

### 3.17 Cultural Resources

This Draft Supplemental EIR/EIS compares the F-B LGA to the complementary portion of the Preferred Alternative that was identified in the *Fresno to Bakersfield Section California High-Speed Train Final Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS)* (California High-Speed Rail Authority [Authority] and Federal Railroad Administration [FRA] 2014a). As discussed in Section 1.1.3 of this Draft Supplemental EIR/EIS, the complementary portion of the Preferred Alternative consists of the portion of the BNSF Railway (BNSF) Alternative from Poplar Avenue to Hageman Road and the Bakersfield Hybrid from Hageman Road to Oswell Street (referenced as the “May 2014 Project” in this Draft Supplemental EIR/EIS). Since the Fresno to Bakersfield Section Final EIR/EIS does not evaluate the May 2014 Project as a discrete subsection of the Fresno to Bakersfield Project (as it did for the Allensworth Bypass), affected environment and impact summary discussion included in this section for the May 2014 Project has been extrapolated from the available information contained within the Fresno to Bakersfield Section Final EIR/EIS.

This section describes the known and potential impacts on cultural resources that would result from implementation of the California High-Speed Rail (HSR) Fresno to Bakersfield Section Locally Generated Alternative (F-B LGA). Cultural resources include prehistoric archaeological sites, historic-era archaeological sites, traditional cultural properties (TCP), and architectural or built environment resources. Archaeological sites may contain artifacts, cultural features, subsistence remains, and/or human burials dating to either the historic period or the prehistoric period. TCPs can be defined generally as resources that are eligible for inclusion in the National Register of Historic Places (NRHP) because of their association with cultural practices or beliefs of a living community. Architectural or built environment resources are defined as buildings, structures, objects, sites, and districts. The purpose of this section is to describe the regulatory setting associated with the management of cultural resources, the affected environment of the F-B LGA, the potential impacts of the F-B LGA on cultural resources, and mitigation measures that would reduce these impacts.

The Fresno to Bakersfield Section Final EIR/EIS is referenced throughout this section, as applicable. The potential effects to cultural resources from the F-B LGA are described here, with further details provided in Section 7 of the *Fresno to Bakersfield Section Bakersfield F Street Station Alignment Alternative Archaeological Survey Report*<sup>1</sup> (F-B LGA ASR) (Authority and FRA 2016a), Section 8 of the *Bakersfield F Street Station Alignment Alternative Historic Architectural Survey Report* (F-B LGA HASR) (Authority and FRA 2016b), Section 4 of the *Fresno to Bakersfield Project Section Basque Traditional Cultural Properties Study* (Authority and FRA 2016d), and Section 1 of the *Fresno to Bakersfield Project Section Bakersfield F Street Station Alignment Alternative Historic Property Survey Report* (F-B LGA HPSR) (Authority and FRA 2016c).

The Fresno to Bakersfield Section Final EIR/EIS included a Mitigation Monitoring and Enforcement Plan (MMEP). The adopted MMEP included a table of mitigation measures and a table of avoidance and minimization measures that were applicable to the alternatives evaluated in the Fresno to Bakersfield Section Final EIR/EIS. The MMEP incorporated measures from the Mitigation Monitoring and Reporting Plan associated with the 2014 CEQA findings; general measures presented in the memorandum of agreement (MOA), Archaeological Treatment Plan (ATP), and built-environment treatment plan (BETP) that were developed through Section 106 consultation; and Impact Avoidance and Minimization Measures (IAMM) established to comply with the NEPA process as part of the completion of the Final Fresno to Bakersfield Section EIR/EIS (Authority and FRA 2014a) and Record of Decision (Authority and FRA 2014). The

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<sup>1</sup> Archaeological site information is confidential. The legal authority to restrict public access to archaeological site information is in Section 304 of the National Historic Preservation Act of 1966, California Government Code Sections 6254(r) and 6254.10, and California Code of Regulations (Cal. Code Regs.) Section 15120(d).

MMEP (as amended) has been included as Appendix 2-G of this Supplemental EIR/EIS, and all of the cultural resources avoidance and minimization measures that are identified are applicable to the F-B LGA, and are discussed in Section 3.17.5. Appendix 2-H describes how the avoidance and minimization measures applicable to the F-B LGA minimize and avoid significant effects.

In addition to the cultural resources studies listed above, the F-B LGA Archaeological Area of Potential Effect (APE) and Built Resources APE overlap with the APEs delineated for previous Fresno to Bakersfield Section alternatives and with the HSR Bakersfield to Palmdale Section APEs. The previous Fresno to Bakersfield Section archaeological surveys covered approximately 19.5 acres (1.1 percent) of the F-B LGA Archaeological APE, from just north of Poplar Avenue southeast to E Ash Avenue through downtown Shafter; and from the intersection of Washington Street/E Truxtun Avenue southeast to Oswell Street in Bakersfield. The previous Fresno to Bakersfield Section built resource surveys covered approximately 20 percent of the F-B LGA Built Resource APE. The previous Section 106 compliance documents for the Fresno to Bakersfield Section, including a Finding of Effects, MOA, and associated treatment plans, addressed cultural resources identified within those areas.

The Fresno to Bakersfield Section Final EIR/EIS addressed paleontological resources in the cultural resources section; however, paleontological resources are addressed in the Geology, Soils, and Seismicity section of this Draft Supplemental EIR/EIS (Section 3.9).

### 3.17.1 Regulatory Setting

Federal, state, and local laws, regulations, orders, or plans relevant to cultural resources affected by the project are presented in Section 3.17.2 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-3 through 3.17-11). All federal laws presented in Section 3.17.2.1 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-3 through 3.17-6) are applicable to the F-B LGA, and include the following:

- National Environmental Policy Act (NEPA)
- National Historic Preservation Act (NHPA) (16 United States Code (U.S.C.) Section 470 et seq.)
- Archaeological and Historic Preservation Act (16 U.S.C. Sections 469 to 469(c)-2)
- American Antiquities Act (16 U.S.C. Sections 431 to 433)
- American Indian Religious Freedom Act (42 U.S.C. Section 1996)
- Section 4(f) of the Department of Transportation Act (49 U.S.C. Section 303)

Additionally, all state laws presented in Section 3.17.2.2 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-6 through 3.17-8) are applicable to the F-B LGA, and include the following:

- California Environmental Quality Act (CEQA), Public Resources Code Section 21083.2 and CEQA Guidelines California Code of Regulations (Cal. Code Regs.), Title 14, Section 15064.5
- California Register of Historical Resources (CRHR) (PRC Section 5024.1 and 14 Cal. Code Regs. Section 4850)
- California Native American Graves Protection and Repatriation Act (California Health & Safety Code Section 8010 et seq.)
- California Public Resources Code Section 5006.10

The HSR project is an undertaking of the Authority and FRA in their capacities as state and federal agencies; as such, it is not required to be consistent with local plans. For context, regional and local policies for the City of Shafter, the City of Bakersfield, and County of Kern are summarized in Section 3.17.2.3 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-8 through 3.17-11).

### **3.17.1.1 Status of the National Historic Preservation Act Section 106 Compliance Process**

The NHPA Section 106 compliance process, and the development and use of a Programmatic Agreement (PA), are described in the Fresno to Bakersfield Final EIR/EIS (Authority and FRA 2014a: pages 3.17-2 and 3.17-3). The PA is included in the the Fresno to Bakersfield Section Final EIR/EIS as Appendix 3.17-A. As stipulated in the PA, if properties are identified within a project section's Built Resource or Archaeological APEs, the development of a Finding of Effects is required to assess any adverse effects the project section may have on the historic properties. If it is determined that the project section will have adverse effects on historic properties, or if phased identification is necessary to determine whether adverse effects would occur, an MOA for each project section is required per the PA. The *Memorandum of Agreement Among the Federal Railroad Administration, California High-Speed Rail Authority, the Surface Transportation Board, the U.S. Army Corps of Engineers, Sacramento District, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Fresno to Bakersfield Section of the California High-Speed Train System in Fresno, Kings, Tulare, and Kern Counties* (FRA et al. 2014) was executed in 2014 and included general avoidance and mitigation measures that will be applied to historic properties impacted by the Fresno to Bakersfield Section, including the F-B LGA. The MOA is included as Appendix A in the Record of Decision for the Fresno to Bakersfield Section and is available on the [Authority's website](#).

Two treatment plans required by the PA and MOA, an ATP and a BETP, were also prepared for the Fresno to Bakersfield Section (Authority and FRA 2014d; Authority and FRA 2014f). The PA and MOA mandate that each treatment plan set forth means to avoid, protect, or develop treatment measures to minimize the undertaking's effects when the Authority, in consultation with the appropriate agencies, the California State Historic Preservation Officer (SHPO), and other MOA signatories, determines that adverse effects cannot be avoided. The ATP and BETP define the process by which these treatment measures will be applied to each known property and outline measures for any phased identification of historic archaeological or architectural properties as additional parcel access is obtained and design work is completed. The ATP and BETP plans provide specific performance standards that ensure that each impact will be avoided, minimized, or mitigated to the extent possible and provide enforceable performance standards to follow the NRHP and the Secretary of the Interior's (USSOI) standards when implementing the mitigation measures. As discussed in Section 3.17.2.2, because four properties (Map Reference #s 00A, 00B, 042, and 075) would be adversely affected by the F-B LGA, a Supplemental Finding of Effect (FOE) report has been prepared for the F-B LGA; the MOA would be amended to include those properties; and the treatment plans would also be amended to incorporate the agreed-upon changes.

The TCP study, the F-B LGA ASR, the F-B LGA HPSR, and the F-B LGA HASR were submitted to the SHPO for review in February 2016. The SHPO concurred with the conclusions of the F-B LGA HASR on June 1, 2016, and the conclusions of the F-B LGA ASR on July 6, 2016. On September 9, 2016, the F-B LGA ASR Addendum 1 and the F-B LGA HASR Addendum 1 were submitted to the SHPO; the SHPO concurred with the conclusions of these addenda on November 17, 2016, and October 13, 2016, respectively. The draft *Fresno to Bakersfield Section Supplemental Section 106 Findings of Effect, Locally Generated Alternative* (Supplemental FOE) was submitted to SHPO for review on May 24, 2017. The Supplemental FOE is currently under review by the SHPO. The amended MOA and the amended treatment plans will be finalized before the Record of Decision is signed.

### **3.17.2 Methods for Evaluating Effects/Impacts**

The methods used to identify and evaluate cultural resources within the F-B LGA APEs adhere to the same guidelines used for the May 2014 Project. The PA provides an overall framework for the Section 106 review process, including guidelines for developing the APEs, consultation; documentation standards, federal agency oversight, identification and evaluation of historic properties, and assessment and treatment of adverse effects. Please see Section 3.17.2.4 and

3.17.2.5 for Methods for Evaluating Impacts under NEPA and Methods for Evaluating Impacts under CEQA, respectively.

For details regarding the methods used for evaluating effects and impacts to historical resources and historic properties of the May 2014 Project, please see Sections 3.17.3.3 and 3.17.3.4 of the Fresno to Bakersfield Section Final EIR/EIS.

