

4.3 CULTURAL AND TRIBAL CULTURAL RESOURCES

This section analyzes impacts of the proposed project on cultural resources based on a review of existing city plans. Review of historic resources and impacts was prepared by Bridget Maley of architecture + history (a+h); the report is included in Appendix F. This review was supplemented with subsequent reviews conducted by Dudek in January 2020 related to Wharf maintenance activities and in February 2020 regarding the Santa Cruz Boat Rentals building; the February 2020 report is included in Appendix F.

This section also draws from the City of Santa Cruz *General Plan 2030* EIR (SCH#2009032007), which was certified on June 26, 2012, regarding background information on federal and state regulations and cultural resources within the City. The General Plan EIR is incorporated by reference in accordance with section 15150 of the State CEQA Guidelines. Relevant discussions are summarized in subsection 4.3.1. The General Plan EIR is available for review at the City of Santa Cruz Planning and Community Development Department (809 Center Street, Room 101, Santa Cruz, California) during business hours: Monday through Thursday, 7:30 AM to 12 PM and 1 PM to 3 PM. The General Plan EIR is also available online on the City’s website at: <http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/102/1775>.

Cultural resources encompass paleontological, archaeological, and historic resources. Paleontology is the study of plant and animal fossils; paleontological resources generally are more than 10,000 years old. Archaeology is the study of prehistoric human activities and cultures. Historic resources are associated with the more recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the state’s history (City of Santa Cruz, April 2012, DEIR volume). Historical resource is a CEQA term that includes buildings, sites, structures, objects, or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance and is eligible for listing or is listed in the California Register of Historical Resources (CRHR), as well as other designations. Historical Resources under CEQA are also locally listed properties and properties listed or eligible for listing in the National Register of Historic Places (NRHP).

Public and agency comments related to visual impacts were received during the public scoping period in response to the Notice of Preparation (NOP). Issues raised in these comments include:

- Consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the project in order to avoid inadvertent discoveries of Native American human remains.
- Assess historic resource impacts as a result of proposed changes, widening of the Wharf and new construction, including pay stations.
- Analyze impacts of replacement of old buildings, “many of which are historic and community assets.”

To the extent that issues identified in public comments involve potentially significant effects on the environment according to the California Environmental Quality Act (CEQA) and/or are raised by responsible agencies, they are identified and addressed within this EIR. The concern regarding possible displacement of organizations that support arts, music, dance and other cultural programs is not an environmental issue pursuant to CEQA. Public comments received during the public scoping period are included in Appendix A.

4.3.1 Environmental Setting

Regulatory Setting

The following overview of prehistory and history is summarized from the General Plan 2030 EIR (Draft EIR volume, pages 4.9-2 - 4.9-5), which is incorporated by reference.

Federal Regulations

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

National Historic Landmarks. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. They are places where nationally significant historical events occurred, that are associated with prominent Americans that represent pivotal ideas that shaped the nation, that teach Americans about their ancient past, or that are premier examples of design or construction.

State Regulations

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

at the local, state, or national level in accordance with one or more of the following criteria set forth in the State CEQA Guidelines at Section 15064.5(a)(3).

In addition to meeting these criteria, the California Register requires that sufficient time must have passed to allow for scholarly perspective, which is generally 50 years according to SHPO publications. The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” Archaeological resources can sometimes qualify as “historical resources” (State CEQA Guidelines, Section 15064.5(c)(1)). In addition, Public Resources Code Section 5024 requires consultation with SHPO when a project may impact historical resources located on State-owned land.

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

Native American Consultation. Senate Bill 18 (SB 18; Government Code Sections 65352.3, 65352.4) requires that prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction.

Assembly Bill 52 (AB 52) went into effect July 1, 2015 and requires lead agencies to consult with all California Native American tribes that have requested formal consultation at the onset of a project, or when a NOP is released pursuant to Public Resources Code section 21080.3.1. AB 52 also establishes a new class of resources, Tribal Cultural Resources that must be evaluated in CEQA documents.

Human Remains. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. CEQA Guidelines Section 15064.5 directs the lead agency (or applicant), under certain

circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

California Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Unauthorized disturbance or removal is a misdemeanor.

California Environmental Quality Act. State CEQA Guidelines Section 15064.5 defines a “historical resource.” If a cultural resource in question is an archaeological resource, CEQA Guidelines Section 15064.5(c)(1) requires that the lead agency first determine if the resource is a historical resource as defined in Section 15064.5(a). If the resource qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource (California Office of Historic Preservation 2001a:5). If the archaeological resource does not qualify as a historical resource but does qualify as a “unique archaeological resource,” then the archaeological resource is treated in accordance with Public Resources Code Section 21083.2 (see also CEQA Guidelines Section 15069.5(c)(3)).

Local Regulations

The City, as part of its status as a Certified Local Government, has a historic preservation ordinance. The historic preservation ordinance (HPO) provides for the protection, enhancement, and perpetuation of significant cultural resources in the GP Area. The HPO provides the statutory framework for local preservation decisions, and contains sections governing the following topics:

- ❑ Historic District Designation (Part 2, Chapter 24.06);
- ❑ Historic Landmark Designation (Section 24.12.420);
- ❑ Archaeological Resource Procedures (Section 24.12.430);
- ❑ Procedure for Amending Historic Building Survey (Section 24.12.440);
- ❑ Procedure: New Construction in Historic Districts (Section 24.12.450);
- ❑ Historic Alteration Permit (Part 10, Chapter 24.08);
- ❑ Historic Demolition Permit (Part 11, Chapter 24.08); and
- ❑ Historic Overlay District (Part 22, Chapter 24.10).

