

4.6

CULTURAL AND HISTORIC RESOURCES



4.6.1 INTRODUCTION

Information about cultural and historic resources in the study area was summarized in Section 4.6 of the FEIR, and was based on the *Archaeological Survey and Sensitivity Report* (Far Western Anthropological Research Group, Inc. 2002) and the *Historic Resource Evaluation Report* (JRP Historical Consulting Services 2003). During the Preliminary Engineering design phase, additional research and analysis were conducted and reports prepared. These reports are listed below.

- ❑ Far Western Anthropological Research Group, Inc., *Technical Memorandum Archaeological Survey and Sensitivity Report*, November 2006.
- ❑ JRP Historical Consulting LLC, *Addendum Draft Technical Memorandum Historical Resources Inventory and Evaluation Report*, November 2006.
- ❑ JRP Historical Consulting LLC, *Draft Technical Memorandum CEQA Impacts Analysis for the SVRTC EIS and Supplemental EIR Alternatives*, January 2007.

For this SEIR, cultural resources are generally defined as archaeological resources; historic resources are defined as architectural resources. Cultural and historic resources that are eligible for listing in the National Register of Historic Places (NRHP) or California Register

of Historical Resources (CRHR), or that are considered historic resources for the purposes of CEQA are identified as historic properties.

4.6.2 ENVIRONMENTAL SETTING

4.6.2.1 Area of Potential Effects

The two Areas of Potential Effects (APEs) for the Project, one for archaeological resources and one for architectural resources, were identified in the FEIR. The APEs are revised to accommodate the changes that have occurred since the certification of the FEIR. The revised APEs are included in this SEIR as Appendix F.

4.6.2.2 Archaeology

The 2006 archaeological survey report was prepared to replace the 2002 survey. The report includes the new APE, the results of previous and current record searches, and all field surveys conducted. The FEIR identified 97 archaeological locations and resources that are likely to occur within the study area by segment. For the FEIR, the corridor was divided into segments to aid in the identification and discussion of Project features and impacts. The SEIR identifies 89 archaeological locations and resources

that are likely to occur within the study area by city. For the SEIR, the study area is organized by city. The numbers from the FEIR and SEIR are shown in Table 4.6-1 by FEIR segment and corresponding city. Whether these locations and resources contain deposits that qualify as important or unique under

the standards of CEQA cannot be determined until test excavations are conducted. Testing at this time is problematic as the Project corridor is in an urban setting and much of the APE is improved with structures, pavement, and street right-of-way.

TABLE 4.6-1:

Archaeological Locations and Resources Affecting BART Extension Project			
FEIR^{1 2}		SEIR^{3 4}	
	NUMBER OF ARCHAEOLOGICAL LOCATIONS AND RESOURCES		NUMBER OF ARCHAEOLOGICAL LOCATIONS AND RESOURCES
Segment 1 (Planned Warm Springs to Trade Zone Boulevard)	3	City of Fremont Section	3
		City of Milpitas Section	0
Segment 2 (Trade Zone Boulevard to Mabury Road)	10	City of San Jose Section	83
Segment 3 (Mabury Road to 19th Street)	8		
Segment 4 (19th Street to I-880)	68		
Segment 5 (I-880 to Lafayette Street)	8	City of Santa Clara Section	3
NOTES:			
¹ Segment numbers refer to BART Alternative segments identified in the FEIR, Chapter 3, Alternatives.			
² The number of locations and resources varied based on the design options. These numbers represented the maximum numbers of locations and resources in each segment.			
³ For the SEIR, the BART Extension Project is organized by city.			
⁴ The number of locations and resources do not vary with the design options.			
<i>Source: Far Western Anthropological Research Group, December 2002, November 2006</i>			

4.6.2.3 Historic Architecture

The 2006 historic resources report was prepared to supplement the 2002 report. The addendum report includes the inventory and evaluation of architectural resources within the areas of the revised APE that were not included in the original APE. The addendum report also considers the resources that are affected by the revised Project completion date.

The FEIR identified a total of 767 buildings, structures, and objects located within the historic architectural APE. Of this total, 250 were built in or before 1962, and required survey or recordation as part of the survey population because these structures

would be 50 years old at Project completion, estimated, at that time, to be 2012. Results of the survey were presented in Tables 4.6-3 and 4.6-4 of the FEIR.

