Appendix C

Cultural Resources Technical Memo

ESA

ESA

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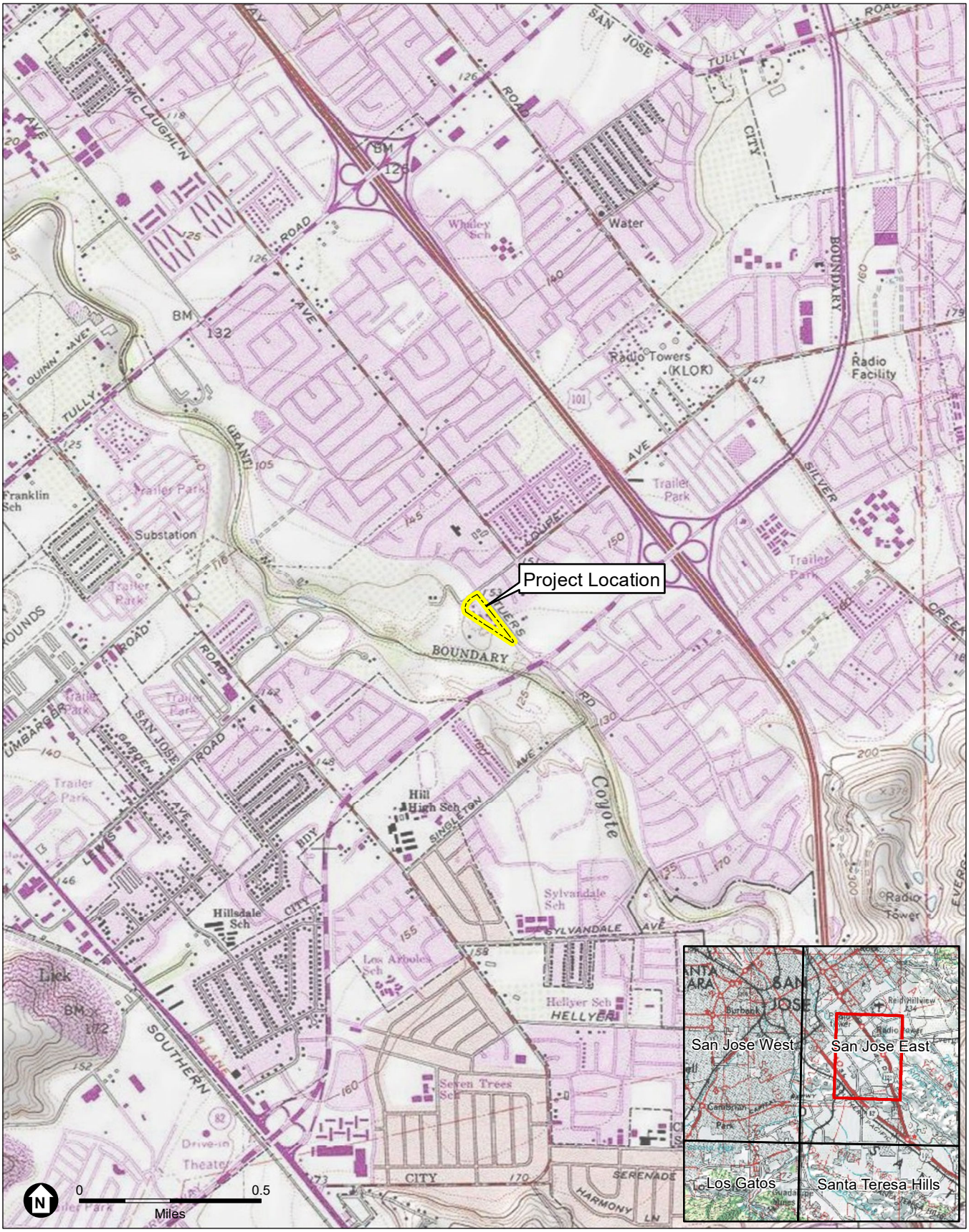
memorandum

date	April 25, 2022
to	Thai-Chau Le, Planner, City of San José, Department of Planning, Building, and Code Enforcement Shoko Hoang, Associate Structure/Landscape Designer, City of San José, Department of Department of Public Works
cc	
from	Johanna Kahn, Senior Associate, Cultural Resources Heidi Koenig, Managing Associate, Cultural Resources
subject	DRAFT Cultural Resources Memorandum for San José Municipal Water New Offices Project , 3025 Tuers Road, San José

Project Description

This memorandum provides the cultural resources findings of a records search, historic aerial and map review, and archaeological resources assessment completed for the San José Municipal Water New Offices Project in the City of San José (City), Santa Clara County. The City proposes to construct a new administrative building and storage building that would serve as the new office facility for the San José Department of Public Works Municipal Water System (Muni Water). The project would be located at 3025 Tuers Road in San José. The project site is an approximately 3.4-acre site located on the northeast corner of the Tuers Road and Loupe Avenue intersection, west of the U.S. Route 101 (U.S. 101) and east of the Los Lagos Golf Course. The surrounding area is comprised of medium density residential, commercial, and open space uses. (**Figure 1**).

The project would result in the demolition of six existing buildings, relocation of the existing communications tower, the construction of a new two-story administration building which would serve as the new office facilities for Muni Water, and the construction of a new one-story storage facility. The project would also include new landscaping improvements and additional improvements to the parking areas, including new striping, new bicycle racks, and new bicycle lockers.



SOURCE: USGS

San José Municipal Water New Offices

Figure 1
Location Map

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Project Site

For this study, the *project site* is defined as the maximum extent, both horizontally and vertically, of both direct and indirect potential impacts resulting from the project. Specifically, the project site encompasses the project footprint, including areas of new construction and operations-related activities (e.g., construction staging areas) associated with the project. The vertical extent of the project site consists of the maximum depth of ground disturbance proposed by the project and includes the entire 3.4-acre site. The depth of ground disturbance is anticipated to be up to 5 feet. The existing conditions and site plan are depicted on **Figures 2 and 3**.

Records Search

ESA conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System on April 6, 2022 (File No. 21-1661). The purpose of the records search was to (1) determine whether known cultural resources have been recorded within or adjacent to the project site; (2) assess the likelihood for unrecorded cultural resources to be present based on historical references and the distribution of nearby sites; and (3) develop a context for the identification and preliminary evaluation of cultural resources. The records search consisted of an examination of the following documents:

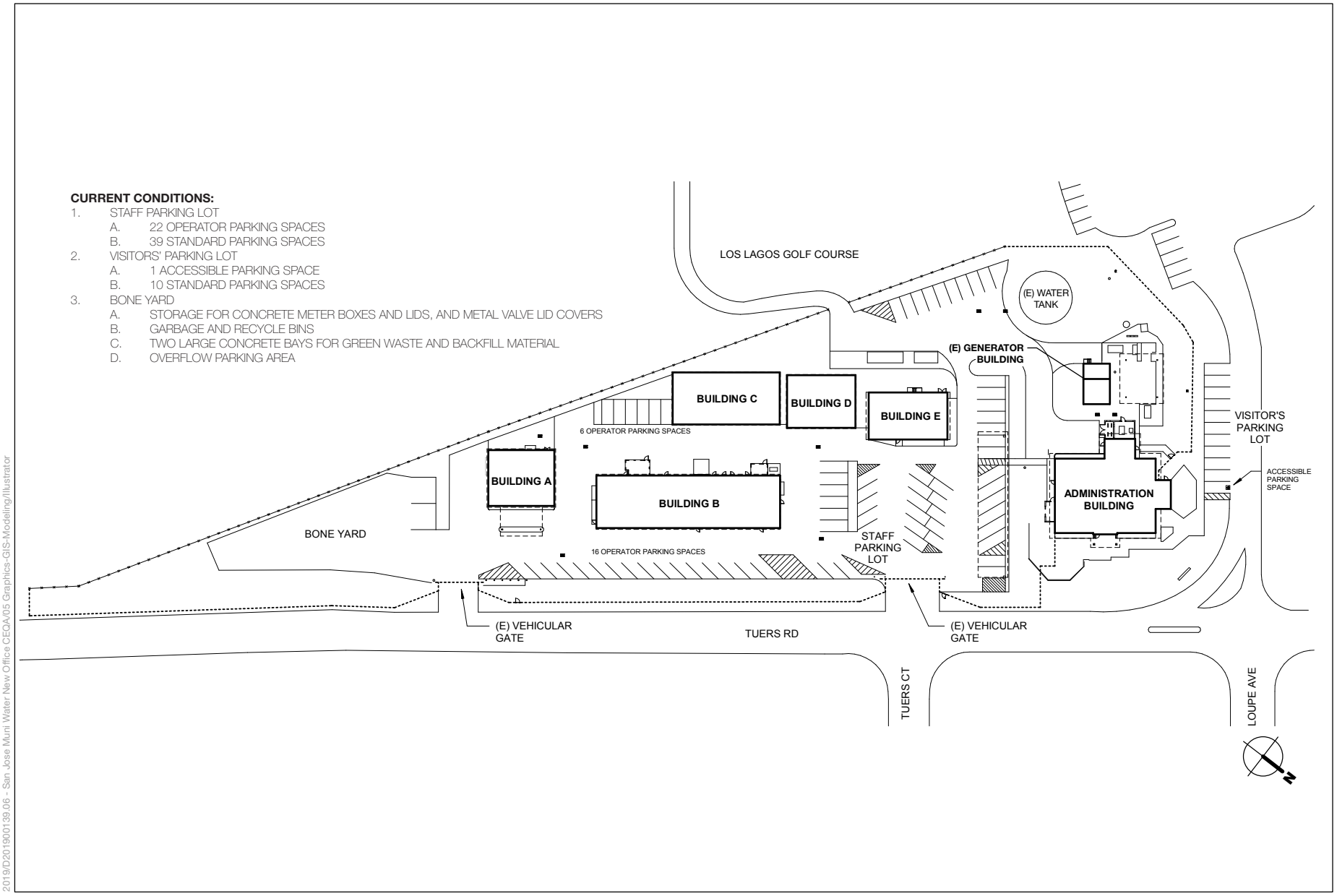
- NWIC digitized base maps (USGS San José East, CA 7.5-minute topographic map), to identify recorded archaeological sites and studies within a 0.25-mile radius of the project site.
- NWIC digitized base maps (USGS San José East, CA 7.5-minute topographic map), to identify recorded historic-era resources of the built environment (building, structures, and objects) within a 0.25-mile radius of the project site.
- Resource Inventories: *California Inventory of Historical Resources, California Historical Landmarks, Built Environment Resource Directory* (BERD) (through March 2020) and *Archaeological Determinations of Eligibility* (as of April 2012) for Santa Clara County.

The NWIC records search results identified four previous cultural resources studies that were directly adjacent to the project site. The project site has not been previously surveyed for cultural resources and is currently completely paved and built over. **Table 1** provides details on this study.

TABLE 1. PREVIOUS CULTURAL RESOURCES STUDY THAT INCLUDES PORTIONS OF THE PROJECT SITE

Study	Title	Author	Date	Findings
4265	Letter Report for Capitol and McGlaughlin Project – Subsurface Survey	Dietz	November 1975	Subsurface testing, 15 trenches, negative findings
5236	Letter Report for Parks Service Center at Tuers Road and Capitol Expressway	Dietz	March 1977	Area former quarry and fill, negative findings
9757	Cultural Resources Assessment of a Proposed Building on Tuers Road at Loupe Avenue, City of San José, Santa Clara County, California	Basin Research, Inc.	December 1987	Surface survey, negative findings
20634	Results of Phase I and Phase II Archaeological and Historical Investigations with Recommendations for Cultural Resource Management Coyote Creek Golf Course Project, City of San José, Santa Clara County, California	Holman and Assoc.	July 1998	Subsurface testing, 103 trenches; two trenches just south of current project site resulted in negative findings, area is highly disturbed to 5 feet below surface

SOURCE: NWIC, 2022



2019/D2019001 39.06 - San Jose Muni Water New Office CEQA/05 Graphics-GIS-Modeling/Illustrator

SOURCE: City of San Jose, 2019

San José Municipal Water New Offices

Figure 2
Existing Site Conditions

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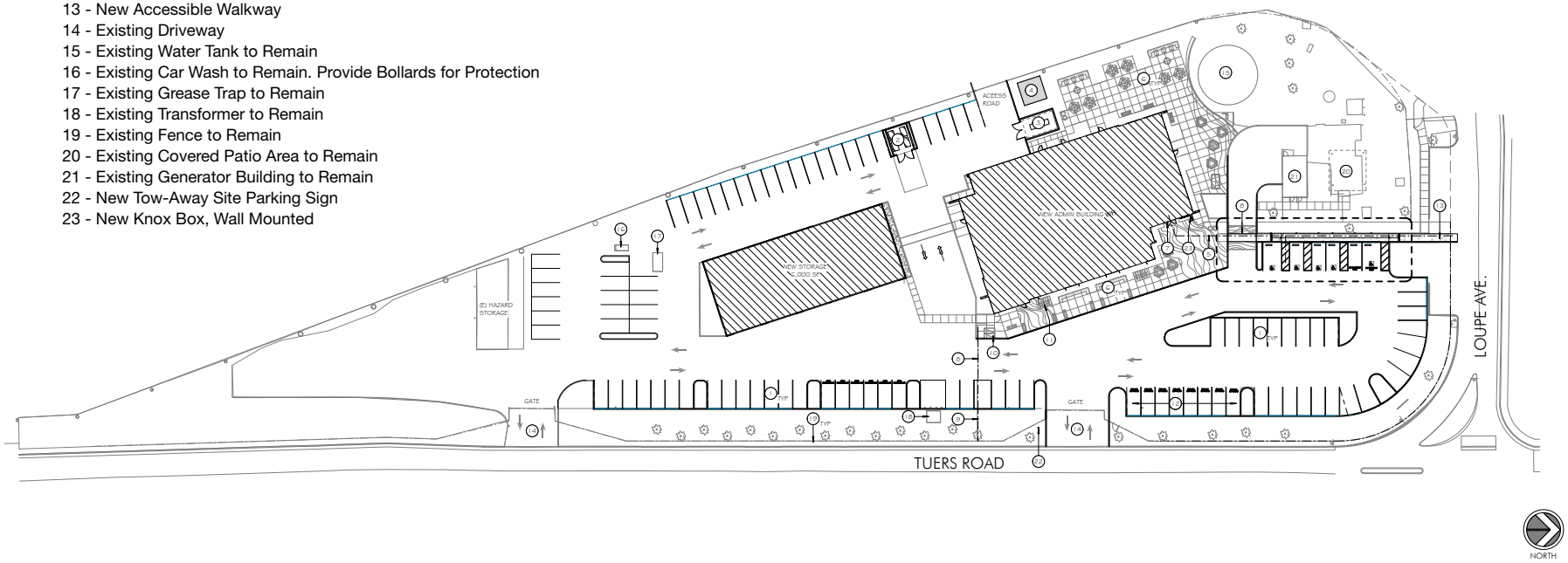
1 - New Parking Stall Striping
2 - New Trash Enclosure
3 - New Generator Building
4 - New/Relocated Communication Tower
5 - Accessible Path of Travel from Public Way
6 - New Site and Landscape Design
7 - New International Symbol of Accessibility Mounted at Entrance
8 - New Gate
9 - New Fence, Match Existing
10 - New Bike Lockers
11 - New Bike Racks.
12 - New Designated Parking Stall For Low-Emitting, Fuel Efficient Vehicles
13 - New Accessible Walkway
14 - Existing Driveway
15 - Existing Water Tank to Remain
16 - Existing Car Wash to Remain. Provide Bollards for Protection
17 - Existing Grease Trap to Remain
18 - Existing Transformer to Remain
19 - Existing Fence to Remain
20 - Existing Covered Patio Area to Remain
21 - Existing Generator Building to Remain
22 - New Tow-Away Site Parking Sign
23 - New Knox Box, Wall Mounted