### **3.17.2.1 Area of Potential Effects**

The F-B LGA Archaeological and Built Resources APEs described herein are APEs that are supplemental to the APEs delineated in the *Fresno to Bakersfield Section Final EIR/EIS*. The supplemental APEs extend from Poplar Avenue in Shafter to Oswell Street in Bakersfield. The APEs for the F-B LGA were established in accordance with the Fresno to Bakersfield MOA Stipulation III, with Attachment B and Stipulation VI.A of the Section 106 PA serving as the primary guidance for APE delineation. The F-B LGA APEs generally follow the existing State Route (SR) 99 and Union Pacific Railroad (UPRR) corridors rather than the BNSF corridor. The revised APEs for the F-B LGA deviate from those delineated in the Fresno to Bakersfield Section Final EIR/EIS. The APEs for the Fresno to Bakersfield Section Final EIR/EIS encompass the May 2014 Project although they do not specifically refer to it. The F-B LGA APE departs from the May 2014 Project APE beginning just south of the city of Shafter. Rather than continuing south along the BNSF corridor, the F-B LGA APE courses east to run parallel to the UPRR corridor as it enters Bakersfield and continues south until Oswell Street.

#### **Archaeological Area of Potential Effect**

The Archaeological APE includes all areas of proposed ground disturbance during construction of the undertaking. Ground-disturbing activities may include, but are not limited to, excavation for the vertical and horizontal profiles of the alignment, station location footprints, utility relocations, cut and fill areas, geotechnical boring, staging areas, spoils areas, infrastructure demolition, temporary or permanent road construction, and any other construction activities with the potential for ground disturbance.

The vertical Archaeological APE was delineated in coordination with project engineers and includes the maximum depth of ground disturbance for various features of the alignment. The vertical Archaeological APE for certain key features includes the following:

- For at-grade sections of the alignment, up to 25 feet of fill would be added to support the HSR. To prepare for the fill, construction activities would include clearing and grubbing, which is expected to disturb the ground up to 2 feet below surface.
- For elevated sections of the alignment, the depth of disturbance would depend on the geotechnical data for each substructure bent location (459 at present). Geotechnical studies have not yet been conducted; therefore, the vertical Archaeological APE at each bent location is not known at this time.
- The geotechnical borings can reach depths of over 200 feet below surface.
- One roadway being proposed, F Street below SR 204, would be a subsurface feature of the project. The maximum depth of ground disturbance for this feature is 30 feet below surface.
- Excavation down to 25 feet below surface is expected in existing utility locations in order to encase them in steel.
- Expected ground disturbance for staging areas is up to 3 feet below surface.

The Archaeological APE for the F-B LGA was revised during the course of environmental review to reflect updated project information. As mentioned, this analysis is based on preliminary design provided in September 2015, revised design provided in June and September 2016, and on the Preliminary Engineering for Project Definition Design provided in October 2016. The APE maps were updated in accordance with the stipulations of the PA and the Fresno to Bakersfield MOA. On July 29 and October 5, 2016, signatory and consulting parties of the Fresno to Bakersfield



MOA, including the SHPO, were notified of the revisions to the APE per stipulations VI and IX of the PA; no responses have been received to date.

### **Built Resources Area of Potential Effect**

The Built Resources APE for the F-B LGA was delineated in accordance with Attachment B of the PA and included all legal parcels intersected by the proposed right-of-way, footprints of proposed ancillary features (such as grade separations or maintenance facilities), and construction staging areas. All parcels within the Built Resources APE that contained buildings, structures, or objects 50 years old or older at the time of the survey were subject to intensive-level study, or were evaluated using streamlined documentation as defined in the PA. If built resources existed on a large rural parcel within 150 feet (46 meters) of the proposed HSR right-of-way for the F-B LGA, or if it was determined that the resources on that parcel were otherwise potentially affected by the project, the entire legal parcel was included in the revised Built Resources APE. If built resources on a large rural parcel were more than 150 feet (46 meters) away from the proposed HSR at-grade right-of-way and were otherwise not potentially affected by the project, the Built Resource APE boundary was set at 150 feet (46 meters) from the right-of-way. In these cases, resources outside the Built Resources APE on those parcels did not require further survey, because there was no potential for the project to indirectly, or directly, affect them. As acknowledged in the PA, the potential for the project to affect built resources is influenced by many factors. These factors (comparing the distance from an already-existing rail line, analyzing the proposed project design in relation to the resource's viewshed and setting, etc.) were carefully considered when delineating the Built Resources APE. This approach follows the methods used for the entire Fresno to Bakersfield Section.

The Built Resources APE also included parcels adjacent to those intersected by the proposed F-B LGA if the built resources on those parcels may be indirectly affected. Indirect effects could be caused, for example, by the introduction of rail service or a roadway grade separation where no such similar structure existed previously. The F-B LGA Built Resources APE was designed to address such indirect effects by including legal parcels or built resources that might be affected by changes to their setting and the introduction of visual or audible elements. Other potential effects that were considered when delineating the Built Resources APE included, but were not limited to, physical damage or destruction of all or part of a property; physical alterations; moving or realigning property; isolating a property from its setting; visual, audible, or atmospheric intrusions; shadow effects; damage from vibrations; and change in access or use. In urban East Bakersfield, particularly the area around Sumner and Baker streets, the APE was expanded to a city block deep from the project footprint to adequately survey the area because of the known presence of Basque businesses and other built resources associated with the Basque community and to consider its eligibility as a potential historic district. This methodology for establishing the supplemental areas for the Built Resources APE follows standard practices for the discipline, Attachment B of the PA, and the Authority's *Cultural Resources Technical Guidance Memorandum #1* (Authority 2013).

The legal parcels within the Built Resources APE that contained buildings, structures, objects, sites, landscapes, or districts that were 50 years old or older at the time the field surveys were conducted (2015 and 2016) were studied in compliance with the PA.

The Built Resources APE was revised during the course of environmental review to reflect updated project information as well as ongoing field efforts that clarify whether individual properties meet the above stipulations. As mentioned, this analysis is based on preliminary design provided in September 2015, revised design provided in June 2016 and September 2016, and on the Preliminary Engineering for Project Definition Design provided in October 2016. The APE maps were updated in accordance with the stipulations of the PA and the Fresno to Bakersfield MOA. Signatory and consulting parties of the Fresno to Bakersfield MOA, including the SHPO, were notified of the revisions to the Built Resources APE and no responses have been received to date.

### 3.17.2.2 Cultural Resource Data Sources

Efforts to identify potential cultural, archaeological, and built resources in the project vicinity were the same as those used during the May 2014 Project and included the following:

- A records search conducted at the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resource Information System
- A review of historical maps, aeriels, and photographs (including Sanborn Fire Insurance Maps)
- A review of NRHP and CRHR listings
- A search of the Native American Heritage Commission Sacred Lands File
- Consultation with interested parties and Native American tribes associated with the geographic area of the F-B LGA
- A review of the environmental studies previously conducted within the APEs
- A review of the appropriate city and county historic registers, inventories, and landmark lists
- Review of county assessor and recorder data
- Consultation with and research conducted at local and university libraries, historical societies, county museums, and planning offices

#### Archaeological Resources

Archaeologists meeting the professional qualifications under the USSOI Standards for Archaeologists and meeting the definition of Qualified Investigator in accordance with the PA conducted the identification and evaluation of archaeological resources for the F-B LGA.

As a means to provide archaeological context, the records of all recorded sites within 1 mile of the F-B LGA centerline were obtained from the SSJVIC. Based on the records search, a total of nine previously recorded archaeological sites are within 1 mile of the F-B LGA centerline but are outside of the Archaeological APE. Because archaeological site locations are confidential, the locations of these sites are not depicted in this document. The legal authority to restrict cultural resource information is in California Government Code Sections 6254.10 and 6254(r); Cal. Code Regs., Title 14, Section 15120(d); and Section 304 of the NHPA. Of these previously recorded sites, none are located in the F-B LGA Archaeological APE. The closest previously recorded archaeological site (P-15-016230) is over 100 feet away (0.03 mile) from the Archaeological APE and consists of remnants of 1940s pipeline shoring buried 1.5 feet below ground surface. The site is separated from the alignment by the Southern Pacific Railroad and will not be affected by the project.

In addition to the SSJVIC records search, a review of historical maps was conducted to identify areas where previously unrecorded historic-era archaeological resources might be found. Sanborn Fire Insurance Maps published between 1892 and 1940 were georeferenced and evaluated using geographic information systems (GIS) to assess the potential presence of historic-era archaeological deposits in the F-B LGA Archaeological APE. The historic Sanborn maps were generally available for all urban areas in the project vicinity, including Shafter and Bakersfield. The rural sections of the project are not represented by Sanborn maps; however, historic aeriels and United States Geological Survey topographic quadrangle maps were reviewed for any historic-period features in these rural areas.

Overall, the Sanborn map review did not indicate a high sensitivity for the presence of historic-period archaeological deposits within the Archaeological APE; however, three areas were identified within the Archaeological APE that may have extant associated subsurface remains or deposits. Due to modern redevelopment, most of the property types identified within the Archaeological APE through the map review contain a moderate to low sensitivity for associated archaeological features or deposits. See Section 7.4.2 of the F-B LGA ASR (Authority and FRA 2016a) for details regarding this analysis.

In addition to the archival research, a field survey was conducted during the week of October 19 to 23, 2015, and an additional field survey was conducted during the week of July 25 to 29, 2016, to identify prehistoric and historic archaeological resources within the F-B LGA Archaeological APE. The first survey included an intensive pedestrian survey of the Archaeological APE on parcels to which access had been granted as of October 22, 2015. The subsequent survey included an intensive pedestrian survey of the revised Archaeological APE on parcels to which access had been granted between October 22, 2015 and July 22, 2016. In actively cultivated agricultural parcels such as almond orchards, survey transects followed the crop rows and were on average 6 meters (25 feet) apart. Generally, the agricultural parcels that were overgrown with weeds and leftover crops (tomatoes and other various types of nightshades) were surveyed in 15- to 20-meter (49- to 66-foot) transects to maximize survey coverage of an already disturbed and overgrown area. In urban areas with dense commercial development, city right-of-way and exposed ground were either pedestrian or windshield surveyed, depending on the level of disturbance. City and county right-of-way and paved areas were windshield surveyed due to heavy urbanization, which limited visibility. Gravel-paved or incompletely paved parcels were often pedestrian surveyed in 15-meter transects in an effort to examine exposed soil. Dense residential neighborhoods were not surveyed.

The F-B LGA Archaeological APE represents a total of 1,744.1<sup>2</sup> acres. A total of 101.9 acres (5.8 percent) of the Archaeological APE were pedestrian surveyed in transects spaced no greater than 20 meters during the field review for the F-B LGA study. Areas that were previously surveyed in December 2011 for purposes of the original Fresno to Bakersfield Section ASR included 19.5 acres (1.1 percent) of the F-B LGA Archaeological APE and were not resurveyed. In addition to restrictions on entry, portions of the Archaeological APE could not be surveyed because of vegetation or urbanization. As stipulated in Stipulation VIII.A.1 of the PA, a phased identification effort would be necessary for the remaining portions of the Archaeological APE as right of entry is obtained and where adverse effects are likely to occur. Furthermore, Stipulation III.A of the Fresno to Bakersfield Section MOA stipulates that the FRA and Authority shall ensure that phased identification of archaeological resources is completed in previously unsurveyed portions of the Archaeological APE as access is obtained and design is completed, and that documentation of this identification effort is prepared and provided to the SHPO.

The field procedures that guided the identification of archaeological sites encountered during the field investigation adhered to the PA (Authority and FRA 2011: pages 1–18) and the standards of professional practice of archaeology (Section 110 of the NHPA and the USSOI Standards and Guidelines for identification of historic properties [*Federal Register* Volume 48, Page 44716]). The overarching approach to assessing the resources encountered in the field for the F-B LGA and the guidance for establishing historic property exemptions were defined in the PA. The criteria for what constitutes an “isolate” and a “site” and the process for the initial evaluation of a given resource are the implementation of the criteria for exemption provided in Attachment D of the PA. Those resources encountered that qualified as exempt under the PA were reviewed under CEQA criteria and were found not to be historical resources or unique archaeological resources as defined by the CEQA Guidelines.

