

## **4.8 CULTURAL RESOURCES**

This chapter summarizes the findings of an archaeological field inspection and literature review that was completed for the proposed project by Holman & Associates in February 2003 and an Architectural Resources Survey Report completed in September 2004 by Scantlebury, Dill, and Duval. Copies of the Holman and Scantlebury reports, like other documents referenced in this EIR, are on file and are available for public review between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, at the Facilities Department of West Valley College at 140000 Fruitvale Avenue in Saratoga.

### **4.8.1 Environmental Setting**

The West Valley College campus site consists of a 143-acre parcel of land located near the intersection of Fruitvale Avenue and Allendale Avenue in Saratoga. Fruitvale Avenue and Allendale Avenue border the campus property on the west and north, respectively. A church and residential uses occur east of the campus, and residential neighborhoods bound the college property to the south. Vasona Creek and its associated riparian zone generally bisect the campus property, with educational facilities located in the center of the site on both sides of the creek. Around the periphery of the campus are located extensive parking lot areas, sports fields, and recreational facilities that provide a buffer area between campus buildings and the residential neighborhoods adjoining the campus.

#### **Archival Research of Archaeological Records**

Archival research conducted for this project included an archaeological literature review (file no. 02-488) conducted at the Northwest Information Center (NWIC) located at Sonoma State University, a review of the map library at the University of California at Berkeley, and through personal communication with West Valley College's Dr. Linda King, who has extensive experience in California prehistoric archaeology.<sup>1</sup>

Maps and records on file at the NWIC revealed that there are no recorded historic or prehistoric archaeological sites inside the campus borders, and none recorded within a quarter mile of the college. There have been two surveys which covered a portion of the property: in 1975 Stephen Dietz surveyed a small portion of the northwest corner of the property for the relocation of portable buildings with negative findings; in 1998 Barry Price surveyed a smaller area for a Pacific Bell facility at the southeastern corner of the campus, also with negative findings.

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<sup>1</sup> Personal communication in January 2003 with Linda King regarding the archaeological resources potential for the West Valley College campus.

## Field Survey

No evidence of cultural resources was discovered on the project site. This is in great part an artifact of the existing conditions: buildings, pavement and landscaping cover most of the project area, and the remainder is obviously an area which has been historically built up by the importation of both fill and gravel.

Holman & Associates conducted a visual inspection of the college campus over a two-day period to search for visible evidence of prehistoric occupation. While the majority of the campus is covered by a combination of paved parking lots, buildings and built up landscaping, there is a belt of open space extending through the center of the campus on either side of the creek that drains to the north. This belt supports mature oak trees and a riparian setting covered heavily by vines, blackberries and other plants. In general it appears that initial construction of the campus required grading to level the large parking lots on the western and southern portions of the campus, while the existing campus complex was built into the gently sloping fields, which fall in elevation to the north. Landscaping between the buildings appears to be either built up or at pre-construction grades.

Where visible, the ground was inspected for any evidence of aboriginal use and/or occupation. Such indicators would include but not be limited to darker than surrounding soils containing evidence of fires (ash, charcoal, fire altered rock and earth), concentrations of stone, bone and both salt and fresh water shellfish, and artifacts of these materials.

Of the total landmass inside the campus borders, only a small area surrounding mature trees actually exhibits what are probably native soils, comprised of a light brown to gray clay with little developed topsoil, except along the creek banks. The banks of the creek drainage and its small tributary exhibit some exposed soil, but in general these areas are covered by dense vegetation making a visual inspection unreliable.

## Historical Resources

The West Valley-Mission Community College District commissioned the preparation of an Architectural Resources Survey Report for the Cowan-Carlson House on the West Valley College campus. The College intends to demolish the building, which now stands empty in the center of the northwest corner of the campus. A copy of this report is on file at the General Services Department of West Valley College.

The purpose of the report was to study the historic and architectural significance of the building, and to determine if it is an “historical resource” for the purposes of the California Environmental Quality Act (CEQA), in accordance with Section 15064.5(a)(2-3) of the *CEQA Guidelines*, using the criteria outlined in Section 5024.1 of the California Public Resources Code (PRC).

Additionally, as the College is a public California community college, and recipient of State funding, this property is subject to PRC 5024.5(f), which prohibits the College from undertaking any action that might alter a building or structure over fifty years of age prior to its determination of eligibility for inclusion in the California Register of Historic Places.