2019/D2019000139.06 - San Jose Muni Water New Office CEQA/05 Graphics-GIS-Modeling/Illustrator

SOURCE: City of San Jose, 2022

San José Municipal Water New Offices

Figure 3
Conceptual Site Plan

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Previously Identified Resources

The NWIC records search indicated that no previously recorded cultural resources intersect the project site and no cultural resources have been previously recorded within 0.25 mile of the project site. There are no previously recorded pre-contact or historic-era archaeological resources recorded within the project site or within a 0.25-mile radius. The nearest pre-contact archaeological resource is located approximately 0.75 mile north of the project site.

Survey and Evaluations Results

ESA cultural resources staff completed a pedestrian survey of the project site on April 1, 2022. The following architectural description is based on observations made in the field.

Architectural Description

Project Site

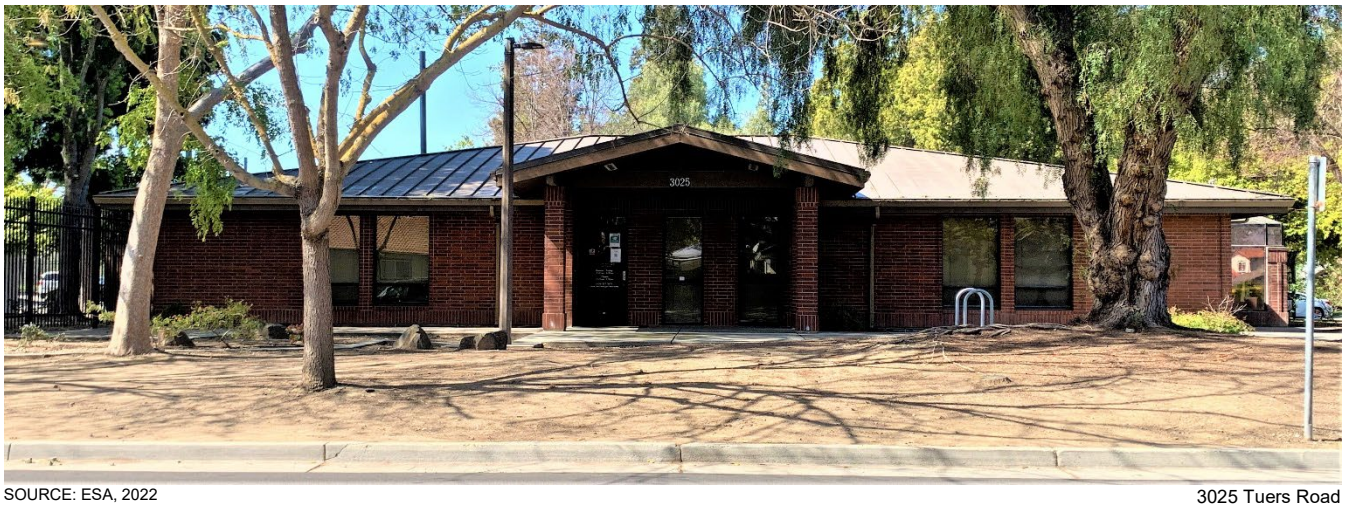
The project site is composed of one parcel (APN 499-35-001) that measure 25.8 acres. It is bounded by Tuers Road on the east, Loupe Avenue on the north, and East Capitol Expressway on the south. The property encompasses the Muni Water facility and portions of the Los Lagos Golf Course (the parking lot and driving range), Coyote Creek, and the Coyote Creek Trail.

Muni Water is a public utility facility composed of eight buildings and structures that are described individually below, the earliest of which were constructed between 1968-1980 (Figure 2). Vehicular access to the facility is from two gated driveways on Tuers Road and a parking lot for visitors on Loupe Avenue. Landscape elements include mature trees and shrubs concentrated at the north end of the facility, and smaller trees are planted along Tuers Road. Metal fencing surrounds the facility except for the two street-facing façades of the administration building. Several small parking lots for City staff are located on the interior of the facility.

Administration Building

The administration building was constructed ca. 1988. It is one story in height and features an irregular footprint. It is clad in brick laid in two different patterns. The building is capped by a combination hipped and gabled roof (i.e., with four sloped planes and two sloped planes, respectively) with wood barge boards, fascia boards, and soffits; covered with standing-seam metal roofing; and featuring two skylights. Fenestration (i.e., windows, doors, and other openings) includes two-part, aluminum-sash windows; glazed, aluminum-frame pedestrian doors; and louvered (i.e., with slats for ventilation), metal pedestrian doors.

The primary (northeast) façade faces Tuers Road (**Figure 4**). The primary entrance is located near the center of the façade, which is marked by a gabled porch supported by brick-clad columns. The entrance is composed of a single, glazed door and two door-height windows. The gabled porch is flanked by two pairs of windows.



SOURCE: ESA, 2022 3025 Tuers Road

Figure 4
Administration Building, Primary (Northeast) Façade, View Facing Southwest

The secondary (northwest) façade faces Loupe Avenue (**Figure 5**).[1] Near the center of the façade is a gabled projection that contains an employee dining area and features aluminum-sash windows and clerestory windows and is capped by a greenhouse-type glass roof. To the east of this feature is one two-part aluminum-sash window. The west half of the façade is located behind a metal perimeter fence and features one louvered, metal door and a separate louvered, metal panel.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 5
Administration Building, Secondary (Northwest) Façade, East Half (Left) and West Half (Right)

The side (southeast) façade faces an employee parking lot on the interior of the facility (**Figure 6**). This façade features one glazed door flanked by two pairs of windows and a small, paved patio enclosed by brick piers and metal fencing. The west end of the façade is set back and features a louvered, metal door.