Archaeological Resources

Prehistoric Archaeological Resources

A total of 27 documented archaeological sites have been identified within the City’s General Plan planning area, of which 20 sites are prehistoric archaeological sites and seven sites are archaeological sites with both a prehistoric and historical component (City of Santa Cruz, April 2012, DEIR volume). Radiocarbon and obsidian hydration data indicate that present-day Santa

Cruz was occupied beginning in the Early Period, from at least 1750 B.C. and quite possibly earlier. Two sites are considered eligible for listing in the National Register of Historic Places based on the important information they contain for understanding the prehistory of the region. The Native American Heritage Commission (NAHC) sacred lands file did not list cultural resources in the City (Ibid.).

The project site is the Santa Cruz Wharf that extends into the Monterey Bay. The site, including the existing Wharf entrance that is on land off of Beach Street, is not located within an area of known archaeological sensitivity or archaeological resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the Santa Cruz Wharf is not within a mapped "sensitive" archaeological area (City of Santa Cruz, April 2012, DEIR volume-Figure 4.9-1). The project area is not within a mapped sensitive archaeological area as shown in the City's Local Coastal Plan (City of Santa Cruz, 1994, Map CR-2), but is within a mapped sensitive archaeological area as identified in the General Plan Cultural Resources update (July 2018).

Tribal Cultural Resources

State Assembly Bill 52, effective July 1, 2015, recognizes that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities. The law establishes a new category of resources in the California Environmental Quality Act called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. Public Resources Code section 21074 defines a "tribal cultural resource" as either:

- (1) Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that is either listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
- (2) A resource determined by the lead agency chooses, in its discretion and supported by substantial evidence, to treat as a tribal cultural resource.

The California Public Resources Code section 21084.2 now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." The Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project.

As indicated above, the project site is located within the Monterey Bay, and the project area is not within a mapped sensitive archaeological area as shown in the City's General Plan or Local Coastal Plan.

Native American Consultation

To date, the City has not been contacted by Native American tribes requesting notification of projects pursuant to the requirements of Public Resources Code Section pursuant to Public Resources Code section 21080.3.1 regarding tribal cultural resources. Prior to the adoption or amendment of a general plan, Government Code Sections 65352.3 and 65352.4 require a city or county to consult with local Native American tribes that are on the contact list maintained by the Native American Heritage Commission. The project does not include a General Plan amendment and is not subject to this provision.

Historic Archaeological Resources

Most of the City has the potential to contain historical archaeological deposits, and some areas are categorized as sensitive, and other areas have heightened sensitivity due to the presence or proximity of recorded archaeological deposits. There are documented occurrences of archaeological deposits dating to the Spanish and Mexican periods in California. These eras are of high interest due to the relative paucity of intact, recoverable deposits associated with these periods. Sites associated with similar communities have had significant archaeological research value and have been found to be historically significant (City of Santa Cruz, April 2012, DEIR volume).

Historic development trends affect whether historical archeological deposits may be present. Two prominent historical periods occurred in Santa Cruz – the Mission Period and American Period. Mission Santa Cruz was established on the banks of the San Lorenzo River in September 1791, and quickly absorbed the surrounding Native American Ohlone population. Another colonial institution, Villa de Branciforte, was established on the other side of the San Lorenzo River across from Mission Santa Cruz in 1797. In 1834, the California missions were secularized, and Mission Santa Cruz lands came under the control of Villa de Branciforte. The second period began in 1848 when California was ceded to the United States under the Treaty of Guadalupe Hidalgo (City of Santa Cruz, April 2012, DEIR volume).

The project site is the Santa Cruz Wharf that extends into the Monterey Bay. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the Santa Cruz Wharf is not within a mapped "sensitive" historical archaeological area (City of Santa Cruz, April 2012, DEIR volume-Figure 4.9-3).

Built Environment-Historic Resources within City of Santa Cruz

There are two existing designated local historic districts within the City: Mission Hill and Downtown Neighborhood, and one National Register district (Cowell Limes Work District). Potential historic districts are located in the Beach Hill and Ocean View Street neighborhoods (City of Santa Cruz, April 2012, DEIR volume). The Santa Cruz Wharf is not located with an existing or potential historic district.

The City of Santa Cruz has designated historic buildings and landmarks as discussed in the next section. Permits are required for alteration or demolition of listed historic buildings or landmarks pursuant to the City of Santa Cruz Municipal Code Chapter 24.08 requirements.

Historic Buildings and Landmarks

In 1976, the City completed a “Historic Building Survey,” which identified and evaluated historic and architecturally significant buildings. The survey identified 306 properties and structures throughout the City on the basis of historical and cultural, environmental and architectural significance. Volume I of the survey covered architectural development in the City from approximately 1850 to 1930. The Survey’s evaluation of individual buildings considered historical and architectural significance, importance to the neighborhood, desecration of original design, and physical condition, and assigned each an overall rating of exceptional, excellent, good or fair. All properties in the 1976 survey were officially listed and protected under the City historic preservation policies and regulations (City of Santa Cruz, Santa Cruz Historic Building Survey Volume III).

In 1989, Volume II of the City Historic Building Survey was produced, which catalogues a total of 330 additional structures from three categories: significant buildings from 1930 to 1950; important structures not included in the first survey; and significant vernacular buildings from 1850 to 1910, the latter of which comprise approximately one half of the structures in Volume II. Additionally, as part of the development of Volume II, some of the properties were removed from the master list of historic properties because of demolition that occurred due to damage from the Loma Prieta Earthquake. In 2013, Volume III of the City Historic Building survey was completed, drawing upon the first two volumes and the Historic Context Statement prepared for the City of Santa Cruz by historian Susan Lehmann.