Details of the archaeological surveys conducted for the F-B LGA are provided in Section 7.3 of the F-B LGA ASR (Authority and FRA 2016a) and Section 7.4 of the F-B LGA ASR Addendum No. 1 (Authority and FRA 2016e). No archaeological resources were identified in the portions of the Archaeological APE surveyed during the field visits. The field inventory will be completed for previously unsurveyed areas of the F-B LGA Archaeological APE after obtaining permission to enter.

<sup>2</sup> Based on the October 2016 APE as presented in F-B LGA ASR Addendum No.1. The January 2017 environmental footprint includes an additional 8.5 acres that will be analyzed as part of a phased approach identification effort as stipulated in Stipulation III.A of the Fresno to Bakersfield Section MOA.

## Built Resources

Architectural historians meeting the Professional Qualification Standards under the Standards for Architectural History and meeting the definition of Qualified Investigator in accordance with the PA identified and evaluated built resources (also referred to as built environment resources) for the F-B LGA. QIs developed the Built Resources APE and conducted reconnaissance and intensive-level surveys of the entire Built Resources APE. The Built Resources APE was defined in accordance with Attachment B of the PA. QIs conducted an intensive-level survey of the area to account for all buildings, structures, and objects found within the Built Resources APE. This survey took into account known resources (addressed in previous studies) and identified those built resources that would require surveying (specifically, those buildings, structures, or objects that not only appeared to be 50 years old or more, but also appeared to largely retain historic integrity). These resources were the survey population for this study and were subject to recordation and evaluation on State of California Department of Parks and Recreation Series 523 (DPR 523) forms. Built resources that met the HSR PA definition of “streamlined documentation properties” are 50 years old or more that have been substantially altered, and required no further study. The architectural resource types listed in Attachment D of the PA were exempt from further study under Section 106 because they do not demonstrate potential for historical significance. None of these built resource types had potential to be considered historical resources as defined in the CEQA Guidelines. All surveys of the built resources within the Built Resource APE have been completed; however, additional built resources surveys may be necessary as the design progresses, resulting in a modification to the APE that may include additional resources.

As with the records search discussed above, the background research for known built resources was conducted using digital scans of the SSJVIC United States Geological Survey 7.5-minute topographic quadrangles that intersect with the F-B LGA. Each map was georeferenced and placed in a GIS environment to allow for accurate digitization of the individual resources and reports conveyed on the maps. All previously recorded resources and previous surveys on each quadrangle were digitized in conjunction with the records search results for archaeology (described above).

QIs also collected additional information about built resources within the F-B LGA Built Resource APE. This information includes review of the following sources:

- National Register of Historic Places—Listed Properties and Determined Eligible Properties (National Park Service, October 2015)
- Directory of Properties in the Historic Property Data File for Kern County (California Office of Historic Preservation [OHP] March 2013)
- California Inventory of Historic Resources (OHP 1976)
- California Points of Historical Interest (OHP 1992)
- California Historical Landmarks (OHP 1996)
- Sanborn Fire Insurance Maps in urban areas
- Historical United States Geological Survey quadrangles

Detailed historic contexts and property-specific research conducted for the significance evaluations were based on a wide range of primary and secondary materials gathered by QIs. (See Section 7 of the F-B LGA HASR [Authority and FRA 2016b] and Section 1 of the F-B LGA HPSR [Authority and FRA 2016c].) Research on the historic themes and survey population was conducted in both archival and published records, including, but not limited to: Beale Memorial Library (Bakersfield); the Kern County Assessor and Recorder; the California State Archives and Library; the California Railroad Museum Library; Shields Library (University of California, Davis); and maps and plans obtained from California Department of Transportation District 6 (Fresno). Research also included review of California Historical Landmarks and Points of Historical Interest publications and updates; the NRHP, CRHR, and local register listings; and published and digital versions of United States Census Bureau information, including population schedules (1850–



1940) and agricultural schedules (1850–1880). In addition, research included review of previous cultural resources reports, historic-period maps, local- and state-level historical resource lists, city directories, and various newspaper and journal articles.

Results of the SSJVIC records search discussed above revealed 52 recorded built resources within the search area (i.e., within 1 mile of the alignment centerline adopted for the record search and used before the field surveys were conducted). The number of built resources identified in the search results was relatively low because much of the area within the Built Resource APE had not been previously surveyed for built resources.

Of the resources identified in the records search, seven are listed on the NRHP: the Shafter Railroad Depot in the city of Shafter; the Green Hotel in the city of Shafter; the Jastro Building in the city of Bakersfield; the Tevis Block in the city of Bakersfield; the Kern Branch, Beale Memorial Library in the city of Bakersfield; the Bakersfield Californian Building in the city of Bakersfield; and First Baptist Church in the city of Bakersfield.

In addition, four California State Historical Landmarks were identified within the search area, all within the city of Bakersfield: Garces Circle (#277); the Colonel Thomas Baker Memorial (#382); the Site of the Last Home of Alexis Godey (#690); and the Site of the Last Home of Elisha Stevens (#732).

The search identified nine built resources not listed but found eligible for inclusion in the NRHP or CRHR within the search area. The other 32 built resources identified in the search results had been found “not eligible” for listing in the NRHP, had been destroyed, or had not been fully evaluated. Any resources reported in the search results that were not fully evaluated, or were listed in the data file as requiring further study, and were within the Built Resources APE, were added to the study population.

Furthermore, a records search conducted at the SSJVIC for the Bakersfield to Palmdale Project Section (SSJVIC File No. 15-140) on May 14, 2015, identified 15 built resources within 1 mile of the F-B LGA centerline southeast of Oswell Street. None of the 15 resources are within the F-B LGA Built Resources APE. The closest resource is the Ruano House (P-15-11722), a single-family residence located at 3152 Pioneer Drive approximately 1,300 feet (0.25 mile) from the F-B LGA’s easternmost proposed column.

Although an archaeological or built resource may not be listed in or determined to be eligible for listing in the NRHP or the CRHR, a local register of historic resources (pursuant to Section 5020.1[k] of the Public Resources Code), or identified in an historic resources survey (meeting the criteria in Section 5024.1[g] of the Public Resources Code), a lead agency may still determine it to be an historical resource as defined in Public Resources Code, Section 5020.1(j) or 5024.1. Such resources may be considered to be historical for the purposes of CEQA.

Once the Built Resources APE was defined, fieldwork began with a reconnaissance-level survey to account for all built resources found within the Built Resources APE. This reconnaissance took into account known resources (see above) and also identified additional resources that would require evaluation in the HPSR or HASR, as required by the PA. The reconnaissance survey identified hundreds of built resources that did not appear in the SSJVIC search results. The built resources identified during the SSJVIC search and reconnaissance survey that could be potentially eligible for listing in the NRHP or CRHR became the survey population.

Once the survey population was generated, property-specific research of those built resources within this survey population proceeded. To confirm specific construction dates and refine estimated dates of construction, background research was conducted for all built resources in the survey population through an online commercial database to review current county assessor property data, as well as through review of historical fire insurance maps, railroad plat maps, United States Geological Survey topographic quadrangle maps, county assessor records, historical aerial photographs, and many other documents. This research helped determine which resources were built in or before 1965. As mentioned previously, those resources that met the definition of the architectural resource types listed in Attachment D of the PA were exempt from further study because they do not demonstrate potential for historical significance. The remaining

built resources in the survey population were then evaluated for listing in the NRHP and the CRHR using the guidelines presented in Section 3.17.2.4 and 3.17.2.5.

Within the F-B LGA Built Resource APE, there are a total of 14 individual properties eligible for listing in the NRHP and CRHR and one property that is an historical resource for the purposes of CEQA only (Table 3.17-1; Figure 3.17-1). Of the 14 eligible properties, six previously received concurrence from the SHPO and eight are newly identified, including two previously recorded properties that did not have SHPO concurrence. The F-B LGA Built Resources APE contains 458 ineligible built resources, including 226 that were previously determined ineligible, 133 that were found ineligible as part of the F-B LGA studies, and 99 that were ineligible through streamlined documentation as defined in the Section 106 PA. For full details and descriptions of these resources, see the F-B LGA HASR (Authority and FRA 2016b) and the F-B LGA HASR Addendum No. 1 (Authority and FRA 2016f).

**Table 3.17-1 Built Resources Identified in the F-B LGA Built Resource Area of Potential Effect that are Eligible for the National Register of Historic Places or California Register of Historical Resources, or that Meet the Definition of a CEQA Historical Resource**

MR Number	Historic Name	APN	Address	City	Year Built	Eligibility	SHPO Concurrence	OHP Status Code
MR #00A <sup>1</sup>	Santa Fe Passenger and Freight Depot	027-030-08	150–200 Central Valley Hwy	Shafter	1917, c. 2000	NRHP; CRHR	Previously received	1S, NRHP #82002187
MR #00B	San Francisco & San Joaquin Valley Railway Shafter Section House	027-070-28	434 Central Valley Hwy	Shafter	1898	NRHP; CRHR	Previously received	2S2
MR #00C	Friant-Kern Canal	Friant-Kern Canal	Kern County	–	1945–1951	NRHP; CRHR	Previously received	2S2
MR #025	San Joaquin Compress and Warehouse Company	116-021-08; 116-021-09; 116-060-08; 116-070-14	4130 State Rd	Bakersfield	1925	NRHP; CRHR	Received as a result of this study	2S2
MR #032	Union Ice Company	002-271-02; 002-271-06	3301 Chester Ave	Bakersfield	1901, 1910, c. 1960	CEQA Historical Resource <sup>3</sup>	N/A	5S1
MR #133	Statue of Father Garces	CHL #277	Garces Circle	Bakersfield	1939	NRHP; CRHR	Previously received	2
MR #042	Republic Supply Company (aka Golden Empire Gleaners)	002-240-02	1326 30th St	Bakersfield	1937–1946	NRHP; CRHR	Received as a result of this study	2S2
MR #055	Division of Forestry Service Office	002-120-07	2731-2738 O St; 1120 Golden State Ave	Bakersfield	1940, 1942, 1972	NRHP; CRHR	Received as a result of this study	2S2

MR Number	Historic Name	APN	Address	City	Year Built	Eligibility	SHPO Concurrence	OHP Status Code
MR #075 <sup>2</sup>	Kern County Land Company Warehouse	014-350-09	210 Sumner St	Bakersfield	1880	NRHP; CRHR	Received as a result of this study	2S2
MR #097	Noriega's	016-050-05	525 Sumner St	Bakersfield	1893–1940	NRHP; CRHR	Received as a result of this study	2S2
MR #107	Amestoy Hotel (Narducci's Café, formerly Cesmat Hotel)	016-060-12	622 E 21st St	Bakersfield	1899	NRHP; CRHR	Received as a result of this study	2S2
MR #116 <sup>2</sup>	Southern Pacific Depot (Bakersfield)	014-370-01	730 Sumner St	Bakersfield	1889, 1941	NRHP; CRHR	Received as a result of this study	2S2
MR #120	Fire Station Number 2	016-070-12; 016-070-13; 016-070-14	716 E 21st St	Bakersfield	1940	NRHP; CRHR	Received as a result of this study	2S2
MR #00D	Folk Victorian	141-130-25	2509 E California Ave	Bakersfield	c. 1898	NRHP; CRHR	Previously received	2S2
MR #030	SR 204/Golden State Ave	N/A	N/A	Bakersfield	1933–1963	NRHP; CRHR	Previously received	2

<sup>1</sup> MR Numbers ending with letters represent resources previously evaluated in the Fresno to Bakersfield Section Final EIR/EIS.