[1] On Google Maps, this portion of Loupe Avenue is named Lucretia Patio.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 6
Administration Building, Side (Southeast) Façade, West Half (Left) and East Half (Right

The rear (southwest) façade faces the generator building and a covered picnic area (**Figure 7**). Near the center of the façade is a gabled projection that contains mechanical and electrical rooms; it features one louvered, metal door and projecting brick walls with a metal security gate. The gabled projection is flanked by two pairs of windows.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 7
Administration Building, Rear (Southwest) Façade, View Facing East

Building A

Building A was constructed ca. 1968-80. It is a prefabricated, metal-frame building with a T-shaped footprint that is clad in ribbed, metal siding and capped by a gabled roof covered with metal roofing (**Figure 8**). The primary (northeast) façade faces Tuers Road and features a covered driveway supported by metal columns. The façade also features four metal pedestrian doors and sliding, aluminum-sash windows.

The northwest and southeast façades feature metal, roll-up, vehicular doors. The southwest façade features one single and one pair of louvered, metal doors.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 8
Building A, Primary (Northeast) Façade, View Facing South

Building B

Building B was constructed ca. 1968-80. It is a prefabricated, metal-frame building with a rectangular footprint that is clad in ribbed, metal siding and capped by a gabled roof covered with metal roofing (**Figure 9**). The primary (northeast) façade faces Tuers Road and features two single, glazed doors; five multi-lite, aluminum-sash windows; and two metal, roll-up, vehicular doors. Three of the windows are located in large openings that have been partially filled in with metal siding.

The northwest and southeast façades each feature one flush, metal door. The southwest façade features several glazed and flush metal doors; multi-lite, aluminum-sash windows, and louvered, metal panels.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 9
Building B, Primary (Northeast) Façade, View Facing Northwest

Buildings C and D

Buildings C and D were constructed ca. 1968-80. They are nearly identical, prefabricated, metal-frame buildings with rectangular footprints that are clad in ribbed, metal siding and capped by gabled roofs covered with metal roofing (**Figure 10**). The primary (northeast) façades face Building B. Building C features two flush metal doors and three metal, roll-up, vehicular doors. Building D features one flush metal door and two roll-up doors.

There is no fenestration on the northwest, southwest, or southeast façades.

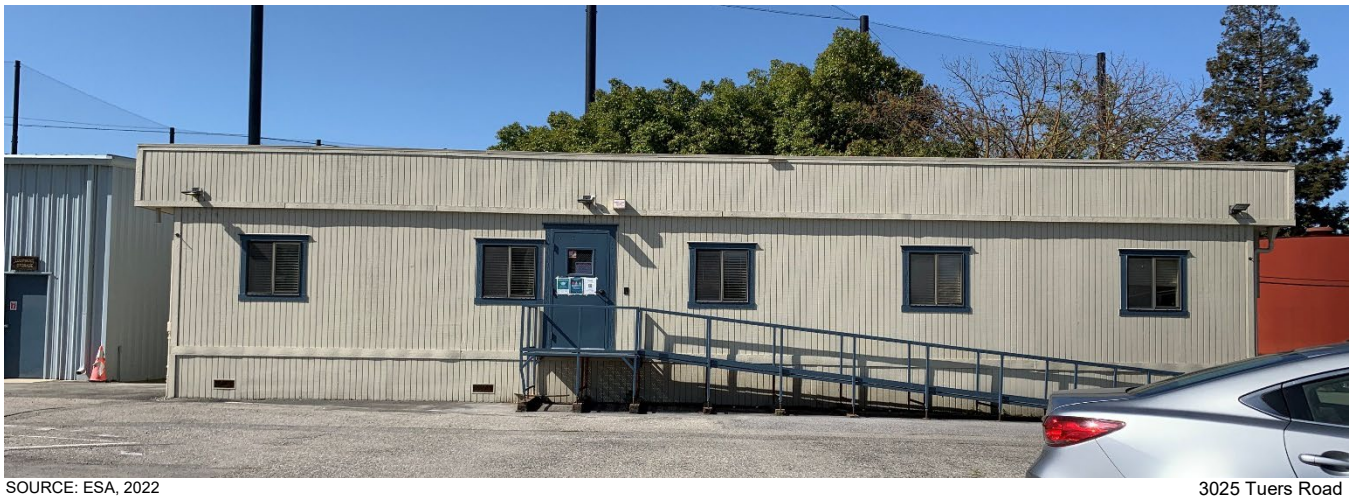
SOURCE: ESA, 2022 3025 Tuers Road

Figure 10
Buildings C (Left) and D (Right), Primary (Northeast) Façades, View Facing South

Building E

Building E was constructed ca. 1968-80. It is a prefabricated building with a rectangular footprint that is clad in plywood siding and capped by a flat roof (roofing material unknown) (**Figure 11**). The primary (northeast) façade faces an employee parking lot on the interior of the facility. It features a partially glazed, metal door that is accessed by a metal-frame ramp and five sliding, aluminum-sash windows. Above the door and windows, the façade projects slightly.

The southeast façade features three sliding, aluminum-sash windows. The southwest façade features a flush, metal door that is accessed by metal stairs, a pair of flush doors, and two sliding, aluminum-sash windows. The northwest façade does not feature any fenestration.



SOURCE: ESA, 2022 3025 Tuers Road

Figure 11
Building E, Primary (Northeast) Façade, View Facing Southwest

Generator Building

The generator building is a one-story, split-level building that features a rectangular footprint and is capped by a series of flat roofs with wood fascia boards and exposed beams. The original portion of the building (which measures approximately 16’ x 16’ in area) was constructed ca. 1968-80, is clad in textured brick laid in a stack bond, has a lower profile, and the roofing material of its overhanging roof is unknown. A later addition (which measures approximately 16’ x 8’ in area) was constructed at an unknown date after 1980 and is clad in brick at the base and vertical wood siding and louvered, wood slats above. The addition has a taller profile, and its roof is covered with some type of corrugated roofing. The building can be accessed from the northeast and southwest façades, neither of which are marked with signage indicating which one is the primary entrance.

The northeast façade faces the administration building and features two louvered, metal doors at grade, one of which is wider than the other (**Figure 12**). The exterior corners of the façade feature shallow, brick projections. The southwest façade features a flush, metal door that is accessed by metal stairs (Figure 9).

There is no fenestration on the northwest or southeast façades.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 12
Generator Building, Northeast (Left) and Southwest (Right) Façades

Water Tank

The cylindrical water tank was constructed ca. 1968-76. The structure is clad in smooth, metal panels and is capped with a flat cover (**Figure 13**). The tank measures approximately 21 feet tall and 40 feet in diameter. A metal ladder is located at the north end of the tank. Shrubs are planted around the perimeter of the tank.

SOURCE: ESA, 2022 3025 Tuers Road

Figure 13
Water Tank, View Facing West

Site History and Construction Chronology

Like much of the Santa Clara Valley, the area surrounding the project site was used for agricultural purposes until the mid-20th century. A review of historic aerial photographs from the early 20th century indicates that the project

site was an undeveloped area situated between an orchard to the east and Coyote Creek to the west.[2,3] In January 1961, the project site was part of the 57.56-acre Evergreen No. 4-A annexation area that was annexed to the City of San José.[4] This was one of more than 1,400 outlying areas that were annexed during the 1950-69 tenure of City Manager Dutch Hamann.[5]

According to City records, the earliest building constructed on the project site was a steel-frame, public works maintenance building completed in 1966.[6,7] According to a 1976 site plan, several other small buildings and structures had been constructed by that time, including two pump sheds, a chlorine treatment building, two above-ground water tanks, a septic tank, and a leach field.[8] A 625-square-foot, steel-frame office addition to the maintenance building was completed in 1976.[9] One water tank remains; all other buildings and structures have been demolished.