**Research and Field Methods.** Archival research was conducted by Charlene Duval in April and May, 2004. Repositories visited included the California Room of the Martin Luther King, Jr. Public Library, the Santa Clara County Recorder and Surveyor Offices, as well as her personal library. Duval also conducted interviews with persons knowledgeable of the history of the Cowan-Carlson House, including architectural historian Gary A. Goss, and Robert S. Cowan's daughter and son-in-law, Mary V. and John Allen. An architectural survey was conducted by Leslie Dill on August 8, 2004. The buildings and landscape were photographed during the survey, and field notes were taken. The results were then compiled by Meg Scantlebury, who also provided the general historical context of the region and San Francisco Bay Area architecture.

**Historic Significance.** Based on a visual assessment of the architectural qualities of the subject property, the Cowan-Carlson House appears to be individually eligible for the California Register. After applying the four criteria of significance and the seven aspects of integrity to the property, it has been determined that the property appears to be a historic resource for the purposes of CEQA, at both local and state levels.

Under eligibility Criterion 3,<sup>2</sup> the house is considered to be an excellent example of Monterey-style architecture in the context of early twentieth-century residential architecture, and especially as the work of a master, prominent West Coast architect, Warren Porter Skillings. Although the loss of original features, compounded by neglect, has resulted in the building's loss of integrity, enough character-defining features remain to adequately communicate its architectural style and period of construction.

### **Paleontological Resources**

In order to determine the potential occurrence of paleontological resources on the West Valley College campus, the University of California, Berkeley Museum of Paleontology staff and records were consulted for information concerning known resources in the vicinity of the college. A record search of the Museum's files indicates that two resource sites are located approximately 1.4 miles southwest and 2.2 miles west of the campus, respectively. The records indicate that these resources were uncovered in the older Santa Clara geologic formation to the west of the campus, while the college campus is situated on the younger Alluvial Fan formation of the valley floor. These characteristics in conjunction with the historic disturbance of the campus grounds for farming and current development for educational facilities would indicate a low sensitivity for paleontological resources occurring on the project area.

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<sup>2</sup> Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.

## 4.8.2 Conformance with Local Plans and Policies

### Saratoga General Plan

General Plan Policies	Project Analysis
<p><i>Conservation Element</i></p> <p><i>CO.5.0: Protect historical and archaeological values and significant geographic landmarks from destruction by development whenever possible.</i></p> <p><i>CO.5.1: The natural beauty of the ridgelines shall be protected as prescribed in the Northwestern Hillside Specific Plan. Only minimum cut and fill should be permitted.</i></p> <p><i>CO.5.2: Encourage the preservation of the Saratoga School building on Oak Street for its historical value.</i></p>	<p><i>This goal and its supporting policies identify direction and guidance in the conservation of historical, archaeological, and geographic landmarks under City jurisdiction. The Element’s policies specifically address two resources requiring special treatment in the land use planning process. The goals and policies of the Element do not include specific reference to the Cowan-Carlson House on West Valley College campus.</i></p> <p><i>The LRDP proposes to demolish the Cowan-Carlson House to accommodate future facilities on the West Valley College campus. The District has determined that it is not possible to preserve this structure and attain the College’s educational objectives concurrently.</i></p>

## 4.8.3 Potential Impacts and Mitigation Measures

### Significance Criteria

Based upon the criteria presented in Appendix G of the *CEQA Guidelines*, the proposed project would need to be evaluated for its potential effects on cultural resources that could occur on the subject property and the significance of these potential impacts. The project would need to be evaluated for its potential to:

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

CEQA §15064.5 provides extensive direction for the determination of significance in impacts to historical resources and unique archaeological and forms the basis for evaluating the potential effects of a project on these cultural resources. In general, the CEQA Guidelines define an “historical resource” as, among other things, “a resource listed or eligible for listing on the California Register of Historical Resources” (CRHR). (CEQA Guidelines, § 15064.5, subd. (a)(1); see also Public Resources Code §§ 5024.1, 21084.1.) A historical resource may be eligible for inclusion on the CRHR, as determined by the State Historical Resources Commission or the lead agency, if the resource:

- is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; or
- is associated with the lives of persons important in our past; or
- 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
- has yielded, or may be likely to yield, information important in prehistory or history. (CEQA Guidelines, § 15064.5, subds. (a)(1), (a)(3).)