<sup>2</sup> Previously recorded as eligible (OHP Status Code 3S) but did not receive State Historic Preservation Officer concurrence; updated Department of Parks and Recreation Series 523 forms prepared.

<sup>3</sup> Historic Point of Interest

APN = Assessor's Parcel Number

CHL = California Historical Landmark

CRHR = California Register of Historical Resources

MR = Map Reference

N/A = not applicable

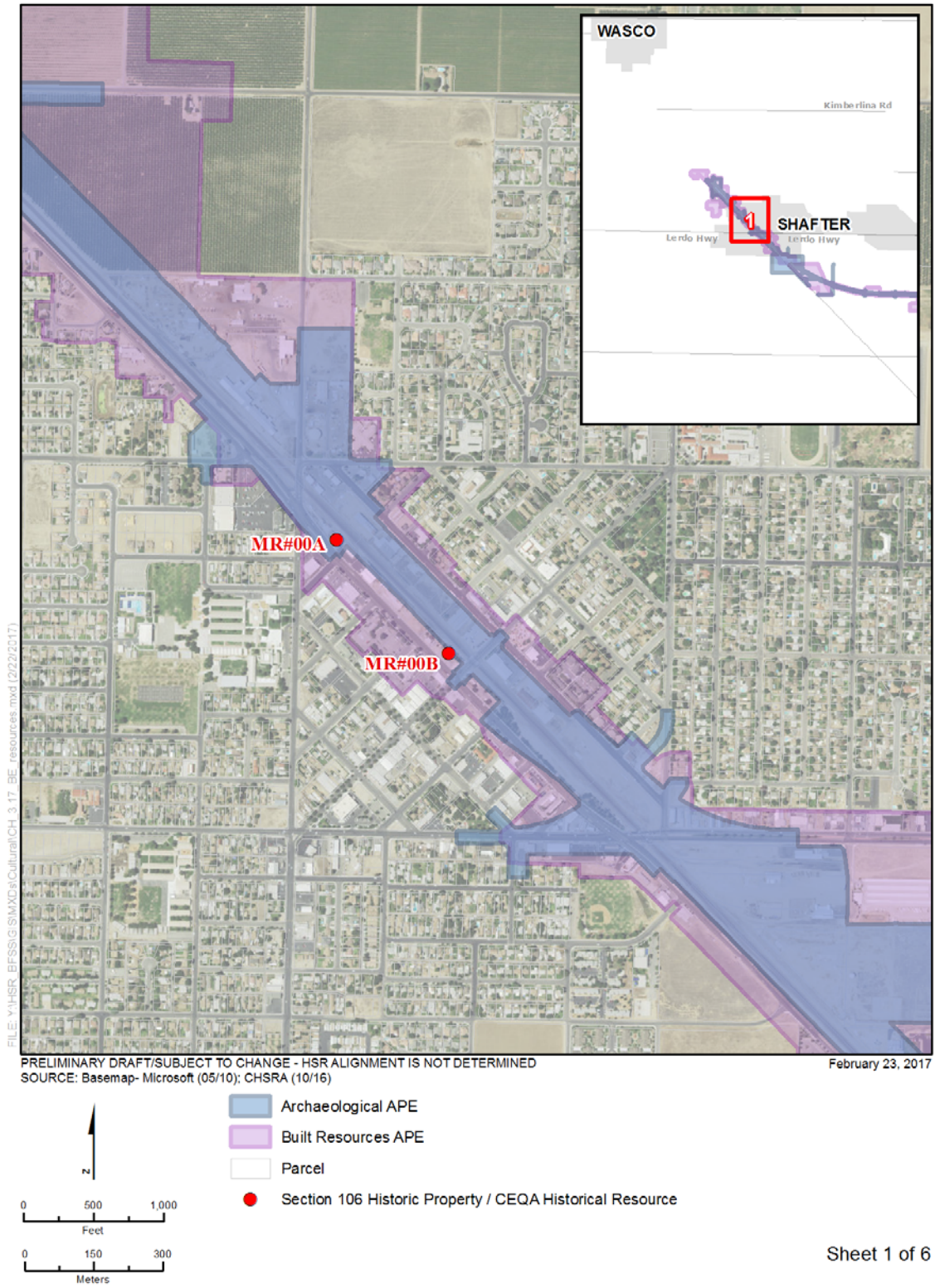
NRHP = National Register of Historic Places

OHP = Office of Historic Preservation

SHPO = State Historic Preservation Officer

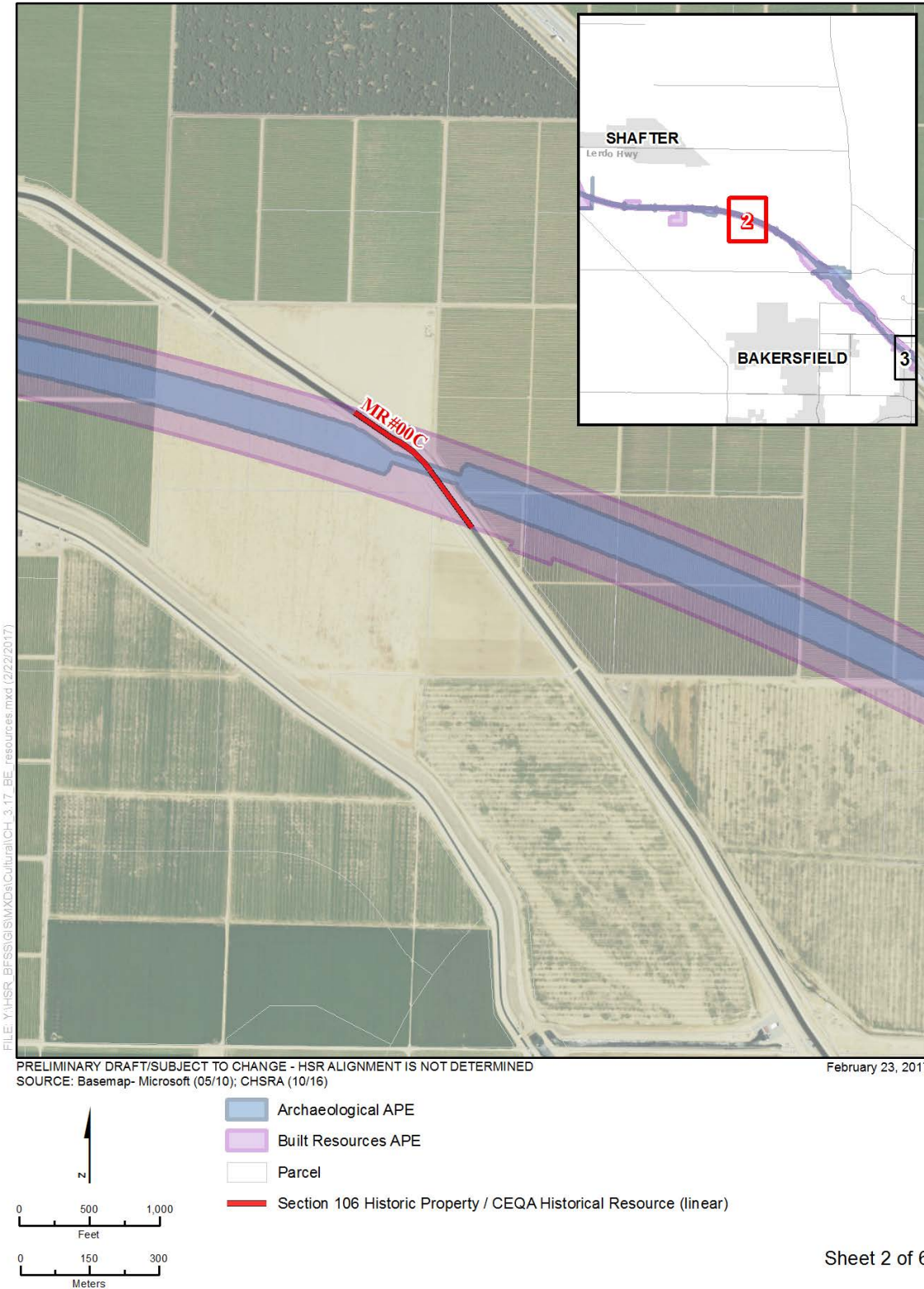
SR = State Route

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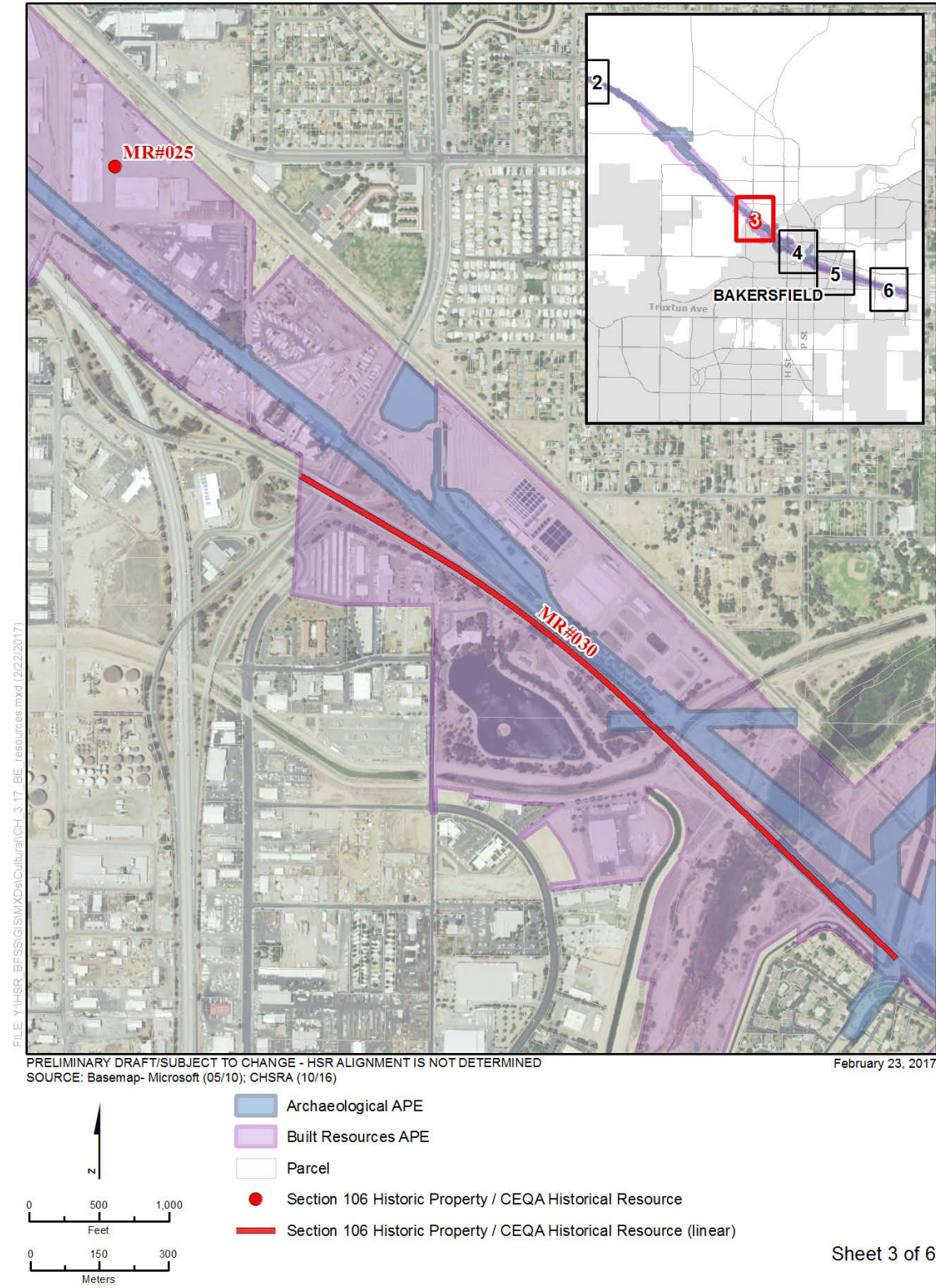