A review of historic aerial photographs indicates that all but one of the existing buildings and structures described in the Architectural Description section above were constructed ca. 1968-80. The administration building was constructed later, ca. 1988,[10] and an addition to that building was constructed in 1996.

The adjacent Los Lagos Golf Course opened to the public in 2002.[11] In ca. 1998–2002, the Muni Water facility was reduced in size to accommodate a new driving range immediately to the south. Consequently, the footprints of Buildings A and C were also reduced at that time.

Building permit records available through the City's online portal are summarized in chronological order in **Table 2**.

TABLE 2
DOCUMENTED CONSTRUCTION ACTIVITIES FOR 3025 TUERS ROAD

ID #	Description of Work	Date
48287 (see file # 1965-048287-BD	Construct a one-story public works maintenance building. [This building is no longer existing.] Owner: City of San José Contractor: Siegfried Construction Co. Valuation: $12,000	October 24, 1965; final inspection date February 14, 1966

2 NETR, Historic Aerial Viewer, https://historicaerials.com/viewer, accessed April 2022.

3 UCSB, Aerial Frame Finder, https://mil.library.ucsb.edu/ap_indexes/FrameFinder/, accessed April 2022.

4 City of San Jose, "Annexation Areas," https://gisdata-csj.opendata.arcgis.com/datasets/annexation-areas/explore?location=37.296250%2C-121.821150%2C9.80, accessed April 6, 2022.

5 Archives & Architecture, *County of Santa Clara Historic Context Statement*, prepared for the County of Santa Clara Department of Planning and Development, 2004 (revised 2012), p. 47.

6 City of San Jose, https://sjpermits.org/permits/online-permits.html, accessed April 6, 2022.

7 Despite the original building permit listing the address "3025 Tuers Road," Tuers Road was not included in the reverse city directories until 1976, and this specific address was first listed in 1977.

8 City of San Jose, https://sjpermits.org/permits/online-permits.html, accessed April 6, 2022.

9 Ibid.

10 Basin Research Associates, *Cultural Resources Assessment of a Proposed Building on Tuers Road at Loupe Avenue, City of San Jose, Santa Clara County, California,* prepared for the City of San Jose, Department of Public Works, December 1987.

11 City of San Jose, "Memorandum Re: Los Lagos Golf Course Update," sent to the Neighborhood Services and Education Committee, November 28, 2017, p. 3, http://sanjose.granicus.com/MetaViewer.php?meta_id=700922, accessed April 6, 2022.

TABLE 2
DOCUMENTED CONSTRUCTION ACTIVITIES FOR 3025 TUERS ROAD

ID #	Description of Work	Date
95591 (see file # 1976-095591-BD)	Construct a one-story, metal-frame addition to the existing 30' x 50' maintenance building at the Loupe-Tuers Maintenance Facility for the San José Municipal water system. [This building is no longer existing.] Owner: City of San José Architect: Architectural Engineering Division, Department of Public Works Valuation: $50,000	August 23, 1976
859758 and 859761 (see file # 1996-994664-CP)	Construct a 320-square-foot dining area addition to the [existing] administration building. Demolish walls and doors and replace with new glass. (This work is based on plan check comments and not a building permit.)	August 5, 1996
194549 (see file # 2000-194549-CP)	Demolish/remove existing walls and doors and replace with new walls, doors, and ceiling for a new 5,440-square-foot layout of [existing] Building B. Architect: Larry Lagier, AIA (This work is based on plan check comments dated 1998–2001 and not a building permit.)	November 5, 1998
1433035 (see file # 2010-025639-000-00-PP)	Office remodel in [existing] administration building consisting of approximately 1,000 square feet of interior wall demolition, installation of new carpet, paint, electrical voice/data cable, minor interior post and beams to support the existing walls. (This work is based on environmental review exemption paperwork and not a building permit.)	October 1, 2010
1464038 (see file # 2011-023988-000-00-PP)	Solar power purchase agreement for the installation, ownership, and maintenance of solar photovoltaic system on existing roof or in existing parking lot for up to a 20-year term at the City of San José Municipal Water Office. (24.2 acres) (This work is based on environmental review exemption paperwork and not a building permit.)	July 20, 2011
1704627 and 1721769 (see file # 2017-006274-000-00-PP)	Replace existing chain link fence and gates with a new wrought iron fence and gates. (This work is based on environmental review exemption paperwork and not a building permit.)	February 13, 2017
1785658 (see file # 2018-138673-000-00-SECI)	Install new 50 kW standby generator with housing pad and 500-gallon diesel tank	October 12, 2018
1853500 (see file # 2020-105392-000-00-HZ)	Remove 50-gallon, aboveground, steel diesel tank	January 17, 2020

SOURCE: City of San José, https://sjpermits.org/permits/online-permits.html, 2022.

Historic Context

Historic Land Ownership

The following excerpt is from the *Historic Overview of the Coyote Creek Golf Course Project* prepared by Archives & Architecture in 1998.[12]

> The [project site and surrounding] area on the east bank of Coyote Creek was part of the 23,000-acre Rancho Yerba Buena y Socayre that was occupied by Antonio Chaboya (Chabolla), perhaps as early as 1821…These lands we e part of the lands atta ed to the Pueblo of San José, for which Chaboya applied to the *alcade* (mayor) in 1833 for permission to pasture his cattle. The use of these lands was granted by the

[12] Archives & Architecture, *Historic Overview of the Coyote Creek Golf Course Project, City of San Jose, County of Santa Clara*, prepared for Holman & Associates, June 1998. This report is one component of Study No. 20634 listed in Table 1.

alcade, in the nature of a loan or grazing rights. A few months later, in a petition to Governor Figueroa, Chaboya stated that he had commenced the construction of an adobe house and two pole houses (*palizades*) and planned to start cultivation and the planting of a vineyard for the support of his family. Although the rancho was not formally granted to Chaboya until 1840, his family occupied the house he built and he pastured his stock and cultivated the land for many years…The rancho boundaries extended from Coyote Creek to the Evergreen hills, and from the present Tully Road south to Metcalf Road. Research by Hendry and Bowman (1940) indicated that the earliest rancho structures, constructed about 1833, were located near the intersection of Quimby and White [roads]. By 1835, Chaboya had about 3,000 head of cattle and 100 mares and broken horses, which in subsequent years grew to untold numbers…About 1845, Chaboya moved from the rancho headquarters to the northeastern boundaries of the rancho off Quimby Road…[13]

Upon confirmation of the Rancho Yerba Buena to Antonio Chaboya…a large part of the rancho was deeded to Chaboya's lawyers. When Antonio's died in 1865, his property was apportioned among his ten surviving children. Since that time, numerous persons have owned the property within the study area. The following is an overview of the more significant owners and their use of the land [in the project site]…[14]

Patrick Reardon, a native of Ireland, owned the 231-acre parcel [that included the project site] south of [neighboring landowner] John Tully. His parcel also straddled McLaughlin Road. He was married to Mary E. Reardon who was the mother of their ten children…Mrs. Reardon was the owner of the 68 acres between McLaughlin Road and Coyote Creek by 1886. By 1887, Thomas C. Derby and his wife Emily had purchased the 77.47 acres west of McLaughlin Road from Mrs. Reardon. The Derbys lived in the former Reardon home off McLaughlin Road until Mr. Derby died in 1932...Charles C. Derby inherited the property from his father, and he lived and worked the orchard with his wife Mary C. until his death in 1942...By the 1940s, the 19.04 acres of pasture land below the bank at the southwest corner of the property was owned by H. L. and Greta M. Bondurant (half) and Myrtle A. Dean (half). In the 1950s, James and Alice Pusateri, acquired 77 acres, which included all of the old Derby parcel and the 19 acres owned by the Bondurants and Myrtle Dean. James and his brother Frank Pusateri were the owners of Alma Nut Shelling Company. There is no evidence that they ever lived on property. The orchard on the property may have been walnuts. By 1953, three structures (probably farm buildings) were located on the 19-acre parcel.[15]

San José Municipal Water System

The following excerpt is from the City of San José website:

> The San José Municipal Water System is owned and operated by the City of San José. In May 1961, the City of San José purchased the Evergreen Water Company and created the San José Municipal Water System [also known as Muni Water]. In 1966, the North San José and Alviso service areas were added to [Muni Water]. In 1983 and 1986, the Council established the Edenvale and Coyote [Valley] service areas, respectively.