For this SEIR, 94 buildings, structures, and objects are added to the 767 architectural resources covered in the FEIR. Of the 94 buildings, structures, and objects, 31 required survey or recordation as part of the survey population because these structures would be 50 years old at Project completion, now estimated to be 2016. These structures were built in or before 1966. Sixty-three of the architectural resources were not evaluated because they were built in 1967 or later or the parcels were vacant at the time

of the recent field surveys, which took place between September and October 2006. Of the 31 resources surveyed for this SEIR, three have been determined eligible or appear eligible for listing on the NRHP and CRHR, and are considered historic resources for the

purposes of CEQA. These resources are listed below in Table 4.6-2.

The results of the original and addendum surveys are summarized in Table 4.6-3.

TABLE 4.6-2:

Additional Historic Properties Listed in the NRHP, Eligible for Listing in the NRHP, or Appearing Eligible for Listing in the NRHP¹				
ADDRESS	APN²	YEAR BUILT	NR STATUS CODE³	EVALUATED BY
St. Patricks School 51 North 9th Street, San Jose	467-18-101	1899 1925	2S2	Laffey 1991/ JRP 2006
49 Wilson Avenue, San Jose	261-33-025	ca. 1890	2S	JRP 2006
745 Schiele Avenue, San Jose	261-07-003	1924	2S	JRP 2006

NOTES:
¹ Properties listed in this table are eligible for the CRHR and are considered historical resources for the purposes of CEQA.
² APN: Assessor's Parcel Number
³ Status Codes for the National Register of Historic Places:
 2 Determined eligible for listing in the NRHP through a formal process involving federal agencies
 S Considered a separate or individual property
 2S2 Determined eligible for separate listing through a consensus determined by a federal agency and the California Office of Historic Preservation (OHP)

Source: JRP Historical Consulting, LLC, 2006

TABLE 4.6-3:

Summary of FEIR and SEIR Surveys for Historical Architectural Resources			
	ORIGINAL SURVEY (for FEIR)	ADDENDUM SURVEY (for SEIR)	PROJECT TOTAL
Properties, Buildings, Structures, and Objects within the Architectural APE	767	94	861
Resources not surveyed (less than 50 years or vacant)	517	63	580
Resources surveyed (50 years or older)	250	31	281
Listed in or appears eligible for listing in NRHP/CRHR	21 properties (containing 34 individual structures) ⁽¹⁾	3	22(containing 35 individual structures)
Eligible or appears eligible for listing in CRHR only	8	0	8

Source: JRP Historical Consulting, LLC, 2004, 2006

4.6.3 REGULATORY SETTING

The regulatory setting discussion included in the FEIR describing the State laws and regulations related to historic preservation remains applicable in the SEIR. The regulatory setting in the FEIR also described the National Historic Preservation Act of 1966, the Advisory Council on Historic Preservation guidelines, and other federal and local laws and regulations related to historic preservation (see Section 4.6.1 of the FEIR).

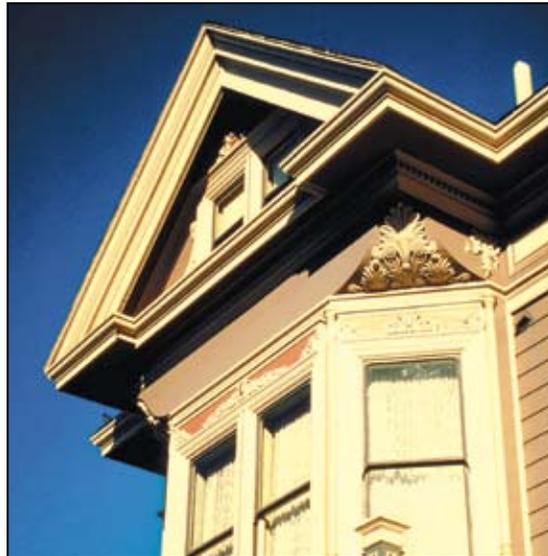
4.6.4 PROJECT IMPACTS AND MITIGATION MEASURES

4.6.4.1 Archaeology

Because testing to confirm the presence of and evaluate the significance of archaeological resources is problematic at this time, the specific impacts of the Project on historic archaeological properties, properties that are eligible for listing in the NRHP or CRHR, are not identified. Due to the scale of the Project and the sensitivity of the corridor for archaeological resources, however, the FEIR found that it is reasonable to conclude that the Project would have adverse effects on historic archaeological properties. As mitigation for these adverse effects, the FEIR stated that a Memorandum of Agreement (MOA), with a supporting Cultural Resources Treatment Plan (CRTP), will be developed in advance and will include the process for identifying historic archaeological properties, addressing impacts, and avoiding, minimizing, or mitigating adverse effects on the historic properties (see Sections 4.6.3.2 and 4.6.6 of the FEIR). Although the list and numbers of archaeological locations and resources has changed, the conclusion that the Project would have adverse effects on historic properties has not. The mitigation measure identified in the FEIR remains applicable in the SEIR.