**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**



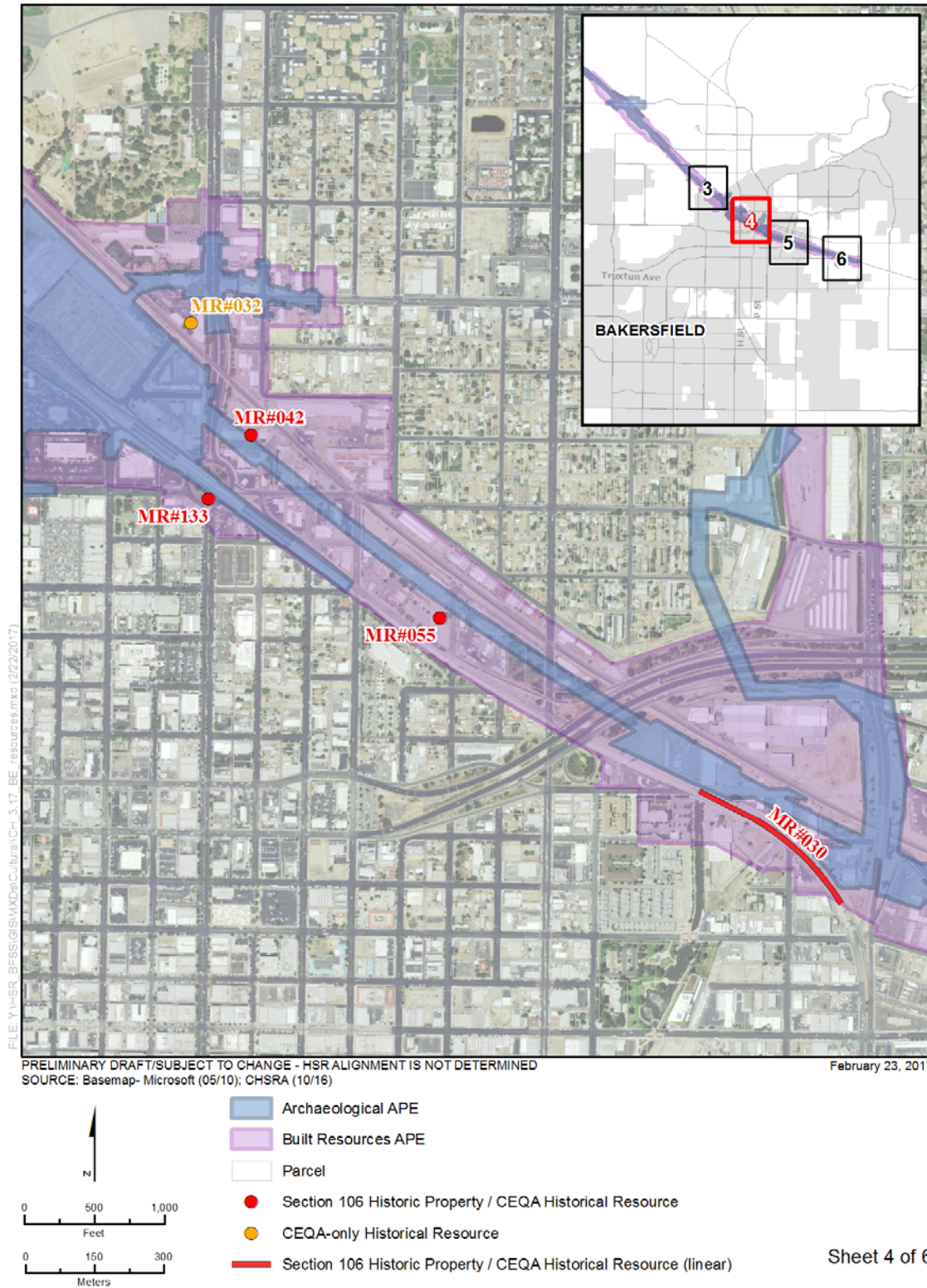


**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**



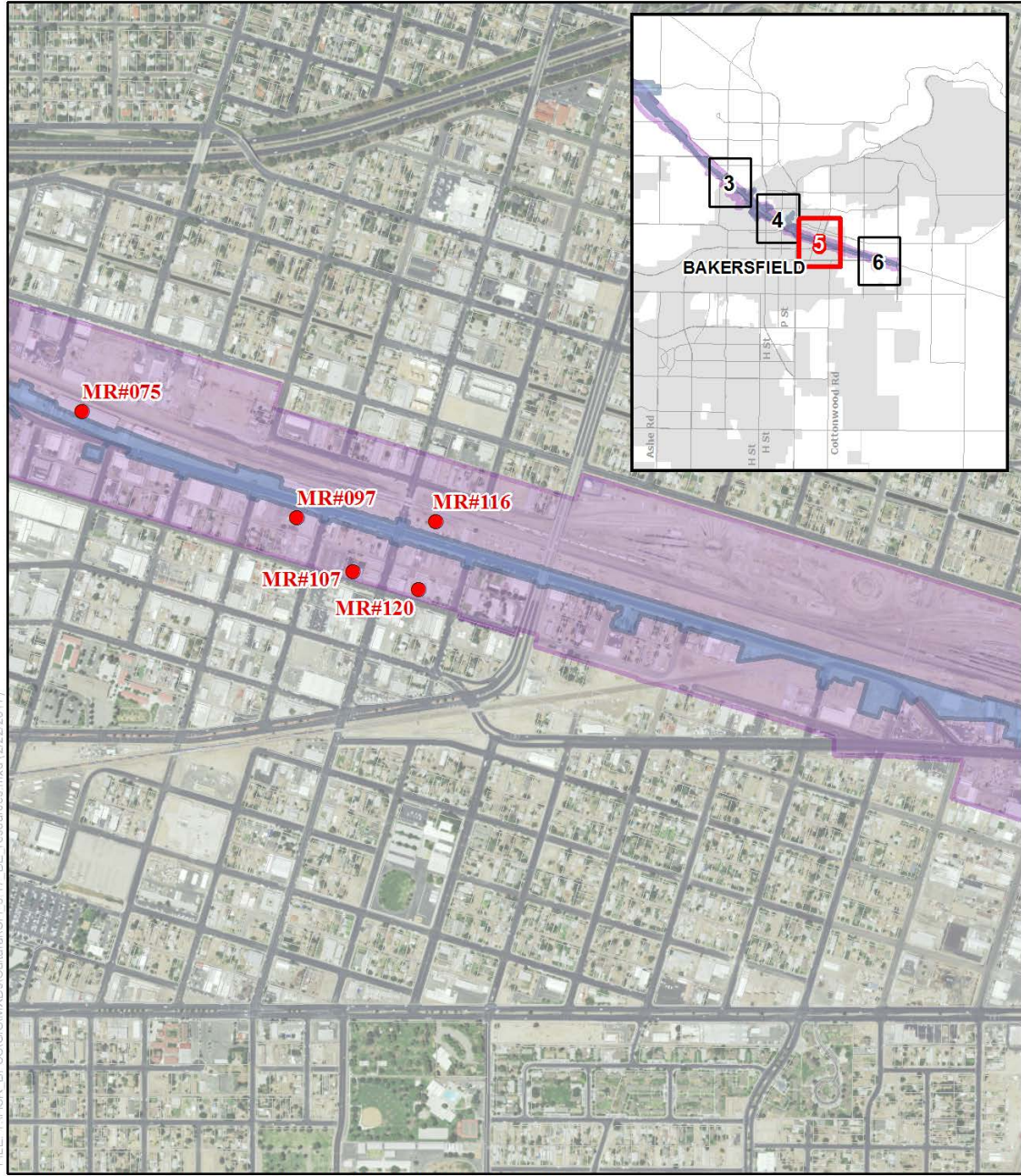
**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**





**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**

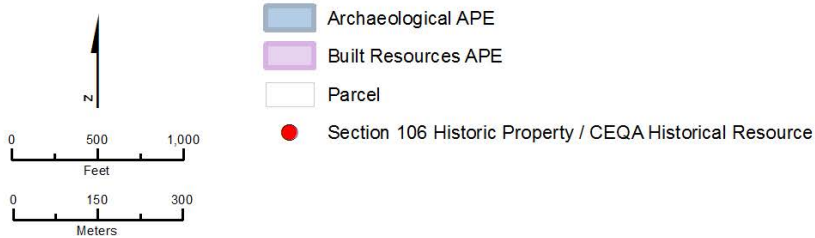




FILE: Y:\HSR\_BFSS\GIS\MapDocs\Cultural\CH\_3.17\_BE\_resources.mxd (2/22/2017)

PRELIMINARY DRAFT/SUBJECT TO CHANGE - HSR ALIGNMENT IS NOT DETERMINED  
 SOURCE: Basemap- Microsoft (05/10); CHSRA (10/16)