[13] Ibid., p. 2.
[14] Ibid., p. 5.
[15] Ibid., pp. 5, 7.

> The purchase of the Evergreen system was made with loans from the City's General Fund. These loans were repaid with interest by 1970, and [Muni Water] has been completely self-supporting ever since.
>
> [In 2022, Muni Water] supplies water to more than 100,000 people and is the fourth-largest water retailer in Santa Clara County. [Muni Water] has some of the lowest water rates in the San Francisco Bay Area, and provides a safe and reliable water supply to customers.[16]

Muni Water is one of three water retailers serving residents of San Jose (**Figure 14**). Muni Water (established in 1961) serves approximately 26,000 customers (about 12 percent of the total population) in the areas of North San Jose, Alviso, Evergreen, Edenvale, and Coyote Valley. The other two retailers are the San Jose Water Company (established in 1866)[17] and Great Oaks Water Company (established in 1959), which provide water to approximately 80 percent and 8 percent of the city's population, respectively.[18]

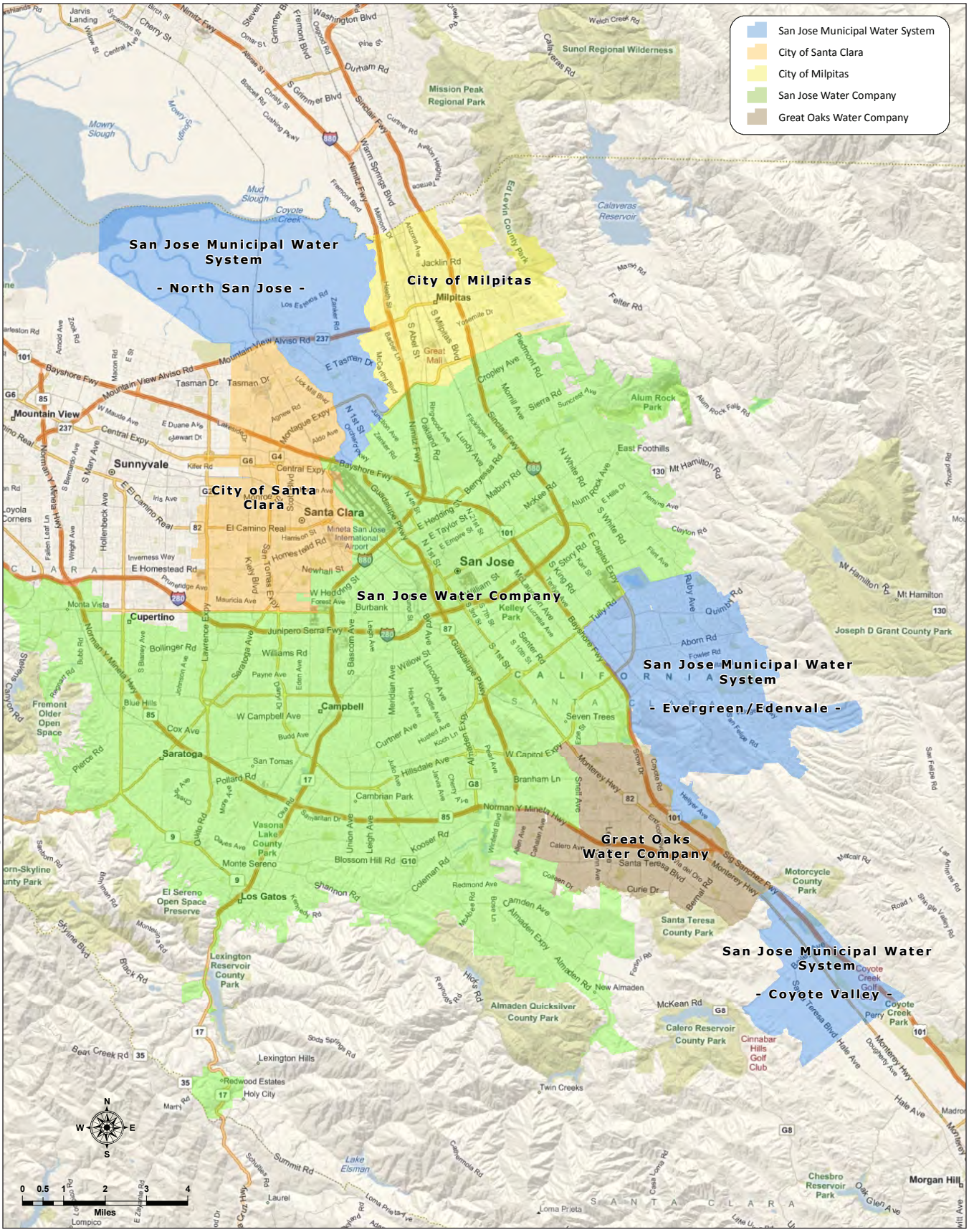
In the North San Jose and Alviso service areas, water is supplied by the San Francisco Regional Water System. In the Evergreen, Edenvale, and Coyote Valley service areas in South San Jose, the majority of the water supply is purchased from the Santa Clara Valley Water District, and it is supplemented by local groundwater.[19]

[16] City of San José, "History of the Water System," https://www.sanjoseca.gov/your-government/environment/water-utilities/drinking-water/about-san-jose-municipal-water-system, accessed April 6, 2022.

[17] For information about the early development of municipal water supplies in the South Bay Area in the 19th and early 20th centuries, see the National Register of Historic Places Registration Form for the San Jose Water Works Building (San Jose Water Company Building), 374 W. Santa Clara Street, San Jose, prepared by Woodruff C. Minor, 1989.

[18] Eli Wolfe, "Thousands of San Jose Residents Behind on Water Bills," *San Jose Spotlight,* November 1, 2021, https://sanjosespotlight.com/thousands-of-san-jose-residents-behind-on-water-bills/, accessed April 20, 2022.

[19] Bay Area Water Supply and Conservancy Agency (BAWSCA), "San Jose – North, City of," https://bawsca.org/members/profiles/san-jose-north, accessed April 20, 2022.



SOURCE: Water Retailers, 2011

San José Municipal Water New Offices

Figure 14
Water Retailer Service Area Map

Significance Evaluation

California Register of Historical Resources

The following section provides the evaluation of individual historic significance for the project site based on the pedestrian survey and research provided above, following California Register of Historical Resources (California Register) Criteria 1 through 4.

