

3.4 Cultural and Historic Resources

Environmental Setting

PHYSICAL SETTING

The City of Daly City is located in the northwest corner of San Mateo County. It shares a border with the City and County of San Francisco to the north, Pacifica to the south, and South San Francisco, Colma, and Brisbane to the east. To the west of the city lies the Pacific Ocean. The city is urbanized with a variety of residential, commercial, and institutional land uses and has varying topography ranging from relatively flat in the northwest to steep hills in the south, northeast, and along the coast. A number of open space areas are also located in the city, with the majority located along the coast.

Prehistoric Context

The first survey of archeological sites in the San Francisco Bay region was led by N.C. Nelson for the University of California at Berkeley between 1906 and 1908, documenting 425 shell mounds throughout the region. These shell mounds typified Bay Area archeology and reflected its economic unity, which relied greatly on marine resources. Cultural materials discovered at the University Village Complex (SMA-277) in San Mateo County indicate that the San Francisco Peninsula Region was inhabited between circa 3,500 and 2,500 B.C. Excavation and analysis of that site showed that the complex is earlier than “middle Horizon,” yet unlike “Early Horizon” deposits, which led excavators to believe that a pre-Costanoan or Early Bay culture once existed.¹

Native American Period

The Ohlone Indian Tribe inhabited a large area along the California Coast, running from the San Francisco Bay Area to Monterey Bay. The tribelet which inhabited the Daly City area lived primarily in two main inland villages located on the Colma and San Bruno Creeks and a seasonal village along the coast at Mussel Rock. The Ohlones were a small and very mobile tribe of hunters and gatherers that travelled to find food and other items that were available only in certain areas on the Peninsula. The Ohlone hunted deer, rabbits, fish, wild geese, and ducks in addition to gathering food such as nuts, roots, berries, and shellfish such as mussels and clams. Most of the fishing was done on the inland bay areas, while the coast provided sea otters and seals. Items which could not be found locally were usually obtained through trading with neighboring villages.

¹ Carolyn Rice, Archeological Survey Report for BART-San Francisco Airport Extension Project, June 1994, Revised December 1994.

Spanish Period

The first Europeans to reach the San Francisco area were Spanish explorers. An expedition led by Juan Bautista de Anza in 1776 resulted in the establishment of Mission San Francisco de Asis (Mission Dolores). The El Camino Real (now Mission Street, which runs through the city) became a heavily traveled route between Mission Dolores and other missions to the south and led to the establishment of inns and roadhouses to serve travelers along the way.²

Mexican Period

During the Mexican rule of California (1822 through 1848), large tracts of land were issued to private individuals, usually cattle ranchers and hide and tallow traders. The city was part of three separate land grants including the “Rancho Buri Buri,” one of the largest grants on the peninsula.

Early American Period

In the early 1850's a few settlers claimed lands on the old Mexican grants. By 1868 a dairy farmer named John Daly had purchased approximately 250 acres near what is today the Top of the Hill. As owner of the San Mateo Dairy, Daly became a prominent businessman and leader among the burgeoning population of the area.

The 1906 earthquake and fire in San Francisco caused population to surge in the areas in and around Daly's ranch as he opened his farmlands for emergency use by refugees who fled the devastation. A small community and railway station blossomed in the vicinity of the ranch and Daly subdivided his property in 1907, establishing the city's first residential subdivisions in the area known today as the Crocker neighborhood. In 1911 Daly City incorporated, named in honor of John Daly.

In the decades that followed, population gradually increased, but significant growth did not occur until after World War II, when a San Francisco builder, Henry Doelger, purchased 600 acres of sand dunes and cabbage patches that occupied much of the land between the city's original westerly edge and the ocean. Doelger's land was annexed to Daly City in 1948 and developed by him into the Westlake community. In the decade that followed, Doelger doubled his land purchases and continued building west and south, as he and other builders constructed thousands of homes and new satellite shopping centers in the St. Francis Height and Serramonte subdivisions. The 1963 annexation of the Bayshore neighborhood expanded the city's boundaries to the east.

Recorded Resources in Daly City

Archeological Resources

According to the Northwest Information Center (NWIC) of the California Historic Resources Information System at Sonoma State University in Rohnert Park, 58 cultural resource studies have been conducted in and around the city. These studies consist of a mixture of architectural and archaeological studies and generally are concentrated around the Highway 280 corridor, the coastal margin, and around the periphery of San Bruno Mountain.