In addition, a resource is presumed to constitute an “historical resource” if it is included in a “local register of historical resources” unless “the preponderance of evidence demonstrates that it is not historically or culturally significant.” (CEQA Guidelines, § 15064.5, subd. (a)(2).) Archaeological resources can sometimes qualify as “historical resources.”

In addition, the State CEQA Guidelines require consideration of unique archaeological sites (§15064.5). (See also Public Resources Code § 21083.2.) An “unique archaeological resource” is defined as “an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information. (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type. (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.” (§ 21083.2(h).)

If an archaeological site does not meet the criteria for inclusion on the CRHR but does meet the definition of a unique archeological resource as outlined in the Public Resource Code (§21083.2), it is entitled to special protection or attention under CEQA. Treatment options under §21083.2 of CEQA include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation under §21083.2 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”).

Public Resources Code §15064.5(e) of the State CEQA Guidelines 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 Native American Heritage Commission must be contacted within 24 hours. At that time, §15064.5(d) of the State CEQA Guidelines directs the lead agency to consult with the appropriate Native Americans as identified by the Native American Heritage Commission and 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.

For historic structures, §15064.5(b)(3) of the State CEQA Guidelines indicates that a project that follows the Secretary of the Interior's Standards 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 (1995), shall mitigate impacts to a level of less than significant. Potential eligibility also rests upon the integrity of the resource. Integrity is defined as the retention of the resource's physical identity that existed during its period of significance. Integrity is determined through considering the setting, design, workmanship, materials, location, feeling and association of the resource.

### **Impacts on Archaeological Resources**

#### **Impact 4.8-1: Construction activities proposed by the LRDP could disturb unknown subsurface cultural resources. (Potentially Significant)**

No visible evidence of archaeological materials was discovered during the field inspection of the campus. Since much of the campus is covered either by buildings, pavement and historically landscaped open areas, the issue of concern to future development is the potential for the discovery of buried or obscured archaeological materials, possibly including "unique archaeological resources" or "historical resources," in those areas where development will require earthmoving.

Elements of the proposed LRDP that would require earthmoving and disturbance of landscaped or developed areas include: the new Information Systems Building, new Fox Center, Science and Math Building addition, Campus Center expansion, Library expansion, new Child Development Center, and P.E. Complex addition, which will require some grading. These areas were inspected for archaeological material, but conditions precluded a useful visual inspection. Holman & Associates concluded that there is still a moderate possibility that future construction-related earthmoving could unearth and disturb prehistoric archaeological materials related to exploitation of creekside resources.

**Mitigation Measure 4.8-1:** The following mitigation measures will be required to reduce potential cultural resources impacts to a less-than-significant level:

- a. Prior to commencement of any actual construction activities, a program of mechanical subsurface testing shall be undertaken in any areas that appear to have original soils to test for the presence or absence of archaeological deposits.
  - In the event that any archaeological deposits and/or paleontological resources are identified inside potential construction zones, it will be necessary to accurately map their area extent and depth below the surface and to formally record them on California Department of Parks and Recreation Primary archaeological site forms.

- If it is determined that identified resource deposits will be impacted by actual construction activities which cannot be avoided, it will be necessary to complete an evaluation of the scientific importance of the deposit through hand excavation as is required under current CEQA guidelines. Any deposit determined to be significant (i.e., either an “unique archaeological resource” or an “historical resource”) will then be subject to mitigation of impacts to the extent feasible.
- b. Mitigation of impacts to unique archaeological resources or historical resources should be achieved, if feasible, by project redesign to eliminate actual disturbance. If such redesign is not feasible, mitigation should include the following measures:
- Additional hand excavation for the purpose of data recovery should be combined with a program of archaeological monitoring of all construction related soil removal inside archaeological site borders to insure that significant archaeological materials and information are recorded and/or removed before work recommences, and to insure that human remains have been identified.
  - In the event that human remains are encountered during project construction, work within 50 feet of the remains shall stop immediately, and the County Coroner’s Office shall be immediately notified. If the Coroner’s office determines the remains to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The District shall also retain a professional archaeologist with Native American burial experience, who shall conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC who responds in a timely manner (i.e., within 24 hours after being notified by NAHC). As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant including the excavation and removal of the human remains. The District shall consult with the Most Likely Descendant, if any, identified by the NAHC who responds in a timely manner (i.e., within 24 hours after being notified by NAHC). The District will be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of state law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The District shall implement approved mitigation before to the resumption of activities at the site where the remains were discovered.