The City of Santa Cruz has adopted criteria under Municipal Code Section 24.12.440 for listing properties as historic resources. The property can be a building, site, or object, and to be considered, must meet one seven criteria. A historic district must meet two additional criteria.

Currently, 623 buildings (569 from Survey I/II and 54 from Survey III), 27 walls, stairways, steps or curbs, as well as 5 hitching posts, hitching rails or mounting blocks are listed in the City’s Historic Survey. Buildings of greatest historical and architectural significance have been designated “landmarks” pursuant to section 24.12.430 of the City’s Zoning Ordinance. Currently there are 24 designated landmarks in the City. Fourteen properties are listed on the National Register of Historic Places and the following three sites are listed in the California Historical Landmarks: Site of Mission Santa Cruz, Site of Center of Villa Branciforte, and the Santa Cruz Beach Boardwalk.

Santa Cruz Wharf Conditions

Archaeological Resources

A records search and site reconnaissance of the land portion of the Wharf found no evidence of archaeological resources. The California State Lands Commission was contacted in 2013 as part of the technical studies conducted for the scwd² Regional Desalination Project that included the Wharf as an alternative pump station location. According to California State Lands Commission (CSLC), the shipwreck database included the names of four shipwrecks associated with the vicinity of the Santa Cruz Municipal Wharf. These ships include: the schooner Traveler, sunk in 1852; the schooner Julia Brown, sunk in 1879; the Santa Barbara, sunk in 1905; and the oil screw Express, sunk in 1942. It should be noted that the apparent association with the Wharf comes only from the use of generalized latitude and longitude coordinates used to place shipwrecks that were known to have gone down in the vicinity of Santa Cruz but for which no precise locational information is available. It does not mean that the wrecks are located near the Wharf (Dudek, January 2020). The analyses for the regional desalination project also indicated that this location represents a generic point used for shipwrecks in the Santa Cruz vicinity whose precise location is not known, and does not indicate that any shipwrecks are present adjacent to the Municipal Wharf (Griggs as cited in URS, May 2013). The CSLC was contacted regarding any updated information for the present study area, including the shipwreck database, on November 11, 2019, and the CSLC response received on December 2, 2019 contained no new resource information (Dudek, January 2020).

Historical Resources

Background and History. The Santa Cruz Wharf was constructed in 1914 and is the last in a series of six piers that were built on the Santa Cruz waterfront between 1849 and 1914 (URS Corporation, December 2012). The structure was designed by Henry John Brunnier, a structural engineer from San Francisco, and was completed in 1914 (Dudek, January 2020). The Wharf originally consisted of 2,043 Douglas fir piles driven 21 feet into the ocean floor. The number of piles has increased to approximately 4,500 piles with approximately 50 percent remaining from the original construction (Ibid.). On average, 10 to 30 piles are replaced annually for safety.

The Santa Cruz Wharf has been widened from its original 100-foot width over the years, but the location and relative length of the Wharf remain unchanged; approximately 45 feet at the southern end of the Wharf were removed in 1960-61 when former buildings were removed. Since its construction in 1914, the Wharf has expanded from approximately 4.2 acres to 7.5 acres. The Wharf increased by 3.3 acres between the 1950s and the 1980s for commercial uses and parking. Figure 2¹ illustrates the expansion of the Wharf over time.

¹ All figures are included in Chapter 7 at the end of the document for ease of reference as some figures are referenced in multiple sections.

Over the years, the Wharf has evolved in role, function and identity. The Wharf's initial role as a cargo handling and shipping pier later was adapted to serve the commercial fishing industry. After World War II and beginning in the 1950s, the Wharf was significantly expanded for commercial uses and parking. Davits for lifting fishing vessels into and out of the ocean once lined the Wharf, as did a rail line, warehouses, and fishing-related storefronts (URS Corporation, December 2012). The rail line was taken out in the late 1940s to early-1950s and replaced with a paved deck for vehicle traffic (Ibid.). Numerous davits were removed after construction of the Santa Cruz Harbor in 1964 (Ibid.). The deck of the Wharf has been widened to allow for larger restaurant and other commercial buildings. The commercial uses were initially a direct outgrowth of the commercial fishing industry, incorporating fish sales and featuring prepared seafood dishes in an open air setting in close conjunction with off-loading and handling of the daily catch (Ibid.).

In contrast to the early Santa Cruz wharves that had warehouses and businesses associated with fishing and shipping, the existing wharf is tourist oriented (City of Santa Cruz, October 2000). Many of the Wharf's original buildings and structures have been demolished, including a large warehouse building that was located at the bayward end of the Wharf. Historical photos of the Wharf area shown on Figure 4.3-1. According to the Wharf Master Plan, this building was significant from a historic point of view because "it gave physical expression to the environmental conditions that made deep water maritime functions possible and that contributed to the configuration of the end of the Wharf to optimize berthing relative to wind and wave conditions." Today, the former largely industrial and commercial oriented historic-era businesses of the Wharf have been replaced by restaurants and other tourist-oriented services (URS Corporation, December 2012). Over 20 buildings and structures associated with these businesses are located on the deck of the Wharf, as well as other built environment features associated with utilities and lighting (Ibid.).

The *Historic Context Statement for the City of Santa Cruz* (Lehmann, 2000) indicates that within the context of the economic development of Santa Cruz between 1850 and 1950, the Municipal Wharf represents an important property type related to industrial development and transportation (City of Santa Cruz, October 2000). The wharves and piers first built in the early days of Santa Cruz's history evolved with the changes in the City's economy. The shipping wharves gave way to a railroad wharf and finally to a fishing and commercial wharf that was constructed in 1914 to serve the City's needs (Ibid.). The wharf has been rebuilt and refurbished over time and the warehouses and commercial fishing boats have been replaced by restaurants and concessions for sports fishing and sightseeing (Ibid.). The Marcella, a circa 1920s fishing boat, is on display at the northern end of existing buildings on the Wharf and may be the "last remnant of the time when the waterfront served the needs of a booming industrial economy" (Ibid.).