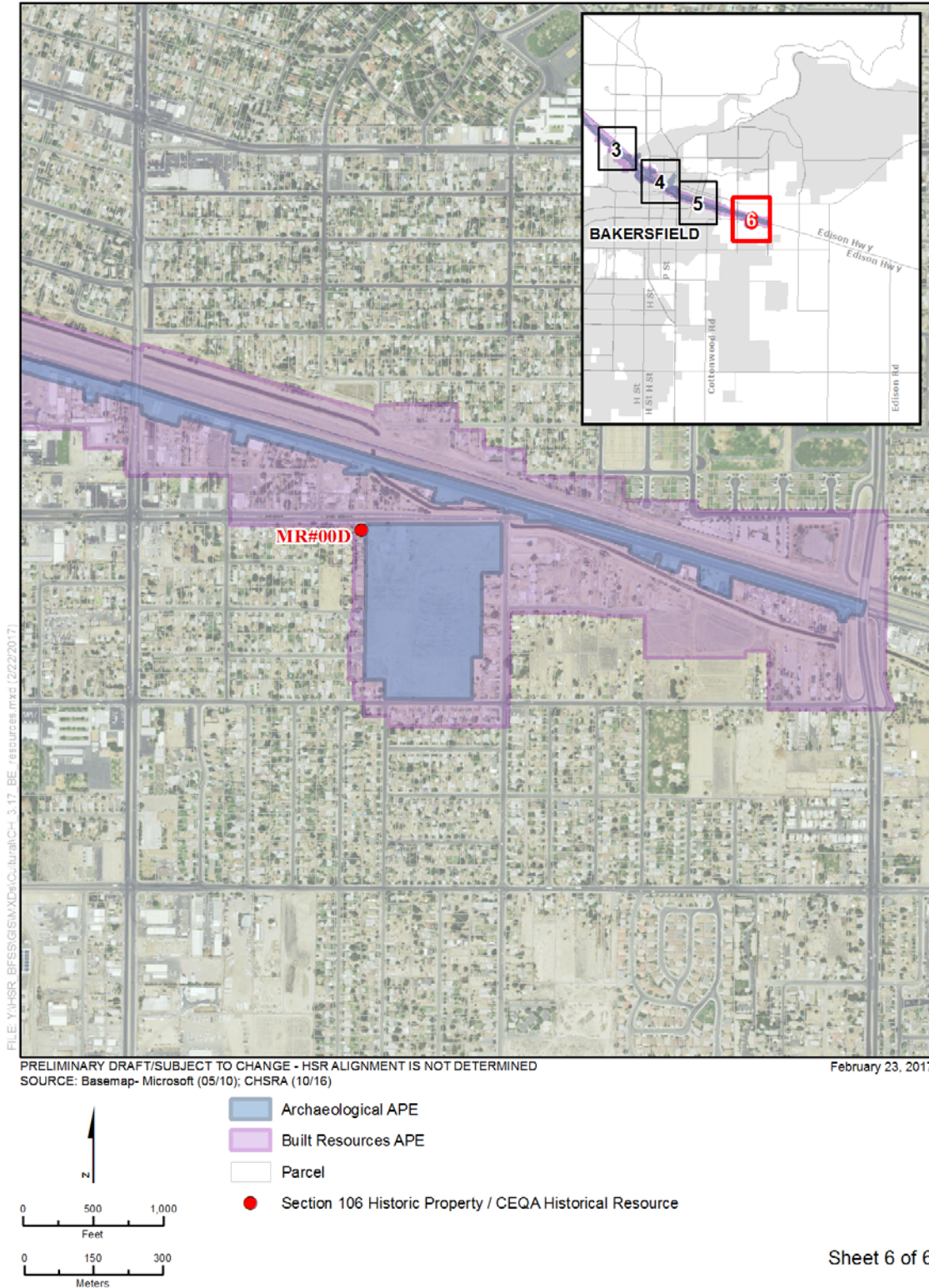
February 23, 2017



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**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**





**Figure 3.17-1 Historic Properties and Historical Resources Identified in the F-B LGA Area of Potential Effect**



The built resources surveys included consideration of the presence of potential TCPs, which are considered eligible for inclusion in the NRHP when they are rooted in a community's history, are important in maintaining the continuing cultural identity of the community, and meet criteria for evaluation and integrity. Three such resources were identified in Bakersfield:

- Noriega's
- Narducci's Café
- Pyrenees Café

The resources were studied and evaluated by an ethnographer and discussed in the *Fresno to Bakersfield Section Basque Traditional Cultural Properties Study* (Authority and FRA 2016a) and in the F-B LGA HASR (Authority and FRA 2016b: pages 8-7 and 8-8). All of the resources were at one point associated with the Basque community of Bakersfield. The TCP study included a preliminary literature review to inform the nature and structure of the interview questions, as well as to provide a context for understanding and interpreting the statements made by the interviewees. Historians conducted archival research on the three resources and shared information with the ethnographer. Interviews with prominent members of the Basque community in Bakersfield were conducted during multiple field visits in August, September, and October 2015. Of the three potentially eligible TCP resources identified, only Noriega's is eligible for listing on the NRHP as a TCP.

#### **Determination of Effect on Cultural Resources**

Please see Section 3.17.3.1 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-19 and 3.17-20) for an overview of the analysis of effects to historical resources and historic properties, including impact analysis and adverse effects. The analysis of potential effects on cultural resources is based on the Criteria of Adverse Effect described in regulations implementing Section 106 of the NHPA at 36 C.F.R. Part 800.5. Under these regulations, an undertaking has an effect on an historic property when the undertaking may alter, directly or indirectly, the characteristics of the property that may qualify the property for inclusion in the NRHP (36 C.F.R. Part 800.5[a]). An effect is considered adverse when the effect on an historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative, including:

- Physical destruction of or damage to all or part of the property.
- Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 C.F.R. Part 68) and applicable guidelines.
- Removal of the property from its historic location.
- Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance.
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features.
- Neglect of a property that causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to a Native American tribe or Native Hawaiian organization.
- Transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Effects analysis also considered potential effects to ethnographic resources. Intensity of impacts on ethnographic resources may relate to access and use, as well as physical modifications, to traditionally important places. While traditionally associated with Native American cultural

practices, such as communal gathering locations or mythology, TCPs can be relevant for any group that associates a location with cultural tradition, sense of place, or specific values.

Please see Sections 3.17.2.4 and 3.17.2.5 for the methods for evaluating impacts under the National Environmental Policy Act (NEPA) and CEQA, respectively.

### 3.17.2.3 Agency, Native American, and Public Consultation and Outreach

The Fresno to Bakersfield Section has an Outreach Plan (January 2011) and an Agency Coordination Plan (2009) to organize coordination through the project development process. A Public Outreach Plan has been developed for the F-B LGA (July 2015). The PA, developed in coordination with the Advisory Council on Historic Preservation (ACHP) and SHPO, describes the Native American consultation process. Consultation with the SHPO, the ACHP, and the California Native American Heritage Commission and representatives of Native American tribes regarding potential impacts on archaeological and built resource properties, cultural sites, and prehistoric archaeological sites has been ongoing throughout this project and will continue, in accordance with the PA and MOA, as the project progresses.

#### Agency

Refer to Section 3.17.3.2 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-21 through 3.17-43) for a summary of outreach efforts to identify other federal, state, regional, or local agencies that may have responsibilities for historic properties and may want to review reports and findings for an undertaking within their jurisdictions. The Authority issued a formal notification letter to the local government agencies that consulted for the Fresno to Bakersfield section on August 26, 2015, inviting them to participate as consulting parties during initial historic property identification efforts for the F-B LGA. The Authority provided maps and information for the F-B LGA and asked for input regarding the presence of historic or cultural resources that may be affected by the F-B LGA. On July 29, 2016, the City of Bakersfield and the City of Shafter were notified via email of modifications to the APEs. An exhibit showing the original APEs (January 2016) and modified APEs (June 2016) was provided in these emails. On October 5, 2016, these two agencies were again notified via email of an APE expansion. The local agency consultation efforts conducted for the F-B LGA are summarized in Table 3.17-2.

**Table 3.17-2 Local Agency Consultation and Outreach Efforts**

Entity	Section 106 MOA Involvement	Response
<b>Consulting Party Invitation Letter of August 26, 2015</b>		
City of Corcoran	Fresno to Bakersfield MOA concurring party	No response.
City of Fresno	Fresno to Bakersfield MOA concurring party	No response.
City of Shafter	Fresno to Bakersfield MOA concurring party	No response.
City of Bakersfield Historic Preservation Commission	Fresno to Bakersfield MOA concurring party	No response.
County of Kern Planning and Community Development	N/A	No response.
<b>APE modification Notification letter of July 29, 2016</b>		
City of Shafter	Fresno to Bakersfield MOA concurring party	No response.
City of Bakersfield Historic Preservation Commission	Fresno to Bakersfield MOA concurring party	No response.
<b>APE modification Notification letter of October 5, 2016</b>		
City of Shafter	Fresno to Bakersfield MOA concurring party	No response.
City of Bakersfield Historic Preservation Commission	Fresno to Bakersfield MOA concurring party	No response.

APE = area of potential effect  
MOA = memorandum of agreement

N/A = not applicable

## Native American

Outreach to Native American tribal governments for the Fresno to Bakersfield Section began in 2009 and includes all tribes listed by the Native American Heritage Commission for Fresno, Kings, Tulare, and Kern counties. Through continued outreach and consultation, six tribal governments elected to participate as Consulting Parties for the Fresno to Bakersfield Section, including: the Table Mountain Rancheria; the Picayune Rancheria of Chukchansi Indians; the Santa Rosa Rancheria Tachi Yokuts Tribe; the Tejon Indian Tribe; and the Kern Valley Indian Council. On August 12, 2015, consultation letters were sent via email and mail to Native American tribes that are consulting parties for the Fresno to Bakersfield Section of the HSR project. The tribal Consulting Parties were provided maps and information for the F-B LGA and were asked for input regarding the presence of cultural resources that may be affected by the F-B LGA. Those contacted as part of the mailings were notified of and encouraged to attend a public open house meeting to learn more about the project and voice their concerns. A flyer for the F-B LGA community open house meeting held on August 25, 2015, was attached to the consultation letters. Consulting party tribes for the Fresno to Bakersfield Section were again emailed on July 29, 2016, and on October 5, 2016, to notify them of APE modifications as specified in Stipulation VI.A of the PA. The emails included letters, maps, and information for modifications to the F-B LGA Archaeological APE and requested input from the tribes regarding any concerns they may have about cultural resources that may be affected. The Native American consultation efforts conducted for the F-B LGA are summarized below:

- **Mary Motola, Cultural Resources Director, Picayune Rancheria of the Chukchansi Indians:** No response to the emails or the letter has been received to date.
- **Robert Robinson, Co-Chairperson, Kern Valley Indian Council:** No response to the emails or the letter has been received to date.
- **Shana Brum or Lalo Franco, Cultural Specialists, Santa Rosa Tachi Yokuts Tribe:** No response to the emails or the letter has been received to date.
- **Colin Rambo, Tribal Historic Preservation, Tejon Indian Tribe:** Mr. Rambo responded via email on August 12, 2015, requesting GIS data for the F-B LGA. Ms. Sarah Allred of the Authority provided GIS data files to Mr. Rambo via email on August 14, 2015, and requested of Mr. Rambo that the files be protected as confidential. The Tejon Indian Tribe responded on September 17, 2015, via email that they had no concerns about the F-B LGA at that time. No response to the July 29 or October 5, 2016, emails has been received to date.
- **Kerri Vera, Environmental Director, Tule River Indian Tribe:** No response to the emails or the letter has been received to date.
- **Bob Pennell, Cultural Resources Director, Table Mountain Rancheria:** Ms. Barnett of the Table Mountain Rancheria responded on behalf of Mr. Pennell via email on August 12, 2015, requesting GIS data for the F-B LGA. Ms. Allred provided GIS data files to Ms. Barnett and Mr. Pennell via email on August 14, 2015, and requested the files be protected as confidential. No response to this email or the emails sent July 29 and October 5, 2016, has been received to date.

The Native American Heritage Commission conducted an additional Sacred Lands File search for the geographic area of the F-B LGA in October 2015. This search failed to indicate the presence of any sacred sites in or near the F-B LGA. Consultation and communications with the Fresno to Bakersfield Tribal Consulting Parties are ongoing for all portions of the larger Fresno to Bakersfield Section, including the F-B LGA, and includes tribal participation on pedestrian archaeological surveys; opportunities for tribes to review and comment on cultural resources technical reports; participation of tribal monitors during ground-disturbing construction activities; and tribal participation in the development of treatments and mitigation for effects to significant resources.

## Public

For the purposes of the F-B LGA, the Authority, in coordination with the City of Bakersfield, hosted a community open house meeting at the Bakersfield Marriott on August 25, 2015. The community open house provided the public an opportunity to voice their concerns regarding the F-B LGA, including historic resources that may be affected. The Authority also provided the public an opportunity to voice their concerns at a community open house meeting held in Shafter on September 17, 2015. Another open house meeting, hosted by the Authority and FRA, was held in the city of Bakersfield on November 5, 2015. Participants of these meetings did not express concerns for historic resources that may be affected by the F-B LGA. Members of the Basque community attended these public meetings, but had no concerns or comments about the Project's potential effects to Noriega's.

## Historical Societies and Museums

Because the F-B LGA included areas not previously studied, the Authority issued a supplemental notification to potentially interested parties for the F-B LGA by letter on August 26, 2015 as part of the initial outreach. The historical society consultation efforts conducted for the F-B LGA are summarized in Section 5.1 of the F-B LGA HASR (Authority and FRA 2016b) and in Table 3.17-3.