² Northwest Information Center, California Historical Resources Information System Record Search, File No.: 11-1115, May 1, 2012

The Mussel Rock archaeological site, P-41-000075 or San Mateo County Site 72 (CA-SMA-72), is a site in Daly City from which artifacts of the Ohlone tribe have been uncovered. During the excavation and grading of the area in 1977 for the construction of a waste transfer station, archaeologists uncovered the largest number of Ohlone artifacts of any of the registered sites in San Mateo County. Artifacts uncovered at the site included human remains, cooking and food preparation tools, hunting and fishing items, shell jewelry, and mammal remains. Archaeologists have determined that the artifacts date back to approximately 1500 A.D.

A records search conducted by the NWIC indicates the presence of six other recorded archaeological resources within the city including an unknown Native American site (P-41-000052 or CA-SMA-48), a Native American habitation site (P-41-000053 or CA-SMA-49), a Native American habitation site with known burials (P-41-000496 or CA-SMA-356), remains of an historic-era water conveyance system (P-41-002219 or CA-SMA-385H), an early 20th century artifact deposit (P-41-002278), and a site with both Native American and historic-era cultural material (P-41-002281).³

According to the NWIC, Native American resources in the northern part of San Mateo County have been found in close proximity to sources of water (including perennial and intermittent streams and springs), near the bay margin and its associated wetlands, along the coastal terraces and sheltered valleys, and near ecotones and other productive environments. The coast contains many of these environments, spanning almost the entire width of the San Francisco Peninsula from coast to bay and containing the upper reaches of the Colma Creek drainage and the headwaters of Lake Merced. Additionally, the city contains a variety of landforms that range from pre-Quaternary deposits and bedrock, to Pleistocene and Holocene-age alluvial fans deposits, and from dune and beach sand to artificial fill. While locations that are characterized as bedrock or Pleistocene-age deposits may have only the potential to contain archaeological materials on or near the surface, those from later periods contain the increased potential for containing buried archaeological deposits that are capped in sterile material or fill. Overall, the correlation of these environmental factors coupled with the generalized ethnographic sensitivity of the region suggest that there is a high potential for the presence of unrecorded Native American resources (including buried deposits with no surface indications) within parts of the city.⁴

Historic Resources

There are no sites in the city listed on the National Register of Historic Places. A records search conducted by the NWIC indicates the presence of two structures that are eligible for the National Register including the Cow Palace and the Crocker Masonic Lodge (see Table 3.4-1). The NWIC records search also indicates the presence of numerous structures with potential historic value at the local level. These include: 46 properties with a rating of 6Y, including Seton Medical Center, Westmoor High School, and Westlake Community Baptist Church; one property with a rating of 7N, the Broderick and Terry Duel Site; and two properties with a rating of 7R, including a residence and

³ Ibid.

⁴ Ibid.

Bridge #35-77 on State Route 35.⁵ Additionally, NWIC base maps indicate the presence of one other recorded building, the Holy Child and Saint Martin Episcopal Church (P-41-002195).

Other properties throughout the city might be determined eligible for listing as historic resources upon further review and analysis. For example, the City of Daly City contains numerous buildings and structures that are at least 45 years old (constructed before 1967), and as such, may qualify as historic resources if other criteria apply and if they retain sufficient physical integrity to convey their historic associations (see discussion below under regulatory framework for a definition of the significance criteria). These buildings have not yet been comprehensively surveyed either individually or as a group.

TABLE 3.4-1: HISTORIC RESOURCES IN DALY CITY LISTED IN CALIFORNIA REGISTER

<i>Property Number</i>	<i>Primary Number</i>	<i>Resource</i>	<i>APN</i>	<i>Location</i>	<i>State Rating</i>
128602	P-41-002059	Cow Palace	005-050-270	2500 Geneva Avenue	2S2
159545	n/a	Crocker Masonic Lodge	003-072-150	17 Hillcrest Drive	2S2

2S2 = determined eligible for the National Register by consensus through Section 106 process, and listed in the California Register.