As the last of a series of six piers that were constructed to serve industrial and commercial development in Santa Cruz, and which have been a defining element of the Santa Cruz waterfront since 1849, the Santa Cruz Wharf serves as a vital physical reminder of that history (URS Corporation, December 2012). The historical fishing industry was also heavily dependent on the wharves of Santa Cruz, including the Municipal Wharf, prior to 1950 (Ibid.).

Previous Evaluation of the Santa Cruz Wharf. The Santa Cruz Wharf is included in the City’s Historic Building Survey (Volume 1) with a rating of “Excellent”, which was based on an evaluation of the structure’s historical significance, architectural significance, importance to the neighborhood, alterations, and physical condition. The Wharf is described in the Survey as “a typical ocean pier, originally to accommodate shipping and now largely devoted to restaurants and pleasure fishing.” The Wharf is not listed in the City’s List of City Landmarks. None of the existing buildings on the Wharf are included in the City’s Historic Building Survey.

The Wharf Master Plan recognizes the Wharf as the last remaining pier in Santa Cruz and as a “unique landmark structure that has played a significant role in the historical, cultural and economic evolution of the City.” The Plan cites its period of historic significance from the years between 1914 and World War II when its role and functions were most closely tied to the bay and maritime and commercial fishing activities. The Master Plan also indicates that its linear form recalls historic maritime functions for the berthing of large commercial vessels and also is an important characteristic.

A review of the historical significance of the Santa Cruz Wharf conducted in 2012 included preparation of a California Department of Parks and Recreation “Primary Record” (DPR) form, which is included in Appendix F of this document. The review concluded that the Wharf has historical significance at the local level due to listing in the City’s Historic Building Survey and also is eligible for listing in the California Register of Historical Resources (California Register) under Criterion 1 of the CRHR due to its association with the economic development of Santa Cruz and the long history and role of wharves along the Santa Cruz waterfront (URS Corporation, December 2012). This was confirmed in the 2017 historical review conducted for the Wharf Master Plan (architecture + history, September 2017). A review conducted for the Wharf in January 2020 also indicated that the Wharf appears eligible under NRHP Criterion A as the last built representative of the important function that shipping played in the early economic growth and the sustained development of the City of Santa Cruz (Dudek, January 2020).

The January 2020 review also concluded that the Santa Cruz Wharf also appears eligible for listing in the NRHP under Criterion C. John Brunner, a structural engineer from San Francisco designed the wharf and oversaw its construction. Brunner was responsible for the design of other prominent wharf projects in Northern California, including the San Francisco Waterfront and Embarcadero. Outside of his work in wharf design, Brunner provided the structural design of many iconic buildings and structures in San Francisco and sat on the board of structural engineers who oversaw the design and construction of the San Francisco to Oakland Bay Bridge. It appears that Brunner rises to the level of Master engineer. However, in light of Brunner’s work on other, more prominent wharf projects such as the San Francisco Waterfront and Embarcadero, the Santa Cruz Municipal Wharf cannot be called the most prestigious example of a Brunner design, nor is it the first or last example of Brunner’s work.

In order to accommodate additional commercial uses and parking, multiple additions have expanded the original 4.2-acres of surface area of the wharf from 4.2 to approximately 7.5-acres since 1914. Despite this, the wharf still displays several of the distinctive features of the original design including: irregular L-Shape; wooden construction; and location and orientation to the shoreline and maintains most of its original length. The Wharf presently constitutes the longest example of a wooden pier structure in California and is also the longest pier of any kind located on the United States Coast Pacific Ocean coastline (Dudek, January 2020). An updated DPR form that includes this finding is included in Appendix F. Although the Santa Cruz Wharf is not representative of Brunner's more prominent wharf projects, it is a distinctive engineering structure as the longest wooden pier structure located on the Pacific Ocean. As such the Santa Cruz Wharf appears eligible for listing in the NRHP under Criterion C (Dudek, January 2020). An updated DPR form that includes this finding is included in Appendix F.

Wharf Integrity and Character-Defining Features. Evaluation for eligibility for the California Register requires establishment of historic significance and consideration of "integrity," which refers to those features necessary to convey its significance. While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance." The California Register has identified seven aspects of integrity: location, setting, design, materials, workmanship, feeling and association. While the materials of the Wharf have been changed over time, the current materials of both the Wharf substructure and those used on the more modern buildings situated on the Wharf are compatible in character with those used historically. The structure retains integrity of location and overall design, workmanship, feeling and association. The larger context or urban setting in the Beach area of Santa Cruz has evolved over time, becoming increasingly built up and urban, but this has not impaired the overall integrity or visual significance of the Wharf. The Santa Cruz Wharf has been continuously used since its original construction in 1914 and, although it has undergone numerous functional and structural changes since that time, it remains a vital part of the fabric of the Santa Cruz waterfront (architecture + history, September 2017).

The Wharf is located in the place where it was originally built in 1914 at the base of Pacific Avenue, which historically provided a direct connection between the Wharf and downtown Santa Cruz. The other piers and wharfs that once lined this part of the Santa Cruz waterfront are no longer extant. In terms of design, the Wharf retains its original design intent to provide Santa Cruz with a direct connection to ocean industries and shipping, despite the fact that its function significantly changed after circa 1950. For example, commercial and recreational fishing operations shifted from the Wharf to the new Santa Cruz Harbor when it was completed in 1964. This historical connection is further enhanced by the setting on the Santa Cruz waterfront, and the wharf's prominence in views from West Cliff Drive and Beach Hill (architecture + history, September 2017).