**Table 3.17-3 Historical Societies and Museums Consulted**

Entity	Response
Consulting Party Invitation Letter of August 26, 2015	
Beale Memorial Library/Kern County Library	No response.
Kern County Historical Society	No response.
Minter Field Air Museum	No response.
Shafter Depot Museum/Shafter Historical Society	No response.
Parties contacted for purposes of the HASR	
Kern County Museum	No response.
Southern San Joaquin Valley Information Center	No response.

HASR = Historic Architectural Survey Report

### 3.17.2.4 Methods for Evaluating Impacts Under NEPA

The evaluation of impacts under NEPA in this Draft Supplemental EIR/EIS focuses on a comprehensive discussion of the project's potential impacts in terms of context, intensity, and duration and provides agency decision makers and the public with a comparison between the May 2014 Project and the F-B LGA.

As described more fully in the Section 3.17.3.3 of the Fresno to Bakersfield Section Final EIR/EIS for the purposes of cultural resources, the evaluation of project impacts under NEPA is not the same as the evaluation of project effects under Section 106. The ACHP stated in the preamble of the revised Section 106 regulations (ACHP 2004:49) that the rules contain "no significance or materiality limitations," such as those contained in NEPA that limit most of that statute's key provisions only to actions that might significantly affect the environment. In contrast, the ACHP Section 106 rules seek to require agencies to examine all effects, whether or not the effects are significant. Where there is an alteration of an historic property, any diminishment of any aspect of its historic integrity, however measured, can support a finding of "adverse effect." Although actions determined to have an adverse effect under Section 106 and 36 C.F.R. Part 800 may be mitigated, the effect remains adverse. Section 106 exists as the governing process for establishing the criteria for determining an adverse effect on historic properties, as opposed to NEPA, for the purposes of the analysis presented in this chapter of the EIR/EIS, the conclusions based on Section 106 criteria regarding whether an impact will be adverse or not are provided.

### 3.17.2.5 *Methods for Evaluating Impacts Under CEQA*

The following paragraphs were extracted from Section 3.17.3.4 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-44 and 3.17-45), which presents the methods for evaluating impacts to cultural resources under CEQA and the significance thresholds for the HSR project. These are also applicable to the F-B LGA.

Based on the CEQA Guidelines, the project would result in a significant impact on cultural resources if it would result in any of the following:

- Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5
- Disturb any human remains, including those interred outside of formal cemeteries

The state CEQA Guidelines use the following definitions to analyze impacts on historical or archaeological resources:

- Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (Section 15064.5[b][1]).
- The significance of an historical resource would be materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics that convey its historic significance or justify its inclusion in, or eligibility for, the NRHP, CRHR, or local registers (Section 15064.5[b][2][A–C]).

The CEQA Guidelines provide for a less than significant impact finding for built historical resources that would require treatment. Section 15064.5(b)(3) states:

“Generally, a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.”

In evaluating the significance of impacts under CEQA, the analysis considered whether the project would cause a substantial adverse change in the significance of historical and archaeological resources. If it did, the conclusion was that it was a significant impact before mitigation.

Most resources analyzed under CEQA include resources that are listed or eligible for listing in the NRHP. However, as shown by the definitions above, historical or archaeological resources subject to CEQA review are not limited to the NRHP.

### 3.17.3 **Affected Environment**

This section discusses the affected environment related to cultural resources for the May 2014 Project and the F-B LGA.

#### 3.17.3.1 *Summary of the May 2014 Project Affected Environment*

Eighteen Section 106 historic properties or CEQA historical resources were addressed in the FOE, MOA, and treatment plans for the May 2014 Project. Seven of these resources (1300-1316 H Street, 1310-1312 Eye Street, 1401-1409 K Street, 1323 K Street, 1323 L Street, 1330 L Street, and 1326 L Street) are not eligible for listing in the CRHR or the NRHP; however, they are included in the Bakersfield Register of Historic Places and as such are considered historical resources for purposes of CEQA. One of these resources (CA-KER-2507) is assumed eligible for



listing in the NRHP per the PA because it cannot be fully evaluated until access is granted. The remaining ten resources qualify as both Section 106 historic properties and CEQA historical resources. Table 3.17-4 provides an overview of the May 2014 Project's affected environment, which includes both CEQA-only historical resources and Section 106 historic properties. Please refer to Section 3.17.4 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-48 through 3.17-94) for a detailed discussion of the affected environment for the May 2014 Project.

**Table 3.17-4 Affected Environment of May 2014 Project (Section 106 Historic Properties and CEQA Historical Resources)**

APN	Resource Name and Address*	City/County	Year Built	OHP Status Code	NRHP Criteria
00641104	1300-1316 H St	Bakersfield, Kern	ca. 1912-1920	6Z	NA
00641206	1310-1312 Eye St	Bakersfield, Kern	1926	6Z	NA
00639102	1401-1409 K St	Bakersfield, Kern	1913	6Z	NA
00646003	1323 K St	Bakersfield, Kern	ca. 1921	6Z	NA
00645002	1323 L St	Bakersfield, Kern	ca. 1912-1920	6Z	NA
00644026	1330 L St	Bakersfield, Kern	1920	6Z	NA
00644025	1326 L St	Bakersfield, Kern	1920	6Z	C
02707028	San Francisco & San Joaquin Valley Railroad Section House 434 Central Valley Hwy	Shafter, Kern	1898	2S2	A, C
N/A	Friant-Kern Canal	Bakersfield, Kern	1945-51	2S2	A
00405201	Harvey Auditorium	Bakersfield, Kern	1934	2S2	C
00629001	Kern County Civic Administrative Center	Bakersfield, Kern	1956-59	2S2	A, C
00643002, 00643003	Stark/Spencer Residence	Bakersfield, Kern	1898	2S2	C
N/A	Union Avenue Corridor	Bakersfield, Kern	1933	2S2	A
01728004	Salon Juarez	Bakersfield, Kern	ca. 1912-48	2S2	A
01726007	1031 E 18th St	Bakersfield, Kern	ca. 1900	2S2	C
01749014	San Joaquin Cotton Oil Company	Bakersfield, Kern	1924-29	2S2	A
14113025	2509 E. California	Bakersfield, Kern	ca. 1898	2S2	C
Restricted**	CA-KER-2507	Bakersfield, Kern	NA	NA***	NA***

\*This table was prepared with data compiled from the Fresno to Bakersfield Section FOE (Authority and FRA 2014e), the Fresno to Bakersfield ATP (Authority and FRA 2014f), and the Fresno to Bakersfield Final EIR/EIS (Authority and FRA 2014a).

\*\*Location of archaeological resources is confidential. The legal authority to restrict cultural resources information is in Section 304 of the NHPA, California Government Code Sections 6254(r) and 6254.10, and Cal. Code Regs. Title 14, Section 15120(d).

\*\*\*For the preferred alternative referenced in the Fresno to Bakersfield ATP, SHPO stated that further investigation would be required prior to construction to determine this resource's eligibility for listing in the NRHP and CRHR pursuant to PA Stipulation VI.E (Authority and FRA 2014f).

APN = Assessor's Parcel Number

NA = not applicable

NRHP = National Register of Historic Places

OHP = Office of Historic Preservation

### 3.17.3.2 *Affected Environment of the F-B LGA*

This section describes the cultural resources within the APEs for the F-B LGA.

#### **Archaeological Resources**

Please see Section 3.17.4.1 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-45 through 3.17-53) for an overview of the prehistory, ethnographic setting, chronology, and historic setting of the San Joaquin Valley, which includes the area affected by the F-B LGA.

#### ***Archaeological Resources Within the F-B LGA Archaeological Area of Potential Effect<sup>3</sup>***

As discussed in Section 3.17.2, the records of all recorded sites within 1 mile of the F-B LGA centerline were obtained from the SSJVIC. Based on this archival review and research, nine previously recorded archaeological sites are within 1 mile of the F-B LGA and none are within the Archaeological APE. Field surveys that included pedestrian surveys (all under 20-meter transects) of 101.9 acres (5.8 percent) of the Archaeological APE were conducted in October 2015 and July 2016. The remaining 94.2 percent (1,622.7 acres) of the Archaeological APE consisted of either paved areas, areas that were windshield surveyed, inaccessible areas, areas previously surveyed for the Fresno to Bakersfield Section (19.5 acres), or areas where permission to enter was not received or granted. No archaeological resources were identified during the field survey.

Background research identified eight areas as sensitive for historic-period archaeological deposits. One area may contain an archaeological deposit or feature associated with an oil well that was depicted on a 1912 Sanborn map, one area is the site of a bottling works, and one area may contain the remnants of an “asphalt shed” depicted on an 1898 Sanborn map. Furthermore, five built environment resources listed in or eligible for listing in the NRHP that are within or adjacent to the F-B LGA Archaeological APE may contain historic-period archaeological deposits. Garces Memorial Circle is located at the site of a Mission-period Native American village, while four buildings in Bakersfield associated with the railroad (UPRR) may contain archaeological deposits.

The geoarchaeological analysis of the Fresno to Bakersfield Section depicts the F-B LGA as situated primarily on landforms that have very low to moderate sensitivity for buried pre-contact-era archaeological deposits. However, in areas that surround the Kern River, the probability of encountering buried archaeological deposits is very high (Authority and FRA 2014c).

#### ***Archaeological Resources Within 1 Mile of the F-B LGA Centerline***

Nine archaeological cultural resources were identified as being within 1 mile of the F-B LGA centerline, none of which are within the Archaeological APE. Five of these resources are historic-period archaeological sites, three are prehistoric, and one is a multi-component site. The closest previously recorded archaeological site (P-15-016230) is over 100 feet away (0.03 mile) from the Archaeological APE. To provide a background of the types of archaeological sites that occur in the area, the sites identified within 1 mile of the F-B LGA centerline are discussed below.

The five historic-period sites identified within the 1-mile radius of the F-B LGA centerline are as follows:

- **P-15-016230**, recorded in 2012, is described as a 1942 gas pipeline site consisting of 14 railroad ties modified and used as pipeline shoring. The railroad ties are buried 1.5 feet below ground surface and are situated side-by-side, perpendicular to the pipeline. The site also contains solidified oil/tar, metal fragments, a railroad spike, and a Norton ball-joint bolt tightener.

<sup>3</sup> October 2016, APE.

- **KER-PRO-23** is the site of the El Tejon Hotel, which was excavated in 1970. Cultural materials recovered include ceramic fragments, bottles, glass fragments, metal tools, a brass badge, and various other refuse.
- **P-15-009652/CA-KER-5867** is a 1920s Asian residential site consisting of a small mound where a house was previously located, a brick walkway, and portions of a concrete roadway.
- **P-15-004728** is a 108-foot segment of an abandoned railroad siding.
- **P-15-009016/CA-KER-5614H** is a residential neighborhood site excavated in 1999. Cultural features associated with the site included 15 historic trash pits dating from 1890 to the 1940s and 2 landscape modification features (a sidewalk/foundation and an alleyway).

The three prehistoric sites identified within 1 mile of the F-B LGA centerline are as follows:

- **P-15-002874** is a lithic scatter that consists of a steatite bowl fragment, a chalcedony flake, a sandstone mortar fragment, and a granite pestle.
- **P-15-009853** is an isolated preform pestle.
- **P-15-017238** is a quartzite cobble that is a possible hammerstone.

