/ Elizabeth Hughes Chapel Theater	1910/1926	Locally listed (Category 3)
Circle greenspace feature	1910	Not eligible
Arrillaga Family Campus Center	1960–1962	Not eligible
Rhoades Hall	1965–1967	Not eligible
Maintenance Building	1960	Not eligible
Leonard Ely Fine Arts Center	1980	Not eligible
Swimming Pool	2001	Not eligible
Pool Storage Building	2001	Not eligible
Joan Z. Lonergan Fitness and Athletic Center	2008	Not eligible
1263 Emerson Street (Lockey House)	1912	Not eligible
1235 Emerson Street	1979	Not eligible

Source: Appendix D

The proposed project does not include any alterations to the Gunn Family Administration Center Building/ Elizabeth Hughes Chapel Theater. The project proposes to demolish the existing

classroom building, which is adjacent to the Administration Center. A new academic building would be constructed in generally the same location as the existing classroom building, but it would be located approximately 50 feet to the south of the Administration Center as shown on Figure 3-6, Site Plan, in Chapter 3, Project Description and Figure 4-2, Building Elevations, in Chapter 4, Land Use and Planning. This would improve the visibility of the Administration Center from Bryant Street. Thus the project would have no adverse effects on the historic significance and integrity of the Administration Center and Chapel Theater.

The residence located at 1215 Emerson Street, which is adjacent to the project site, is a historic resource that is eligible for listing on the NRHP due to its association with an important political figure in Palo Alto from 1918 to 1936. The proposed project would not alter any portion of the property that supports this resource. It would demolish the nearest adjacent residence, but the determination of historic significance and integrity of the building at 1215 Emerson Street is not dependent on the presence of adjacent or nearby structures; and the adjacent residence that is proposed to be demolished was constructed in 1979, which is outside the period of significance for 1215 Emerson Street (Appendix D).

Demolition and construction activities would occur in close proximity to the Administrative Center/Chapel Theater building and could result in inadvertent damage to the structure. Similarly the residence located at 1215 Emerson Street could be inadvertently damaged during project construction. The discussion under Impact 8-3 in Chapter 8, Noise, demonstrates that the project does not include activities that generate the highest levels of vibration, such as blasting and pile driving, and the anticipated levels of vibration resulting from project construction are not anticipated to adversely affect any adjacent historic resources. However, the historic buildings could be adversely affected by dust, debris, and damage from accidental contact with construction equipment. Thus the project would result in a **potentially significant** impact to these historic buildings. Mitigation Measure 6a requires the development and approval of a preservation protection plan for each phase of construction. With the implementation of Mitigation Measure 6a, the proposed project will have a **less-than-significant** impact on historical resources.

Because of the prevalence of archeological resources in the area, there is a potential for earth-moving activities to disturb previously unknown archeological resources. No archeological resources were identified during the record searches or surveys. However, it is possible that earth-moving construction activities, such as grading and excavation, could disturb archeological resources, if any occurred on site, thus the project would result in a **potentially significant** impact to archaeological resources. Mitigation Measure 6b would require the education of construction workers on archeological resources and the steps to take in the event of the discovery of any previously unrecorded resource. With implementation of the Mitigation Measure 6b, the proposed project will have a **less than significant** impact to archeological resources.

IMPACT 6-2	Disturb any human remains, including those interred outside of dedicated cemeteries.
SIGNIFICANCE:	Less than Significant
MITIGATION MEASURES:	None required
SIGNIFICANCE AFTER MITIGATION:	Less than Significant

Because of the prevalence of dedicated burials in prehistoric and historic periods in the area, there is a potential for earth-moving activities to disturb human remains. No burial sites or cemeteries were identified during the record searches or surveys. However, it is possible that earth-moving construction activities, such as grading and excavation, could disturb human remains, if any dedicated burials occurred on site. In the event any human remains are discovered, the project contractor is required to comply with Section 7050.5(b) of the California Health and Safety Code, which specifies the following protocol when human remains are discovered:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined ... the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in section 5097.98 of the Public Resources Code.

All construction contractors would be required as a matter of law to follow the protocols set forth by the California Health and Safety Code and Public Resources Code in the event human remains are discovered. This would ensure that any human remains are not adversely affected by project construction and the impact would remain **less than significant**.

IMPACT 6-3	Contribute to a cumulative loss of cultural resources.
SIGNIFICANCE:	No Impact
MITIGATION MEASURES:	None required
SIGNIFICANCE AFTER MITIGATION:	No Impact

Archaeological Resources

Because all significant archaeological resources and human remains are unique and non-renewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. The loss of any one archaeological site affects all others in a region, because the cultural setting

context for a given region is a reflection of all the cultural resources in that region and these resources are best understood in the context of the entirety of the cultural system of which they are a part. Cultural resources could therefore be a cumulatively considerable impact to archaeological resources if any cultural resources (including subsurface and surface archaeological resources) are disturbed and/or destroyed.

For the analysis of cumulative impacts to archaeological resources, the geographic area is the City of Palo Alto. Development under the cumulative scenario in this area is expected to include buildout of the City of Palo Alto General Plan and the individual projects described in Chapter 4, Land Use, of this EIR.