Source: Northwest Information Center, 2012; San Mateo County Assessor's Office, 2012

The following is a description of each resource listed in the table, as well as the current status of the resource:

- **Cow Palace.** This property is owned by the State of California and consists of a State-operated indoor arena on an approximately 70-acre site (partially located within the City of San Francisco). It was completed in 1941 as part of the federal Government's Workers Progress Administration (WPA), which employed millions of Americans during the Great Depression. The Cow Palace originally served as a livestock exhibition center, but has served many other purposes as well. During World War II, it was rented by the Federal Government to house soldiers on their way to the Pacific Theater. Today, it is best known as a music and performance venue.⁶
- **Crocker Masonic Lodge.** The Crocker Masonic Lodge was built around 1936. It is currently used by the Freemason organization as Crocker Lodge No. 212. Located on the front façade of the building is a plaque marking the location of the San Mateo Dairy, which was owned by the city's namesake, John Daly, who subdivided the land in 1907 and built the first large-scale housing development in Daly City.

⁵ 6Y = determined ineligible for the National Register by consensus through Section 106 process, but have not been evaluated for the California Register or Local Listing; 7N = needs to be reevaluated; 7R = identified in a Reconnaissance Level Survey, but not evaluated.

⁶ Cow Palace Website, available at www.cowpalace.com, accessed May 2012.

Paleontological Resources

Fossil remains are considered to be important as they provide indicators of the earth's chronology and history. The University of California Museum of Paleontology (UCMP) specimens list contains more than 300 localities where fossils have been found in San Mateo County. At least one locality is located in the City of Daly City at Mussel Rock, although the UCMP does not provide the precise coordinates for the fossils in order to protect paleontological resources.⁷ The locality contains records for two fossilized plant species, *Pseudotsuga taxifolia* and *Pinus masonii*.

REGULATORY SETTING

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act (NHPA) is the most prominent federal law dealing with historic preservation. The NHPA established guidelines to “preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice.” The NHPA includes regulations specifically for federal land-holding agencies, but also includes regulations (Section 106) which pertain to all projects that are funded, permitted, or approved by any federal agency and which have the potential to affect cultural resources. All projects that are subject to the National Environmental Policy Act (NEPA) are also subject to compliance with Section 106 of the NHPA. At the federal level, the Office of Historic Preservation (OHP) carries out reviews under Section 106 of the NHPA.

National Register of Historic Places

NHPA authorizes the Secretary of the Interior to establish a National Register of Historic Places (National Register), an inventory of districts, sites, buildings, structures, and objects significant on a national, State, or local level in American history, architecture, archeology, engineering, and culture. The National Register is maintained by the National Park Service, the Advisory Council on Historic Preservation, State Historic Preservation Office, and grants-in-aid programs.

To be potentially eligible for listing on the National Register of Historic Places (NRHP), a building must usually be over 50 years old and must have historic significance and must retain its physical integrity. More detailed eligibility criteria are described in the Code of Federal Regulations, Title 36, Part 60. Historical resources achieving significance within less than 50 years may be considered for listing if they are of “exceptional importance,” or if they are integral parts of districts that are eligible for listing in the National Register.

Procedures for the Protection of Historic Properties (33 CFR 325, Appendix C)

Code of Federal Regulations, Section 33, Part 325, establishes the procedures to be followed by the U.S. Army Corps of Engineers to fulfill the requirements set forth in the National Historic Preservation Act (NHPA), other applicable historic preservation laws, and Presidential directives as they relate to the regulatory program of the Corps of Engineers.

⁷ University of California Museum of Paleontology, UCMP Specimen Database, available at <http://ucmpdb.berkeley.edu>, accessed May 21, 2012.

State Regulations and Authorities

Office of Historic Preservation

California Public Resources Code 5024 requires consultation with the State Historic Preservation Officer (SHPO) when a project may impact historical resources located on State-owned land.

California Register of Historic Resources

The SHPO also maintains the California Register of Historic Resources (California Register). Historic properties listed, or formally designated for eligibility to be listed, on the National Register are automatically listed on the California Register (Public Resources Code, Section 5024.1). State Landmarks and Points of Interest are also automatically listed. The California Register can also include properties designated under local preservation ordinances or identified through local historic resource surveys.