Criterion 1: A property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States

The Muni Water facility does not appear to be associated with events that have made a significant contribution to the broad patterns of history or cultural heritage. The facility does not reflect the agricultural history of the Santa Clara Valley, nor is it closely associated with residential, industrial, or technological development during the 20th century. For these reasons, the facility appears to be ineligible for listing under Criterion 1.

Criterion 2: A property is associated with the lives of persons important to local, California, or national history

Preliminary research did not identify the names of individuals associated with the Muni Water facility who were/are important to local, California, or national history. For this reason, the facility appears to be ineligible for listing under Criterion 2.

Criterion 3: A property 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

Preliminary research does not suggest that any design professionals (i.e., architects or engineers) associated with the existing buildings or structures within the project site qualify as masters.[20] Most of the age-eligible buildings are prefabricated and altered, and only one architect—Larry Lagier—is identified by name in Table 2 as the designer of alterations to Building B. It is likely that most of the design for the facility was completed in-house by City staff (as is common practice for many public utility facilities), but this was not confirmed by the City records consulted. The various age-eligible components of the Muni Water facility were constructed over a period of approximately 20 years, and none embody the distinctive characteristics of a type, period, region, or method of construction. Neither the individual buildings and structures nor the overall facility possess high artistic value because preliminary research does not indicate that they express an aesthetic ideal or design concept more fully than other, similar public utility facilities. For these reasons, the facility appears to be ineligible for listing under Criterion 3.

Criterion 4: A property has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation

Because the age-eligible buildings and structures within the project site are examples of a common construction type (i.e., public utility facility) built using readily available materials (i.e., prefabricated metal and wood components, brick) and reflecting a predominantly utilitarian design with no distinctive details, it has little to no potential to yield information important to the prehistory or history of the local area, California, or the nation. Therefore, the facility appears to be ineligible for listing under Criterion 4.

[20] For the purposes of this evaluation, contractors are not considered to be design professionals.

San José Historic Resources Inventory

The following section provides an evaluation of the Muni Water facility according to the eight criteria for local significance that are listed in Chapter 13, Section 48.110 of the San José Code of Ordinances.[21]

Its character, interest, or value as part of the local, regional, state, or national history, heritage, or culture

Preliminary archival research and an architectural assessment indicate that the Muni Water facility lacks character interest, and value that could contribute to history, heritage, or culture. For this reason, the facility appears to be ineligible for local listing under this criterion.

Its location as a site of a significant historic event

This criterion correlates with California Register Criterion 1. Because the Muni Water facility is not the site of a significant historic event, it appears to be ineligible for local listing under this criterion.

Its identification with a person or persons who significantly contributed to the local, regional, state, or national culture and history

This criterion correlates with California Register Criterion 2. Because the Muni Water facility is not associated with a person or persons who significantly contributed to history, it appears to be ineligible for local listing under this criterion.

Its exemplification of the cultural, economic, social, or historic heritage of the City of San José

Preliminary archival research and an architectural assessment indicate that the Muni Water facility does not exemplify the cultural, economic, social, or historic heritage of the City of San José. For this reason, the facility appears to be ineligible for local listing under this criterion.

Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style

Preliminary archival research and an architectural assessment indicate that the Muni Water facility does not portray the environment of a historical group of people characterized by a distinctive architectural style. For this reason, the facility appears to be ineligible for local listing under this criterion.

Its embodiment of distinguishing characteristics of an architectural type or specimen

This criterion correlates with California Register Criterion 3. Because the Muni Water facility does not embody the distinguishing characteristics of an architectural type or specimen, it appears to be ineligible for local listing under this criterion.

Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José

This criterion correlates with California Register Criterion 3. Because the Muni Water facility has not been identified as the work of an influential or master architect, it appears to be ineligible for local listing under this criterion.

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21 City of San Jose, *Code of Ordinances*, "Chapter 13, Section 48.110: Procedure for Designation of a Landmark," https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT13STSIPUPL_CH13.48HIPR_PT2DE_13.48.110PRDELA, accessed April 6, 2022.

Its embodiment of elements of architectural or engineering design, detail, materials, or craftsmanship which represents a significant architectural innovation or which is unique

This criterion correlates with California Register Criterion 3. Because the Muni Water facility does not reflect unique or innovative architectural elements, it appears to be ineligible for local listing under this criterion.

Summary of Significance Evaluation

In summary, the Muni Water facility does not appear to be eligible for listing in the California Register under any criteria. As such, an assessment of integrity is not required. Additionally, it does not appear to be eligible for local listing as a City of San José Landmark. The facility is therefore not considered to be a historical resource for the purposes of CEQA.

Archaeological Sensitivity Assessment

No historic-era or pre-contact cultural materials associated with past use or occupation were identified in the project site during the current survey effort. The project site is entirely paved and/or built upon with very little ground exposure. The edge of the pavement showed a small amount of soil, which was light brown silty sand.

The underlying geology of the project site consists of Quaternary alluvial gravel, sand, and silt that represents younger alluvial fan deposits.[22] Soils in the project site are Urban land-Still complex soils. Urban land complex soils are disturbed human transported material usually found in dense urban areas where the soils have been greatly disturbed modern development. Urban land-Still complex soils consist mainly of fine loam.[23] The project site has been highly disturbed by existing construction and utilities (**Figure 15**).

ENGEO conducted two borings up to a depth of 31.5 and 51.5 feet as part of a geotechnical exploration.[24] The borings were located in the north and central sections of the project site. ENGEO found that the thickness of modern fill throughout the project site extended between 2.5 and 5 feet below the existing pavement. The modern fill identified in the geotechnical study is likely the same as the Urban land complex soils identified in the soil map. This is consistent with the findings of a previous cultural resources investigation to the south of the project site that identified disturbed soil up to 5 feet below the surface.[25] Below the fill, ENGEO encountered medium stiff to stiff lean clay with varying amounts of sand, silt, and gravel. Soft to medium still lean clay was encountered below 10 feet to approximately 26 feet below ground surface. Below 26 feet the borings encountered poorly graded sand and silty sand.