The Palo Alto Comprehensive Plan, state law, and federal law require that archaeological resources be preserved in place whenever feasible, and require resources that cannot be preserved be properly recorded, evaluated, and curated. Therefore, although development is anticipated in the region and could occur in proximity to known archaeological resource sites, compliance with the applicable state and federal regulations and general plan policies would ensure that no loss of archaeological resources and research potential would occur in the cumulative scenario. The project-specific potential impacts would remain less than significant with implementation of Mitigation Measures 6a and 6b. This would ensure that the project would comply with the City of Palo Alto Comprehensive Plan and applicable state and federal regulations. As the cumulative impact would remain less than significant, there is no cumulative impact to which the project could contribute.

Historic Resources

For the analysis of cumulative impacts to historic resources, the geographic area is the City of Palo Alto. The Comprehensive Plan EIR concluded that “Development allowed by the proposed Plan, in combination with other future development in the city and the region, has the potential to cause adverse cumulative cultural resource impacts, which would be a significant impact.” However, the Comprehensive Plan EIR concluded that with implementation of the mitigation measures identified in the Comprehensive Plan EIR, the cumulative impacts to historic resources would be reduced to a less than significant level. Thus there is no significant cumulative impact to which the project could contribute.

As discussed in Chapter 4, there are several projects in the City that include modifications to historic buildings. The City’s Historic Review Board has the authority to review and make recommendations on any project that has a potential to affect a historic resource, and the Comprehensive Plan encourages protection of all historic resources, consistent with the Comprehensive Plan EIR mitigation measures. Similarly, the Castilleja School Project would prevent disturbance of historical resources consistent with the Comprehensive Plan policies with implementation of Mitigation Measure 6a. This would ensure that the project would comply with

the City of Palo Alto Comprehensive Plan and applicable state and federal regulations. Therefore, the recently approved and pending projects in the cumulative scenario, including the proposed Castilleja School Project, would be consistent with the analysis in the Comprehensive Plan EIR, and impacts to historic resources in the cumulative scenario would remain less than significant.

6.4 MITIGATION MEASURES

Mitigation Measure 6a A protection plan shall be implemented for the Administration/Chapel Theater building and the residence at 1215 Emerson Street during proposed new construction and renovation activities to prevent damage to these structures. A clear and concise preservation protection plan shall be developed to provide these details. The protection plan shall be prepared by a qualified historic preservation specialist and shall be appended to the final set of construction plans for each construction phase. At a minimum, the protection plan shall include the following:

- Protective fencing shall be installed approximately 15 feet from the perimeter of the Administration/Chapel Theater building and from the southern and eastern property lines of the residence at 1215 Emerson Street, or a lesser distance if recommended by a qualified historic preservation specialist. All construction workers shall be instructed to keep all people, materials, and equipment outside of the areas surrounded by protective fencing. The protective fencing shall consist of brightly-colored mesh fencing at least four feet in height. The mesh shall be mounted on six-foot tall poles, with at least two feet below ground, and spaced a maximum of six feet apart.
- Material and equipment delivery and stockpile areas shall be identified on the protection plan, and shall be located as far as practicable from the Administration/Chapel Theater building and the residence at 1215 Emerson Street.
- If cranes are used to install buildings or building components, no materials or structures shall be suspended above or within 30 feet measured horizontally from the exterior walls of the Administration/Chapel Theater building and the residence at 1215 Emerson Street.
- For demolition of the existing Classroom building, the protection plan shall document the specific nature of demolition activities that would occur on any portion of the building that touches or is within 25 feet of the Administration/Chapel Theater building and provide recommendations for

equipment usage and demolition techniques that will avoid adverse effects to the Administration/Chapel Theater building.

- The protection plan shall prescribe measures for containment of dust during demolition, excavation, and construction. This may include wetting soils and materials to prevent wind-blown dust; covering exposed materials, soil, and unfinished buildings; and use of temporary barriers to prevent any wind-blown dust from reaching historic structures.

Mitigation Measure 6b Prior to initiation of construction for each construction phase, all construction crew members, consultants, and other personnel shall receive project-specific Cultural Resource Awareness training. The training shall be conducted in coordination with qualified cultural resource specialists and shall inform project personnel of the potential to encounter sensitive archaeological material. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, can evaluate the significance of the find and determine whether additional study is warranted. Prehistoric archaeological deposits may be indicated by the presence of discolored or dark soil, fire-affected material, concentrations of fragmented or whole marine shell, burned or complete bone, non-local lithic materials, or the characteristic observed to be atypical of the surrounding area. Common prehistoric artifacts may include modified or battered lithic materials; lithic or bone tools that appeared to have been used for chopping, drilling, or grinding; projectile points; fired clay ceramics or non-functional items; and other items. Historic-age deposits are often indicated by the presence of glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted and would be implemented if recommended by the qualified archeologist.

6.5 REFERENCES CITED

Menlo Park, City of. 2018. *Menlo Park History*. <https://www.menlopark.org/888/Menlo-Park-history>. Accessed October 8, 2018.

Palo Alto, City of. 2016. *Comprehensive Plan Update Environmental Impact Report*.

<https://www.cityofpaloalto.org/civicax/filebank/documents/62915>.

Palo Alto, City of. 2017. *Our Palo Alto 2030: City of Palo Alto Comprehensive Plan 2030*.

<https://www.cityofpaloalto.org/civicax/filebank/documents/62915>.

Palo Alto, City of. 2019. *History of Palo Alto*. March 25, 2019.

http://cityofpaloalto.org/gov/depts/pln/historic_preservation/history_of_palo_alto.asp