For a historic resource to be eligible for listing on the California Register, it must be significant at the local, state, or national level under one or more of the following four criteria:

- It 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;
- It is associated with the lives of persons important to local, California, or national history;
- It 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; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (California Public Resources Code, Section 5024.1).

Additional criteria are listed in California Code of Regulations, Title 14, Chapter 11.5. A building must usually be over 45 years old, must have historic significance, and must retain its physical integrity. Historical resources achieving significance within less than 45 years may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.

California Environmental Quality Act (CEQA)

21083.2: Archaeological Resources

CEQA directs the lead agency on any project undertaken, assisted, or permitted by the State to include the following in its environmental impact report for the project: determines the project's effect on unique archeological resources; defines unique archeological resources; enables a lead agency to require an applicant to make reasonable effort to preserve or mitigate impacts to any affected unique archeological resource; sets requirements for the applicant to provide payment to cover costs of mitigation; and restricts excavation as a mitigation measure.

21084.1: Historic Resources

CEQA defines historic resources and establishes that an adverse effect on a historical resource qualifies as a significant effect on the environment.

CEQA Guidelines

Historic Resources

Section 15064.5 of CEQA guidelines define three ways that a property can qualify as a significant historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR);
- If the resource is included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code, or is identified as significant in a historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code unless a preponderance of evidence demonstrates that it is not historically or culturally significant; or,
- If the lead agency determines the resource to be significant as supported by substantial evidence (California Code of Regulations, Title 14, Division 6, Chapter 3, section 15064.5).

In addition to determining the significance and eligibility of any identified historical resource under CEQA and the California Register, historic properties must be evaluated under the criteria for the National Register should federal funding or permitting become involved in any undertaking subject to this document.

Archeological Resources

CEQA Guidelines Section 15126.4 states that “public agencies should, whenever feasible, seek to avoid damaging effects on any historical resources of an archeological nature.” The Guidelines further state that preservation-in-place is the preferred approach to mitigate impacts on archaeological resources. However, according to Section 15126.4, if data recovery through excavation is “the only feasible mitigation,” then a “data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resources, shall be prepared and adopted prior to any excavation being undertaken.” Data recovery is *not* required for a resource of an archaeological nature if “the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource.” The section further states that its provisions apply to those archaeological resources that also qualify as historic resources.

Paleontological Resources

Paleontological resources are afforded protection by CEQA. Appendix G (Part V) of the CEQA Guidelines provides guidance relative to significant impacts on paleontological resources, stating that a project will normally result in a significant impact on the environment if it will “...disrupt or adversely affect a paleontological resource or site or unique geologic feature, except as part of a scientific study.” Section 5097.5 of the Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, the California Penal Code Section 622.5 sets the penalties for the damage or removal of paleontological resources.

Native American Heritage Act

Also relevant to the evaluation and mitigation of impacts to cultural resources, the Native American Heritage Act (NAHA) of 1976 established the Native American Heritage Commission (NAHC) and

protects Native American religious values on state property (see California Public Resources Code 5097.9). PRC 5097.98 defines the steps that need to be taken if human remains are identified on a site, including the notification of descendants and the disposition of remains and grave goods.

Disposition of Human Remains

Health and Safety Code Section 7050.5 states that when an initial study identifies the existence, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. Furthermore, Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

Native American Graves Protection and Repatriation Act

Health and Safety Code Section 8010-8011 establishes a state repatriation policy intent that is consistent with and facilitates implementation of the federal Native American Graves Protection and Repatriation Act. The Act strives to ensure that all California Indian human remains and cultural items are treated with dignity and respect. It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also states the intent for the state to provide mechanisms for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims and getting responses to those claims.

Tribal Consultation Guidelines

Passed in 2004, Senate Bill (SB) 18 now Government Code Section 65351 and 65352 establishes a procedure to help tribes and jurisdictions define tribal cultural resources and sacred areas more clearly and incorporate protection of these places earlier into the General Plan and Specific Plan processes. The SB 18 process mirrors the federal 106 Review process used by archaeologists as part of the environmental review conducted under NEPA (36 CFR Part 800.16) While not a component of CEQA review per se, the Lead Agency is required to request consultation with responsible and trustee agencies, such as NAHC and neighboring tribes, during the initial study and EIR process (PRC 21080.3, 21080.4).