The Santa Cruz Wharf helps convey the sense of place and orientation of Santa Cruz along the waterfront which was integral in the development of the City. It retains its integrity of feeling since it still retains its significant physical characteristics that convey its historic qualities and evokes a sense of its historical past. It retains its integrity of association as the property is directly linked to

past significant events, such as its use in shipping and the fishing industry. The majority of the businesses currently on the Wharf have been present for decades, including a few of the restaurants. These restaurants do not reflect the original fishing-related warehouses and buildings that historically occupied the wharf, but are indicative of the early Italian-American adoption of the Wharf as a place of business, as well as the shift from primary fishing to tourist enterprises by those early families (URS Corporation, December 2012).

The Santa Cruz Wharf is the last wharf of the original six that were constructed and is the only surviving element associated with the shipping and fishing industries of the City from the early 20th century, which further elevates its significance. Approximately 50 percent of the original pilings still exist, but there have been additions and alterations to the structure within the past fifty years, which has led to losses in historic materials, it still conveys its historical significance, especially as the last surviving example of a property type pivotal in the historical development of the City (architecture + history, September 2017).

The elements and integrity that make the Wharf potentially eligible for listing in the CRHR exist in its location, design (general placement of deck over piers, and distinct turn at end of pier), setting (e.g., proximity to railroad truss bridge and the Boardwalk), feeling (still “reads” as a large functioning pier), and association (the Wharf is still the place where economic and transportation activities took place that were important in the development of Santa Cruz), rather than specific materials and workmanship which were necessarily replaced and adapted over time to support the continued functioning of the pier (URS Corporation, December 2012).

In the case of the Santa Cruz Wharf, the structure’s period of significance is 1914, the year it was built. The structure is still located in its historic setting, retains its historic alignment and mostly retains its original length of 2,745 feet; wooden materials and its irregular L-Shape have been maintained. Additionally, the structure continues to function as a wharf. As such, despite ongoing maintenance improvements, and the addition of mid to late 20th Century buildings and infrastructure to the deck, , the Santa Cruz Wharf appears to retain a high degree of integrity of setting, and location, and sufficient degree of design, materials, workmanship, feeling, and association (Dudek, January 2020).

The character-defining features associated with the Santa Cruz Wharf are its location, setting, alignment, wooden materials (piers), its near-original length of 2,745 feet and its continued function as a wharf structure. The contemporary infrastructural elements on the wharf deck including roads, lighting, utilities, and buildings do not date to the 1914 period of significance identified for the Santa Cruz Wharf. As such they and are considered non-contributing elements of the structure (Dudek, January 2020).

Review of Structure at 15 Municipal Wharf. A historical resource evaluation was conducted for the building at 15 Municipal Wharf (Santa Cruz Boat Rentals) as part of the preparation of this EIR since it is in the location of the Gateway Building that is recommended in the Wharf Master Plan. The one-story commercial building was built during 1958 in the Contemporary architectural style,

with exterior walls clad in painted stucco or painted T1-11 plywood siding and the roof clad in composite shingles. The review concluded that this building is not eligible for listing under any NRHP, CRHR, or City of Santa Cruz designation criteria. Additionally, the subject property does not retain sufficient integrity for listing. The subject property was evaluated in accordance with Section 15064.5(a) (2)–(3) of the CEQA Guidelines using the criteria outlined in Section 5024.1 of the California Resources Code and was determined not to constitute a historical resource for the purposes of CEQA.

Paleontological Resources

Paleontological resources are fossilized remains of plants and animals, and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils and fossiliferous deposits as significant nonrenewable paleontological resources.

The cultural resources investigation conducted as part of the General Plan Update identified 48 vertebrate fossil localities within five miles of Santa Cruz. These localities have yielded 786 recorded vertebrate fossil specimens that have been found in the Santa Margarita Sandstone, Santa Cruz Mudstone, Purisima Formation, and from the Late Pleistocene terrace deposits in and near the General Plan planning area. Based on a literature review, four geologic units in the General Plan area are known to contain fossils: Late Pleistocene alluvium; the Purisima Formation; the Santa Cruz Mudstone; and the Santa Margarita Sandstone (City of Santa Cruz, April 2012, DEIR volume).

According to maps developed for the City's *General Plan 2030* and included in the General Plan and General Plan EIR (City of Santa Cruz, April 2012, DEIR volume-Figure 4.9-5), the sandy beach adjacent to the Santa Cruz Wharf is within an area mapped as Holocene Alluvium geologic formation. Although this formation is generally considered too young to contain paleontological resources, it is considered moderately sensitive for paleontological resources because it is underlain by sedimentary geologic units that have a high paleontological sensitivity (City of Santa Cruz, April 2012, DEIR volume). The project site is the Santa Cruz Wharf that extends into the Monterey Bay, and it is not located within an area of sensitive paleontological resources.

4.3.2 Impacts and Mitigation Measures

Thresholds of Significance

In accordance with the California Environmental Quality Act (CEQA); State CEQA Guidelines (including Appendix G); City of Santa Cruz plans, policies, and/or guidelines; and agency and professional standards, a project impact would be considered significant if the project would:

- CUL-1 Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 (see definition below) to include physical demolition, destruction, relocation, or alteration of historic resources or of the immediate

surroundings of historic resources, such that the significance of the resources would be materially impaired (see definition below);

- CUL-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 or to a unique archaeological resources to tribal cultural resources (see definitions below);
- CUL-3 Disturb any human remains, including those interred outside of formal cemeteries;
- CUL-4 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is (i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020(k); or (ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe; or
- CUL-5 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

CEQA defines a “*unique archaeological resource*” 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 one or more of the following criteria:

- ❑ Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
- ❑ 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 (PRC §21083.2(g)).