4.6.4.2 Historic Architecture

No adverse noise or vibration impacts to historic properties were identified in the FEIR. Since the certification of the FEIR, the noise and vibration studies were updated and concluded that the design changes resulted in no new adverse noise or vibration impacts to historic properties. With the measures described in Sections 4.12 and 4.18, noise and vibration impacts are not anticipated to cause adverse changes to the significance of historic resources within the APE.



The FEIR found that the Project would adversely affect individual components of two historic architectural properties, the San Jose Downtown Commercial Historic District and the historic Santa Clara Station Depot. As mitigation for these adverse effects, the FEIR stated that a MOA will be developed to set forth mitigation measures to avoid, minimize, and/or mitigate the adverse effects on historic architectural properties (see Section 4.6.6.2 of the FEIR).

Since the certification of the FEIR, the following changes have occurred related to the impacts of the Project on architectural historic properties and to the mitigation measures identified in the FEIR. These changes are discussed below.

Design Change 37. Gap Breaker Station Near 9th Street. This gap breaker station would be constructed on the two-acre property at 389 East Santa Clara Street/51 North 9th Street, APN 467-18-101. This property contains four buildings, including the

St. Patrick’s Catholic Grammar School building, which was previously determined eligible for listing in the NRHP and CRHR, and three other structures, the Rectory, Abbey and an ancillary building, which do not appear to be eligible for listing in the NRHP or CRHR. The gap breaker station would not require demolition of the school building or physically change this resource and would result in no substantial adverse change to the historic resource.

Design Change 40. Downtown San Jose

Station. The creation of the new Downtown San Jose Station results in the following impacts to cultural resources.

■ IMPACT:

The following station entrance options would require interior changes to the building(s) and may require substantial alterations to the exterior(s) of the building(s), possibly changing the physical features within the setting and visual linkage to the District and diminishing the integrity of the District.

- ❑ Station entrance option M1-A would be constructed within the San Jose Downtown Commercial Historic District and involve the historic properties at 124-126 East Santa Clara Street, APN 467-22-038; 114-118 East Santa Clara Street and 31 Fountain Alley, APN 467-22-039, the Fox Building; 36-40 East Santa Clara Street, APN 467-22-043; and 28 East Santa Clara Street, APN 467-22-045, the Firato Delicatessen/Ravioli Building. These properties are listed on the NRHP as contributors or potential contributors to a historic district.
- ❑ Station entrance option M-1B would be constructed within the San Jose Downtown Commercial Historic District and involve the historic property at 8-14 South First Street, APN 467-22-097, the Bank of America Building. This property is listed on the NRHP as a contributor or potential contributor to a historic district.

- ❑ Station entrance option M-1C would be constructed within the San Jose Downtown Commercial Historic District and involve the historic properties at 42-48 East Santa Clara Street, APN 467-22-041 and 042, the Moderne Drug building; and 36-40 East Santa Clara Street, APN 467-22-043. These properties are listed on the NRHP as contributors or potential contributors to a historic district.

■ MITIGATION:

In Section 4.6.6 and Tables 1.5-1 and 6.2-2 of the FEIR, it is noted that the MOA would be executed by VTA, FTA (Federal Transit Administration), State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation (ACHP), and appropriate city and county historic preservation bodies. This mitigation is revised to state that “mitigation for the significant impacts to historic architectural properties will be set forth in an MOA to be developed and executed by VTA and the appropriate government and historic preservation bodies.” The appropriate government and historic preservation signatories will be determined by Project funding and environmental documentation issues. The measures likely to be included in the MOA are described in Section 4.6.6.2 of the FEIR and remain applicable in the SEIR.

Other station entrances and facilities would be constructed adjacent to historic properties as described below. These entrances and facilities would not alter the historic properties and would not require physical changes to the exterior of any of the historic buildings. The construction of these facilities would not materially impair the setting or other characteristics of the individual buildings and would result in no substantial adverse changes to the historic properties.