California Historical Resources Information System

The California Historical Resources Information System (CHRIS) is a statewide system for managing information on the full range of historical resources identified in California. CHRIS is a cooperative partnership between the citizens of California, historic preservation professionals, 12 Information Centers, and various agencies. This system bears the following responsibilities: integrate newly recorded sites and information on known resources into the California Historical Resources Inventory; furnish information on known resources and surveys to governments, institutions, and individuals who have a justifiable need to know; and supply a list of consultants who are qualified to do work within their area.

Typically, the initial step in addressing cultural resources in the project review process involves contacting the appropriate Information Center to conduct a record search. A record search should identify any previously recorded historical resources and previous archaeological studies within the project area, as well as provide recommendations for further work, if necessary. Depending on the nature and location of the project, the project proponent or lead agency may be required to contact appropriate Native American representatives to aid in the identification of traditional cultural properties.

If known cultural resources are present within the proposed project area, or if the area has not been previously investigated for the presence of such resources, the Information Center may recommend a survey for historical, archaeological and paleontological sites. Cultural resources that may be adversely affected by an undertaking could warrant further evaluation for test excavations. For historical sites or standing structures, historical research may be necessary and an architectural evaluation may be warranted. Data recovery excavations may be warranted in the case of unavoidable damage to archaeological sites. If human burials are present, contact the appropriate Coroner's office. A professional archaeologist and appropriate Native American representatives should also be consulted (Sections 21083.2 and 21084.1 of the PRC).

When an initial study identifies the existence, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

Impact Analysis

SIGNIFICANCE CRITERIA

Implementation of the proposed General Plan would have a potentially significant impact on cultural and historic resources if it would result in:

- Substantial changes to the significance of a historical resource, defined as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historic resource would be materially impaired (CEQA Guidelines, Section 15064.5);
- Substantial changes to the significance of an archaeological resource;
- Direct or indirect destruction of a unique paleontological resource; or
- Disturbance of any human remains, including those interred outside of formal cemeteries.

METHODOLOGY AND ASSUMPTIONS

The Northwest Information Center (NWIC) of the California Historic Resources Information system at Sonoma State University in Rohnert Park was emailed a records search request on April 9, 2012. The NWIC is an affiliate of the State of California Office of Historic Preservation and is the

official State repository of cultural resources reports and records, for a 16-county area. A response, dated May 1, 2012 was received. (See Appendix D.)

The NAHC was contacted on March 26, 2012, for a contact list of local tribal representatives who may have knowledge of Native cultural resources within the city. A response from the NAHC dated April 26, 2012 was received. The list of local tribal representatives provided by the NAHC was contacted on April 30, 2012 via first class certified mail and/or email. No responses have been received.

SUMMARY OF IMPACTS

According to the NWIC, there is a high potential of identifying unrecorded Native American and historic-period archeological resources in the parts of the city. The NWIC also identified two recorded buildings of historic significance in the city in addition to 47 structures that meet the Office of Historic Preservation's minimum age standard (45 years or older) that have potential historic significance. According to the University of California Museum of Paleontology, fossil remains have been recorded within the city at Mussel Rock.

New development allowed under the proposed General Plan has the potential to disrupt undiscovered archeological resources and unrecorded historic resources during project construction. However, existing national, state and local laws as well as policies contained in the proposed General Plan would reduce these potential impacts on archeological and historic resources to less than significant levels.

IMPACTS AND MITIGATION MEASURES

Impact 3.4-1

Future development under the proposed General Plan does not have the potential to significantly adversely affect historic resources that appear on State historical inventories or may be eligible for inclusion on such lists. (*Less than Significant*)

The NWIC identified two recorded buildings of historic significance in the city, the Cow Palace and the Crocker Masonic Lodge, which are listed in the California Register and are eligible for the National Register. The Crocker Masonic Lodge continues to be in active use by the Freemason organization and is not anticipated to be redeveloped. And while there are redevelopment opportunities around the Cow Palace, there are no plans for structure itself to be redeveloped under the proposed General Plan.

The NWIC identified 47 properties that have potential historic significance. Upon further review and evaluation, and depending on their physical integrity, some older, unrecorded buildings may be eligible for federal, State, and/or local historic designation, either individually or as an historic district. However, in addition to age, buildings, structures and objects will have to possess architecturally significant elements or integrity in order to be eligible for inclusion on the California Register of Historic Places.