CEQA (Public Resources Code section 21974) defines a “*tribal cultural resource*” as either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

State CEQA Guidelines Section 15064.5 defines a *historical resource* as:

- A resource listed in, or determined to be eligible for listing in, the California Register;
- A resource listed in a local register of historical resources.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California...Generally, a resource shall be considered by the lead agency to be "historically significant." Generally, a resource is considered historically significant if it meets criteria for listing in the California Register of Historical Resources, including:
 - Is associated with events that made a significant contribution to the broad patterns of California's history and cultural heritage.
 - Is associated with the lives of people important in our past.
 - Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values.
 - Has yielded or may be likely to yield information important in prehistory or history; OR
- A resource determined to be a historical resource by a project's lead agency.

CEQA Guidelines Section 15064.5(b) defines a "*substantial adverse change*" to a historical resource as: "physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The significance of an historical resource is *materially impaired* when a project demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources or in registers meeting the definitions in Public Resources Code 5020.1(k) or 5024.1(g).

Analytical Method

The impact analyses are based on review of existing studies and City requirements for evaluation of cultural resources. Review of impacts to historic resources was provided by Bridget Maley of a+h. The a+h review included review of all relevant studies, project plans, and photo simulations prepared for the project.

Impacts and Mitigation Measures

The following impact analyses address potential impacts to historic resources (CUL-1) and paleontological resources (CUL-5).

The project site is the Santa Cruz Wharf that extends into the Monterey Bay. The site, including the existing Wharf entrance that is on land off of Beach Street, is not located within an area of known archaeological sensitivity (City of Santa Cruz, April 2012-DEIR volume). Adoption and implementation of the Wharf Master Plan, including construction of the first two projects, would result in construction on the portion of the Wharf that is within Monterey Bay. Although, there are records of shipwrecks in the generalized latitude and longitude coordinates in which the Wharf is located, previous analyses have not indicated that any shipwrecks are known in the vicinity of Wharf (Dudek, January 2020, URS, May 2013). The project would not result in impacts to archaeological or cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 (CUL-2-4). No Native American tribe has contacted the City of Santa Cruz to request consultation regarding tribal cultural resources.

Additionally, the City's accidental discovery procedures (Municipal Code Section 24.12.430) would also apply to properties in the study area in the event construction encounters unidentified archaeological deposits. This regulation requires that construction be stopped if archaeological resources are encountered during construction, and that the Planning Director be notified, and the discovery analyzed. If determined to not be an archaeological resource, construction could proceed, but if it is determined to be a resource, implementation of appropriate measures would be required.

Impact CUL-1: Historic Resources. Adoption and implementation of the Wharf Master Plan would result in future construction of new facilities and improvements that would result in alteration to the Wharf structure. However, the alterations would not materially impair the historical significance of the Wharf (CUL-1). Therefore, this is a *less-than-significant* impact.

The Santa Cruz Wharf structure is considered is a historical resource of significance pursuant to CEQA and the State CEQA Guidelines based on its local listing in the City's Historical Building Survey, and a previous review that indicates potential eligibility for listing in the CRHR under Criteria 1 — "association with events that have made a significant contribution to the broad patterns of California's history and cultural heritage". A subsequent evaluation in January 2020 also found that the Santa Cruz Wharf appears eligible for listing in the NRHP under Criterion C because it is a distinctive engineering structure as the longest wooden pier structure. The 2020 evaluation supplements the 2011 evaluation of the Wharf by URS that found the wharf structure significant for listing in CRHR 1, and under Santa Cruz criteria. The Santa Cruz Wharf also appears eligible for listing in the NRHP under Criterion A for its continued associations with the industrial development, transportation, commerce, and recreation development of the City. Additionally, it appears eligible under NRHP Criterion C as a distinctive engineering structure known to be the longest wooden pier

structure located along the United States Coast of the Pacific Ocean. As a NRHP-eligible property the Wharf should be considered CRHR eligible under Criteria 1 and 3.

The character-defining features associated with the Santa Cruz Wharf are its location, setting, alignment, wooden materials (piers), its nearly original length of 2,745 feet long and its continued function as a wharf structure. The contemporary infrastructural elements on the wharf deck including roads, lighting, utilities, and buildings do not date to the 1914 period of significance identified for the Santa Cruz Wharf. As such they and are considered non-contributing elements of the structure.

According to CEQA (section 21084.1), a project that could “cause a substantial adverse change in the significance of an historical resources” may have a significant impact. CEQA Guidelines section 15064.5(b)(1) indicates that a “substantial adverse change in the significance of an historical resource” means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource *would be materially impaired.*” Subsection (2) further indicates that the significance of a historical resource is *materially impaired* when a project “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance” that justify its inclusion in or eligibility for listing in the CRHR or its inclusion in a local register.

Wharf Master Plan

Adoption and implementation of the Wharf Master Plan would support future improvements to the Wharf, resulting in the following physical alterations to the wharf structure:

- Physical expansion of the eastern perimeter of the Wharf (approximately 2.5 acres) for public access, recreation, fishing and boating.
- Installation of new (approximately 800) and replacement (approximately 225) 12-inch timber piles and six 14-inch steel piles.
- Installation of ten outriggers below the stepped edge of the East Promenade that will extend 25 feet to the east at the elevation of the existing ledgers and in the same plane to provide horizontal bracing to the Wharf.
- Provision of a Small Boat Landing across from relocated Wharf entrance gate that would be approximately 315 feet long with an upper deck, lower gangway and approximate 5,000 square foot float.
- Creation of a landing for research, sightseeing vessels (South Landing) with an approximate 1,500 square foot platform.
- Provision of water access from Westside Walkway for the Swim Club via an approximate 85-foot long gangway and float to the bay.
- Potential installation of a 20-inch stainless steel pipe under the Wharf for transport of refuse to an off-site collection center to be identified by the City.