- ❑ Future station entrance M-4 would be constructed on the parcel immediately east of the building at 17-25 East Santa Clara Street, APN 467-21-024, known as the St. Francis Block. The St. Francis Block is considered a historical resource for the purposes of CEQA.

- ❑ Station entrance M-5A would be constructed on the parcel immediately east of the building at 81 West Santa Clara Street, APN 259-34-018, known as San Jose Building & Loan. The San Jose Building & Loan building is eligible for listing on the NRHP and CRHR.
- ❑ An emergency exit would be constructed in the sidewalk immediately south and east of the building at 101 West Santa Clara Street, APN 259-34-046, the San Jose National Bank. The San Jose National Bank building is eligible for listing on the NRHP and CRHR.

Design Change 41. Market Street Station.

The elimination of the Market Street Station results in the deletion of Station Entrance M-4 in the FEIR and its impact to 17-25 East Santa Clara Street, APN 467-21-024, a historical resource for the purposes of CEQA.

Design Change 42. Diridon/Arena Station and Alignment. The design change at the Diridon/Arena Station affects the Cahill Station and Santa Clara Underpass, APN 261-34-020, a property listed in the NRHP. This design change would not require demolition or alteration of contributing elements of this property and would not diminish the linkage of resources at the property. No substantial adverse changes to the historic property are anticipated.

The shift in the tunnel alignment expands the APE to include the property at 49 Wilson Avenue, APN 261-033-025, a property that appears eligible for listing in the NRHP. The new tunnel alignment would not change or physically affect the resource or its setting and would not result in a substantial adverse change to the historic resource.

Design Change 43. Traction Power Substation Near Diridon/Arena Station. This substation would be constructed at the southeast corner of White and West Santa Clara streets, west of the Caltrain tracks, within or immediately adjacent to two properties that are listed or eligible for listing in the NRHP and CRHR, the Cahill Station and Santa Clara Underpass, APN 261-34-020, and Calpak Plant #51 at 50 Bush Street, APN 261-33-038. This design change would not require demolition or physical

alteration of these resources or cause changes that will impair the significance of these historic resources. No substantial adverse changes to the historic resources are anticipated.

Design Change 45. Ventilation Structure Near Stockton Avenue. One of the five alternate locations for this ventilation structure is a parcel adjacent to 745 Schiele Avenue, APN 261-07-003, a property that appears eligible for listing in the NRHP and CRHR. The ventilation structure would not require the demolition of this resource nor will the construction physically change it, or cause changes that will impair the significance of this historical resource.

Design Change 52. Santa Clara Station. The impact of the overhead pedestrian crossing on the historic Santa Clara Caltrain Station is discussed in Section 4.6.4.2 of the FEIR. Comment letter R5 from the South Bay Historical Railroad Society (SBHRS) and the Response to Comment Letter R5 in Volume II of the FEIR discusses the possibility of moving the historic Tower and related speeder and utility sheds slightly to the south to permit the overhead pedestrian crossing to be built north of the Tower.

Since the FEIR was certified, consultations with the SBHRS, Peninsula Corridor Joint Powers Board (JPB), and the City of Santa Clara have continued and have resulted in the identification of a proposed location for the relocated structures which would preserve the historic spatial relationship between the Depot, Tower, and sheds and which is compatible with the original character and use of the historic resources. This location is south of and within the setting of the historic Station complex.

This relocation will avoid the substantial adverse change to the historic properties at the historic Station complex caused by the intrusion of the overhead pedestrian crossing and would maintain the relationships between the Depot, Tower, and sheds. By completing the relocation in a manner consistent with CRHR considerations and the *Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic*

Buildings; and in consultation with the SBHRS, the historic properties will retain the physical characteristics that justify their eligibility for inclusion in the

CRHR. Therefore, the Project will result in no substantial adverse change to the historic properties at the Santa Clara Caltrain Station.

CONCLUSION

There is no change in the conclusion that the Project would adversely affect archaeological resources. Although the potential archaeological resources that would be impacted by the Project have changed, the design requirements, best management practices, and mitigation measures identified in the FEIR remain applicable and no new mitigation measures are necessary.

There are one less and three new potential substantial adverse changes to the historic architectural property, the San Jose Downtown Commercial Historic District. Mitigation measures for historic architectural resources will be set forth in an MOA to be developed and executed by VTA and appropriate government and historic preservation bodies. The measures likely to be included in the MOA are identified in the FEIR and remain applicable. The adverse effect to the historic Santa Clara Station identified in the FEIR is avoided with the relocation of the historic structures.