Proposed General Plan policies and tasks as described below as well as current federal, State, and local laws will reduce potential impacts on historic resources to less than significant levels.

Proposed General Plan Policies and Tasks that Reduce the Potential Impact

Policy RME-19 Undertake measures to protect and preserve historic and archaeological resources.

Task RME-19.1 Comply with State statutes related to historical and archaeological resources.

Task RME-19.2 Serve as a leader in historic preservation by preserving, restoring, and reusing City-owned historic resources where feasible.

Task RME-19.3 Through the City’s Facade Improvement Program, encourage the preservation of facades and exteriors that exhibit historical architectural characteristics, e.g., those identified by the City’s Mission Street Urban Design Plan.

Task RME-19.4 Continue to support community projects that will add to the knowledge of Daly City’s past, including the continuing work of the History Guild of Daly City/Colma and the Daly City History Museum.

Task RME-19.5 Cooperate with civic organizations in the placement of appropriate monuments or plaques to publicize or memorialize historic sites.

Policy RME-20 Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly (see also Policy LU-7).

Task RME-20.1 Retain elements in the Zoning Ordinance which effectively preserve the architectural character of Daly City’s older neighborhoods (e.g., predominant setback and tandem parking allowances).

Task RME-20.2 Amend the Zoning Ordinance to provide development regulations that more closely reflect the predominant neighborhood character established when the neighborhood was constructed (e.g., provide for three-foot side yard setbacks in Westlake where there is currently no side setback required). Where necessary, establish either separate or overlay zoning districts for such neighborhoods (see also Task LU-7.1).

Task RME-20.3 Update the Residential Design Guidelines to provide bulk, mass, and architectural guidelines for exterior additions and reconstructed homes in neighborhoods which possess unique architectural characteristics.

Task RME-20.4 Incorporate design features in new development that reflects the character of the neighborhood, to ensure that new construction is compatible with existing development.

Mitigation Measures

None required.

Impact 3.4-2

Future development under the proposed General Plan does not have the potential to significantly adversely affect undiscovered archaeological or paleontological resources and human remains. (*Less than Significant*)

The NWIC identifies seven recorded Native American and historic archaeological resources within the city, the most extensive being at Mussel Rock. Plant fossils have also been found in the vicinity of Mussel Rock. This area is located in a city park and zoned as open space, and is therefore not at significant risk for ground disturbance. According to the NWIC, there is a high potential for the presence of unrecorded Native American resources (including buried deposits with no surface indications) within parts of the city. Archaeological, paleontological, and human remains could be inadvertently unearthed during ground-disturbing activities associated with development that include ground-disturbing activities. Archaeological resources can be impacted directly by ground-disturbing activities which can damage or destroy the integrity of the data or disrupt the cultural and religious integrity contained in the resource. Demolition or substantial damage to significant archaeological resources or human burials is a significant impact.

Various State regulations provide guidance on the steps that must be taken if significant archaeological resources are uncovered during ground-disturbing activities associated with construction. Pursuant to CEQA Guidelines 15064.5 (f), if potentially significant cultural resources are discovered, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the City of Daly City and other appropriate agencies and interested parties. If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, Department of Economic and Community Development staff shall be notified and a data recovery plan shall be prepared.

All future development in the city will be in accordance with State laws pertaining to the discovery of human remains. Accordingly, if human remains of Native American origin are discovered during project construction, the developer and/or the Department of Economic and Community Development staff would be required to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Pub. Res. Code Sec. 5097). If any human remains are discovered or recognized in any location on a project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- A. The San Mateo County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- B. If the remains are of Native American origin:
 - 1. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or

2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

These State regulations and General Plan Policy LU-19 will help reduce this impact to a less than significant level.

Proposed General Plan Policies and Tasks that Reduce the Potential Impact

Policy LU-19 Archeological resources should be preserved where possible.

Task LU-19.1 Archeological resources are a valuable educational resource for the residents of the city. Every effort should be made to preserve them in their natural state when found or be excavated by professional archeologists for display in a museum.

Mitigation Measures

None required.

This page intentionally left blank.