- ❑ Surface repaving/stormwater controls.
- ❑ Construction of three new buildings and potential expansion of some existing buildings on top of the Wharf, including the existing Lifeguard Station.

None of the planned facilities and improvements envisioned in the Master Plan would demolish, destroy, or relocate the Wharf. As stated above, the character-defining features, which are the physical features that enable the structure to convey its historical significance are limited to its location, setting, alignment, wooden materials (piers), its nearly original length of 2,745 feet long and its continued function as a wharf structure. The adoption of the Master Plan and subsequent construction of recommended improvements would ensure that the existing wharf structure continues to function as a wharf resource. Future improvements envisioned in the Master Plan would not alter the Wharf's association with the economic history of Santa Cruz nor would it change the Wharf's location. Future improvements would not adversely impact the physical characteristics that convey the historical significance of the Wharf as none of the improvements would alter the overall historic integrity of the resource. The Wharf has evolved and changed over time as uses, needs, and users have changed. These incremental alterations and improvements have not resulted in any significant physical changes that impacted the historic character of the Wharf (architecture + history, September 2017).

The proposed improvements will be executed in similar materials as have been used historically on the Wharf and new structures or amenities proposed are of similar type, scale, massing and materials as those already in existence on the Wharf. Regarding new buildings and amenities proposed as part of the Master Plan, these proposed modifications to the Santa Cruz Wharf would not impair the historic character, feeling or association of the Wharf and they will be designed to be compatible with the current and past elements along the Wharf. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both why a property is significant and when it was significant. In the case of the Santa Cruz Wharf, the structure's period of significance is 1914, the year it was built. The structure is still located in its historic setting, retains its historic alignment, its approximate original length of 2,745 feet; wooden materials and its Irregular L-Shape will be maintained. Additionally, the structure will continue to function as wharf. Despite ongoing maintenance improvements, and the addition of mid- to late-20th century buildings and infrastructure to the deck, the Santa Cruz Wharf has retained a high degree of integrity of setting, and location, and sufficient degree of design, materials, workmanship, feeling, and association. Like the late 20th century changes to the Wharf, the improvements recommended in the Master Plan would be modern additions but, the Wharf structure will still retain its historic integrity and be able to convey its significance.

The Master Plan proposes construction of a new "Landmark Building" at the end of the Wharf. The new building will be sited in the historic location of a large, double-height warehouse. According to the Master Plan, "the restoration of this building would re-establish a strong visual terminus to the Wharf" and "would provide an icon tied to its maritime traditions." The Master Plan indicates that this building and location "recalls the historic warehouse structure that once

occupied this key location.” The re-introduction of this feature near the southern terminus of the Wharf is in keeping with the historic character and uses. The building will be designed to reflect the shape and form, but will not necessarily mimic, the historic structure that once stood at this end of the Wharf. The proposed structure, while not fully designed, appears to be compatible in its scale, massing, and materials to both the current and historic structures of the Wharf as well as the overall location and placement at the southern end of the structure. In conclusion, the construction of this new structure on the Wharf will not result in the “substantial adverse chance” of the significance of the Wharf and will not visually alter the Wharf, such that it can no longer convey its significance (architecture + history, September 2017).

The improvements proposed for the West side of the Wharf are mostly structural (new piles) and cosmetic (improvements to the facades of the existing buildings) with a slight expansion of the Wharf to the west to accommodate the Westside Walkway. These alterations will not change the overall character of the Wharf and will not impair the ability of the Wharf to convey its historic significance (architecture + history, September 2017).

At program level, one of the Wharf Master Plan’s key strategies is enhancement and preservation of the Wharf, which is recognized in the Plan as a historically significant landmark. The Wharf is the last remaining pier in Santa Cruz and according to the Wharf Master Plan, it is “a unique landmark structure that has played a significant role in the historical, cultural and economic evolution of the City.” The Master Plan’s policies and actions support consideration of the Wharf as a historical resource. The Plan’s first policy seeks to “Maintain and restore the characteristics that distinguish the Wharf as a unique physical and cultural landmark during its period of historic significance, when its role was closely related to the bay and maritime and commercial fishing activities.” To support this policy, the Master Plan Actions include:

- Maintaining the timber piles and wood sub-structure construction that are essential to the Wharf’s identity and to its continued longevity;
- Maintaining the linear form of the Wharf with an open leeward side and buildings clustered on the windward edge;
- Construction of a new Landmark Building that is reminiscent in scale and industrial form of the large warehouse structure that once was located at the bayward end of the Wharf; and
- Utilizing renewable hardwood decking in pedestrian areas and minimalist guardrails, where feasible, to recall the wood structure and unobstructed perimeter of the historic maritime Wharf.

The Plan’s policies and actions support the preservation and continual maintenance of the Wharf’s timber piles and wood sub-structure as being essential to its identity and historic character. In addition, its linear form that recalls historic maritime functions, reaching out to deep water for the berthing of large commercial vessels, is also an important characteristic, which the Master Plan also recognizes and supports maintaining.

All of the proposed improvements appear to have been designed with the *Secretary of the Interior's Standard for the Treatment of Historic Properties* in mind, and the overall intent of the proposed project is to ensure the longevity of the Wharf both materially and economically. While improvements envisioned in the Wharf Master Plan may increase uses along the Wharf, the overall historic aesthetic of the Wharf will not be impacted (architecture + history, September 2017). When considered collectively, the suggested long-term maintenance, increased uses, improved infrastructure, and new building and amenities will not result in “substantial adverse change” in the historical significance of the Santa Cruz Wharf, and therefore, the impact to a historic resource would be less than significant (Ibid.).