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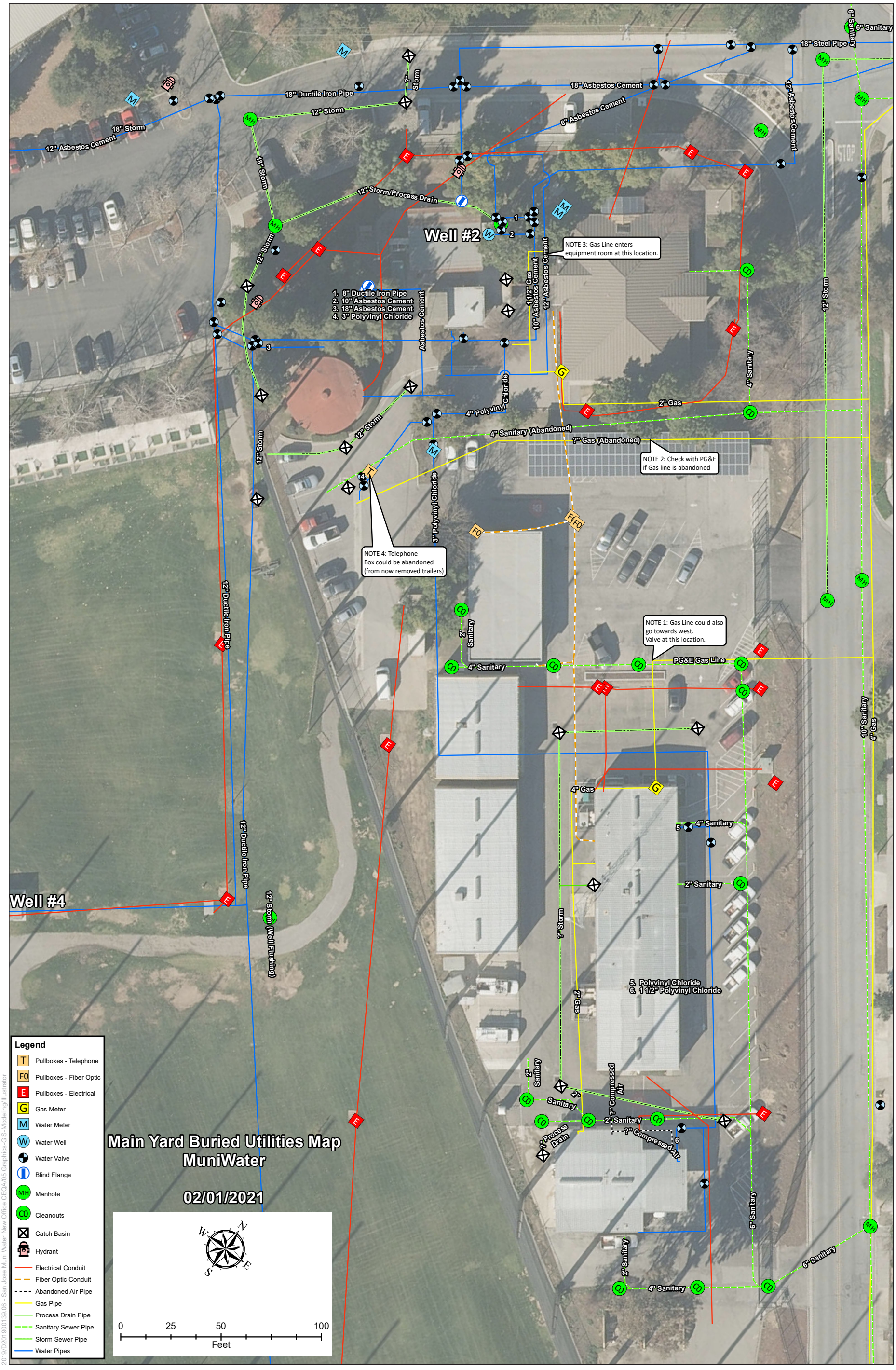
22 Dibblee, T.W. and J.A. Minch, *Geologic map of the San José East quadrangle, Santa Clara County, California.* Dibblee Geological Foundation. Available online at https://ngmdb.usgs.gov/Prodesc/proddesc_83442.htm, 2005.

23 USDA (U.S. Department of Agriculture), *Natural Resources Conservation Service Web Soil Survey, Version 3.1*, http://websoilsurvey.sc.egov.usda.gov/app/WebSoilSurvey.aspx, April 13, 2022.

24 ENGEO Inc., *Municipal Water Office Redevelopment, San José, California, Geotechnical Exploration*, Prepared by ENGEO Inc., Prepared for ESA, March 2022.

25 Holman and Associates, *Results of Phase I and Phase II Archaeological and Historical Investigations with Recommendations for Cultural Resource Management Coyote Creek Golf Course Project, City of San José, Santa Clara County, California.* Prepared for Denise Duffy and Associates. On file NWIC (S-20634). July 1998.



SOURCE: City of San José

San José Municipal Water New Offices

Figure 15
Existing Utilities at the Project Site

ESA

As previously mentioned, the project site is situated on a Quaternary-aged landform consisting of alluvial deposits that underlie deep silty clay loams dating to Holocene to the modern era.[26] Based on the age of the soils and underling geology in the project site, the potential for buried pre-contact archaeological deposits in undisturbed portions of the project site is moderate.[27] Archaeological sites in this geologic context could be near the surface or buried beneath the more modern soils. The project site is near to Coyote Creek, which does increase the sensitivity of the area for pre-contact archaeological resources. However, the record search did not identify any archaeological resources, pre-contact or historic-era, within a 0.5-mile radius of the project site and previous subsurface testing in the immediate vicinity did not identify any cultural resources. Therefore, the records search results suggest that the project site has a lessened sensitivity for pre-contact archaeological resources. The overlying Urban land complex soils also suggest that the project site is covered by highly disturbed soils that are deep (at least 5 feet) that have a low potential for pre-contact archaeological resources. Therefore, the landform, results of previous investigations, and proximity to known resources, suggest that the project site has a low potential for the presence of pre-contact archaeological resources in undisturbed areas.

There is no evidence of historic-era settlement within the project site. A historic aerial and map imagery review indicate that prior to the existing buildings and structures in the project site, the project site was undeveloped agricultural land.[28] Therefore, there is a low potential for historic-era archaeological resources or features.

Therefore, this analysis concludes that the project site's sensitivity for pre-contact archaeological resources is low and the potential for historic-era archaeological resources is low.

Recommendations

Based on the results of the records search, historic map and aerial photograph research, and archaeological sensitivity assessment, no cultural resources have been previously identified within the project site and there is a low potential to uncover archaeological resources during ground-disturbing activities.

While unlikely, there is the potential for the discovery of buried archaeological resources during ground-disturbing activities. ESA recommends the following mitigation measure to establish appropriate protocol during project implementation:

> **Mitigation Measure CUL-1: Cultural Resources Awareness Training.** Prior to issuance of any grading or building permits, a Secretary of the Interior (SOIS)-qualified archaeologist shall conduct a training program for all construction and field personnel involved in ground disturbance. A Native American representative registered with the Native American Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area, as described in Public Resources Code Section 21080.3 will be invited to participate. On-site personnel shall attend a mandatory pre-project training that shall outline the general archaeological sensitivity of the area and the procedures to follow in the event an archaeological resource and/or human remains are inadvertently discovered. A training program shall be established for new project personnel before they begin project work. The project applicant shall submit a copy of the training documents to the Director of Planning Building and

26 Dibblee and Minch, 2005; USDA, 2022

27 Meyer, Jack, and Jeffrey Rosenthal. *Geoarchaeological Overview of the Nine Bay Area Counties in Caltrans District 4*. Prepared by Far Western Anthropological Research Group, Inc., Davis, CA, Prepared for Caltrans District 4, Oakland, 2007.

28 Nationwide Environmental Title Research (NETR), Historic Aerials Viewer, https://historicaerials.com/viewer, accessed April 2022.

Code Enforcement (PBCE) or the Director's designee for review and approval prior to the issuance of any grading or building permits. Documentation confirming the training sessions conducted shall be submitted to the Director of PBCE or Director's designee prior start of construction activities.

In addition, the City of San José has established Standard Conditions for Approval (SCAs) in the event of accidental discovery of cultural materials:

SCA CUL-1: Subsurface Cultural Resources. If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of PBCE or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist in consultation with a Native American representative registered with the Native American Heritage Commissions for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3 shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to Director of PBCE or the Director's designee and the City's Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.

SCA CUL-2: Human Remains. If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. If human remains are discovered during construction, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Director of PBCE or the Director's designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts. If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

a. The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.

b. The MLD identified fails to make a recommendation; or

c. The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.

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