**Impact Significance After Mitigation:** Less than significant.

### **Impacts on Historical Resources**

#### **Impact 4.8-2: The LRDP proposes to demolish the historic Cowan-Carlson House to accommodate future campus facilities. (Potentially Significant)**

The assessment of the historic and architectural significance of Cowan-Carlson House determined that it is an historical resource for the purposes of the California Environmental Quality Act (CEQA), in accordance with Section 15064.5 (a)(2-3) of the CEQA Guidelines, and using the criteria outlined in

Section 5024.1 of the California Public Resources Code. The building and associated landscape appear to be historical resources for the purposes of CEQA, for they do appear to be significant at the local and state levels under the eligibility criteria. The demolition of this building and elimination of the setting would constitute a substantial adverse change to the historical resource such that the significance of the historical resource would be impaired [PRC 5020.1(q)].

Should the College implement its plans to demolish the building, the loss would be significant and could not be mitigated to a less-than-significant level. If relocation is the only feasible alternative to demolition, a compatible location needs to be selected so that the building retains its historic significance.

It is recommended that the College immediately begin consultation with the State Office of Historic Preservation with regards to its plans for the future of the Cowan-Carlson house. In most cases, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historical resource (14CCR 15126.4(b)). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as mitigation should be proportionate with the level of significance of the resource. Because this property is under the ownership of a public California Community College, it is required that, in accordance with PRC 5024.5, the College submit to the State Historic Preservation Officer for comment documentation for any project having the potential to affect historical resources listed in or potentially eligible inclusion in the National Register of Historic Places or registered as or eligible for registration as a state historical landmark. Mitigation of past actions to the house and future treatment of this resource is recommended below.

**Mitigation Measure 4.8-2:** Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the historical resource. This is often accomplished through the redesign of a project to eliminate the objectionable or damaging aspects of the project, if possible. The proposed project under consideration is the implementation of the LRDP, which specifies the demolition of the Cowan-Carlson House. Potential modifications of the plan include the following actions:

- a. Relocation of the historical building. Relocation of a historical resource may constitute an adverse impact to the resource, depending on the nature of the context and surroundings of the location to which the resource is moved. In situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register [14CCR4852(d)(1)]. The District should initiate discussions with Saratoga heritage organizations to assess the financial and technical feasibility of relocating the house to an appropriate site within the vicinity of the college. Potential locations include the Saratoga Heritage Orchard site, or similar remaining remnant orchard parcels close to the college. As an alternative, the District could:

- b. Restore the historic structure in situ. A historic structure report needs to be conducted by a qualified professional in accordance with the Secretary of the Interior's qualification standards. The intent of this report is to assess and record the building's current condition, identify important character-defining features, and define immediate steps to be taken to prevent continued loss of historic fabric. As defined in the historic structures report, prevention of continued degradation needs to be undertaken by the building's owner.
- c. The College could identify a use for the property that will enable the building to be restored or rehabilitated and become a useful building for the College community. Under the College's Applied Arts and Sciences Department, an Architectural curriculum is offered. Included in the four areas of study are history and practice/technical communication. A program using the building and site could be developed that would provide several years of valuable hands-on experience for the architecture students, as well as provide the campus with a useful, attractive building that honors the region's past.

**Impact Significance After Mitigation:** Less than significant if mitigation that would avoid any substantial change in the significance of the structure can be feasibly accomplished. It may be infeasible to retain the Carlson House. Presently, no student can be allowed in the Carlson House because this building is not Field Act Approved (DSA). The California Community College Chancellor's Office does not provide State Facility funds for improvement of older buildings that were not built by the State. As indicated in Chapter 3, the restoration of the Carlson House to Field Act compliance would not support the educational mission of the College and would also be cost prohibitive. If Mitigation Measure 4.8-2 proves infeasible due to cost considerations or for other reasons, the impact will remain significant and unavoidable.

## References – Cultural Resources

- Dietz, Stephen, 1975. *Letter report for the relocation of 6 portable buildings in the northwest corner of the West Valley Campus*. On file, NWIC file no. S-4207.
- Price, Barry, 1998. *Cultural Resources Assessment of the Pacific Bell Mobile Services Facility Sf-621-03, Saratoga, Santa Clara County, California*. On file, NWIC file no S-20551.