While many of these improvements would be considered alterations to the historic Wharf structure, they ultimately provide for the long-term maintenance, care and use of the structure. The new or remodeled/infill buildings could potentially change or alter the historic Wharf in scale, massing and materials. However, none of the planned facilities and improvements envisioned in the Master Plan would demolish, destroy, or relocate the Wharf such that it could no longer convey its historic significance. None of the proposed projects is of such a scale or intervention that the Wharf would no longer be considered an important visual feature of the Santa Cruz waterfront. The improvements will enhance the ability of the Wharf to continue to contribute the economic vitality and tourist industries of Santa Cruz. The Wharf structure would be expanded for the East Promenade and Westside Walkway, but the expansion would retain the same linear form as currently exists. The other improvements would not substantially alter the Wharf in a way that would diminish its historic significance (architecture + history, September 2017).

Near-Term Projects

Entry Gate Relocation. The proposed relocation of the Wharf entrance gate would move the entrance approximately 540 feet further south from its current location. An entrance gate would be constructed with six steel piles that span the Wharf’s width with roll-down transparent gates. The gate structure would be approximately 18 feet in height and a sign could be another six feet in height on top of the gate. A Wharf entrance sign is included as part of the entry gate facility, but a design has not yet been developed or reviewed. The sign would be within the general dimensions identified in the Master Plan. When proposed, a design will be developed through a public process. The structure would have a narrow profile and would be transparent as shown on Figures 3-1C and 3-1D. The relocation will include a new timber deck extension on the east side with a truss frame and new guardrails. The deck extension totals approximately 800 square feet.

The entrance gate relocation will result in physical alteration of the Wharf structure with a small expansion of the deck, which will be constructed of wood, and installation of 30 piles – 24 12-inch piles and six 14-inch steel piles. The alteration would not change the location or setting of the Wharf, and the 12-inch timber piles are the same as those that are currently used to replace damaged or worn piles. Neither the change in the entrance gate location nor the use of six small steel piles would adversely affect the physical characteristics of the Wharf that convey its historic

qualities and would not result in “substantial adverse change” in the significance of the historic resource (architecture + history, September 2017).

East Promenade. As indicated above, construction of the East Promenade would not demolish, destroy, or relocate significant elements of the Wharf. Expansion of the Wharf by approximately 1.5 acres to create the East Promenade would retain the same linear form of the Wharf as currently exists. The expansion would result in a pedestrian facility with a hardwood deck supported by approximately 525 new 12-inch timber piles. This linear addition to the Wharf is designed to reflect the maritime character of the original Wharf structure. The materials used and the design employed would be consistent with the other incremental changes and features that have been added to the Wharf over time. The East Promenade improvements will not result in a significant visual change to the Wharf, nor will they result in the “substantial adverse change” in the significance of the Wharf as a historic resource (architecture + history, September 2017).

Conclusion

The Santa Cruz Wharf has an important place in the City’s history and it is an identified historic resource. The proposed project would not result in cumulative changes that would impair the significance of this historic resource. Overall, the proposed changes are in concert with the recommendations found within the Secretary of the Interior’s Standards for the Treatment of Historic Properties. The project employs materials and elements that will marry the older materials, buildings and components of the Wharf with the proposed new elements and interventions necessary for both the structural and economic longevity of the historic resource. None of the proposed components of the project would result in impaired historic integrity of the resource, nor would they rise to “substantial adverse change” in the significance of the historic resource. Further, given the life-long incremental changes that have occurred on the Wharf, these proposed alterations are in keeping with the past accumulations of repairs, upgrades and expansions that have retained the Wharf’s place as an important Santa Cruz commercial and tourist destination. As discussed above, adoption and implementation of the Wharf Master Plan and construction of proposed projects and future buildings and improvements would not cause a substantial adverse change in the significance of this historical resource, and the impact is less than significant (architecture + history, September 2017).

Under Municipal Code Chapter 24.08, Part 10, alteration of a historic building or structure on the City’s Historic Building Survey would require a permit if the wharf structure itself would be modified. The purpose of this permit is to ensure that new construction and alterations are allowed in a manner which retains the integrity of the City’s historic landmarks, buildings, sites and Districts over time.

Mitigation Measures

No mitigation measures are required as a significant impact has not been identified.

Impact CUL-5: Paleontological Resources. Adoption and implementation of the Wharf Master Plan and future development accommodated by the Wharf Master Plan, including construction of the two planned near-term projects, would be located on the Wharf that is within the Monterey Bay and would not result in excavation or impacts to unknown paleontological resources discovered during construction (CUL-5). Therefore, the project would result in *no impact*.

Adoption and implementation of the Wharf Master Plan, including construction of the first two projects, would result in construction on the Wharf and within Monterey Bay. Thus, the proposed project would not result in excavation or land disturbance within beach and adjacent areas, which have been highly disturbed due to natural wave, tidal and river processes. Therefore, the proposed project would not result in the discovery of unknown paleontological resources during construction.

Furthermore, the General Plan Action HA1.2.3 requires the City to notify applicants within paleontologically sensitive areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City would require treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation

Therefore, the City's policies ensure that paleontological resources are addressed and mitigated as part of further development proposals. Thus, the project would not indirectly lead to potentially significant impacts. Additionally, it is noted that redevelopment of properties in the study area could occur without the proposed project.

Mitigation Measures

No mitigation measures are required as a significant impact has not been identified.