Finally, the one multi-component site identified within 1 mile of the F-B LGA centerline is as follows:

- **P-15-004383/CA-KER-4187/H** consists of the remains of the Bryant School and associated trash scatter, and a prehistoric site containing a lithic flake scatter, a mortar, and a pestle. (This site also has a built resource: the Public Works Administration-era, Moderne-style Central Fire Station.)

### ***Field Survey Results***

No archaeological resources were identified within the F-B LGA's Archaeological APE (for parcels, which permission to enter was approved) during the October 2015 and July 2016 field surveys.

### **Built Resources**

#### ***Historic Context of Built Resources***

The broader San Joaquin Valley and Kern County historic contexts that generally apply to the built resources identified within the F-B LGA's Built Resource APE can be found in Section 3.17.4.3 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-57 through 3.17-59). Specific themes associated with the historic context of the F-B LGA built resources study population are identified and detailed in the F-B LGA HASR (Authority and FRA 2016b) and are summarized in the following paragraphs.

Irrigation and transportation systems were the two principal factors in the historic-era development of the region through which the F-B LGA passes. This region was sparsely inhabited before California statehood in 1850. Although the California Gold Rush stimulated initial economic development and settlement in this region in the mid-19th century, it was the advent of irrigated agriculture and the arrival of the first railroad in the 1870s that profoundly reshaped the existing setting to promote agricultural and municipal growth in the Central Valley. Subsequent events and trends beginning at the turn of the 20th century (particularly the widespread adoption of the automobile and advent of high-volume water conveyance systems) amplified and extended the development initially brought to the region of the Fresno to Bakersfield Section in the late 19th century, while agriculture persisted as a dominant economic force in the area. These themes provide the appropriate context within which the resources of the survey population were evaluated for historic significance.

The built resources survey population for the F-B LGA included many buildings and structures that date to the 20th century, most of which are commercial and industrial buildings and infrastructure, with few residences or farmsteads. These resources are located throughout the densely developed urban areas of Bakersfield and Shafter, with far fewer buildings or structures

located in the far less developed rural area between the two cities. Mixed commercial and industrial development is especially evident along the former San Francisco and San Joaquin Valley Railway through central Shafter, and along the former Southern Pacific Railroad corridor from 7th Standard Road southward along the SR 99 corridor into Bakersfield and the former town of Sumner in East Bakersfield. The Bakersfield portion of the F-B LGA Built Resource APE includes the Golden State Avenue and SR 99 corridors, which generally parallel the former Southern Pacific Railroad line (now UPRR). The modernization and expansion of these roadways encouraged the 20th century growth of commercial and industrial properties.

Furthermore, a 64-block area of Bakersfield sustained damage after a series of disastrous earthquakes occurred in the summer of 1952, with almost a quarter of the 400 buildings involved needing to be razed. Bakersfield and its residents immediately began to rebuild, not only constructing a new city hall, civic center, and hospital expansion, but also repairing and rebuilding private businesses and residences. Some of the hardest-hit areas included the older brick masonry buildings, like those in Sumner (Authority and FRA 2016b).

### ***Built Resources Within the Built Resources Area of Potential Effect***

The SSJVIC records search and literature review, archival research, consultation with potentially interested parties, and field survey results identified 473 built resources within the F-B LGA Built Resources APE. Of those, 14 are historic properties and are listed or eligible for listing in the NRHP and CRHR, 458 are not eligible for listing in the NRHP or CRHR, and one is considered an historical resource for the purposes of CEQA only. Those resources found not to qualify as historic properties under Section 106 or historical resources under CEQA are not addressed in this Draft Supplemental EIR/EIS. The 14 resources within the F-B LGA Built Resource APE that are listed or eligible for listing in the NRHP and the CRHR (Map Reference [MR] #s 00A, 00B, 00C, 025, 133, 042, 055, 075, 097, 107, 116, 120, 00D, and 030), and the one resource that is a California Point of Historic Interest and therefore considered a CEQA historical resource (MR #032) are reported in the F-B LGA HASR and the F-B LGA HPSR (Authority and FRA 2016b, 2016c), and in the F-B LGA HASR Addendum No. 1 (Authority and FRA 2016f). Any resources reported in the search results that were within the F-B LGA Built Resources APE, and that were not fully evaluated or were listed in the data file as requiring further study, were added to the built resources study population. More than half of the 473 built resources identified within the Built Resource APE for the F-B LGA were addressed by previous Fresno to Bakersfield Section studies, as described in Section 1.1 of the F-B LGA HASR (Authority and FRA 2016b). The remaining survey population consisted of those resources built in 1965 or before (resources that were 50 years old or older at the time of the surveys in 2015 and 2016, in accordance with the PA). All built resources were evaluated in accordance with the Section 106 PA, as well as Section 15064.5(a)(2)–(3) of the CEQA Guidelines, using the criteria outlined in California Public Resources Code, Section 5024.1.

All of the resources in the survey population reflect the major historic events and trends that occurred within the F-B LGA study corridor, as presented previously in this section. The majority of the survey population resources are located in the city of Bakersfield (75 percent), while the remainder are located in unincorporated Kern County or the city of Shafter. Most of the survey population properties date to the 20th century, with only about 5 percent dating to the 1870s–1890s. The 19th century properties consist of irrigation canals, commercial or agricultural buildings, and a few residences.

The following 15 resources within the F-B LGA Built Resources APE were determined eligible or are listed on the NRHP and the CRHR or otherwise meet the definition of an historical resource as defined by CEQA:

- **Santa Fe Passenger and Freight Depot, Assessor's Parcel Number (APN): 02703008, 150–200 Central Valley Highway, Shafter; MR #00A (NRHP/CRHR).** The Santa Fe Depot is a two-story, wood-frame railroad depot constructed in 1917. The building is listed in the CRHR and NRHP (NRHP Reference No. 82002187, certified on January 19, 1982), and is significant at the local level under Criterion C as an example of the standard combination frame depot. Its period of significance is 1917, when the building was originally constructed.

No specific character-defining features were noted in the NRHP nomination. However, key elements of this building include its massing, plan, wood siding, hip roof, exterior porch, and fenestration. Although this building was moved, it was listed in the NRHP based on the fact that it is still adjacent to and oriented toward the railroad. The NRHP nomination defined the boundary of the historic property as lot numbers 6, 7, & 8 inclusive, of Block 2, City of Shafter.

- **San Francisco and San Joaquin Valley Railway Shafter Section House, APN: 02707028, 434 Central Valley Highway, Shafter; MR #00B (NRHP/CRHR).** This building is a small, wood-frame, folk-style residence with Craftsman details located adjacent to the present-day BNSF. The building was determined eligible for the NRHP and listed in the CRHR in February 2012. The property is significant at the local level under Criterion A for its association with the founding of Shafter, and under Criterion C as an example of a section house along the San Francisco and San Joaquin Valley Railway (predecessor to the BNSF). Its period of significance under Criterion A extends from 1898, when it was constructed, to the 1910s, when it played an important part in the founding and early development of Shafter. Its period of significance under Criterion C is its year of construction. The character-defining features are the horizontal wood siding, double-hung wood windows with wide wood casing, recessed porch with square supports and capitals facing the railroad tracks, diamond-pattern tin-shingle roofing, and wide eaves with exposed rafter tails. The boundary of this residential historic property is its legal parcel.
- **Friant-Kern Canal, Bakersfield Vicinity; MR #00C (NRHP/CRHR).** The Friant-Kern Canal is a 152-mile-long, gravity-fed, earth- and concrete-lined canal that terminates at the Kern River northwest of Bakersfield. As a key component of California's Central Valley Project, the canal has been determined eligible for listing in the NRHP. It is historically significant at the state level under NRHP Criterion A, within the context of development, construction, and operation of the Central Valley Project. The period of significance is 1945 to 1951, its period of construction. Character-defining features include its overall length, width, and major contributing structures, which include major canal siphons, wasteways, checks, overchutes, an equalizing reservoir, culverts, drains, pumps, turnouts, recording houses/structures, the operation roads immediately adjacent to the canal prism on either side along its entire length, and miscellaneous structures (e.g., irrigation pipe crossings, minor siphons, and drainage inlets). Noncontributing features consist of bridges (farm, county, state, and railroad bridges), power and utility crossings, cattle guards, historic wood trapezoidal canal and Central Valley Project signs, fencing, and levees. The NRHP eligible boundary at this location of the Friant-Kern Canal is limited to the area immediately adjacent to the lined canal (between the tops of its banks) and the Kern River Spillway structures and rock revetment area at the end of the canal, due to its NRHP eligibility under Criterion A for its historic significance.
- **Father Garces Statue, Garces Memorial Circle, Bakersfield; MR #133 (NRHP/CRHR).** The statue of Francisco Garces was sculpted by Depression-era artist John Palo-Kangas in 1939 as a Works Progress Administration Federal Arts Project. The statue possesses distinctive characteristics of a period of construction and is also the work of a master artist; therefore, it is eligible under NRHP Criterion C and CRHR Criterion 3. The figure was placed in the center of Garces Circle, a roadway feature and public park built by the Division of Highways in 1935 as a response to neighborhood growth and subsequent traffic congestion. The stylized Moderne figure of Garces stands over 16 feet tall, while the statue's inscribed and illustrated base extends its height to over 22 feet tall. The figure of the standing, robed missionary-explorer was constructed from a single 24-ton block of limestone, while the statue's base includes inscriptions, artwork, and a sandstone State Registered Historic Landmark #277 dedication plaque. In 1955, with traffic congestion still a problem, a bridge was constructed over the circle and the statue was moved to its current location 55 feet from the center. United States Route 99 was moved in 1964 to a new freeway facility, and the highway is now known as SR 204. The NRHP eligible boundary is the footprint of the statue based on the fact the statue was moved and is eligible under NRHP Criterion C.



- **San Joaquin Compress and Warehouse Company, APNs: 11602108, 11602109, 11606008, and 11607014, 4130 State Road, Bakersfield; MR #025 (NRHP/CRHR).** The 36-acre industrial property at 4130 State Road is located north of Bakersfield on a frontage road that parallels SR 99. The property consists of four legal parcels, three of which are located east of the railroad tracks, with one located west of the tracks. The period of significance for this property is from 1925, when the first buildings were constructed, through 1955, the end of its pioneering period and the end of its control of the Bakersfield and Kern County cotton compress business. The property includes 22 buildings and structures (not all of which are historic or contribute to the significance of the property), including 10 large warehouses, 10 storage or utility buildings, a water tower, and an office building. The contributing elements of the complex are: warehouses 1-7; storage/utility buildings 1-3 and 5; the office, and the water tower. (Storage/Utility Building 4 may also be a contributing element if further documentation can establish its date of construction, but it appears likely it was built between 1956 and 1975 and is therefore not considered a contributing element.) The contributing elements on this property are locally significant for their association with important historic events within the context of early development of the cotton industry in Kern County, under NRHP Criterion A and CRHR Criterion 1. The NRHP eligible boundary is the four legal parcels (36-acres) encompassing the entirety of the San Joaquin Compress and Warehouse Company, supported under Criterion A for importation historic events context.
- **Republic Supply Company (Golden Empire Gleaners), APN: 00224002, 1326 30th Street, Bakersfield; MR #042 (NRHP/CRHR).** The Republic Supply Company, also known as Golden Empire Gleaners, is a 2.49-acre property that contains three buildings: a main warehouse, a former central kitchen, and an equipment canopy. The main warehouse on this property embodies distinctive characteristics of a type and period of construction (Art Deco and Streamline Moderne style) and therefore meets NRHP Criterion C and CRHR Criterion 3. The period of significance extends from 1937 when the building was first constructed, to 1946, when it was expanded under the direction of the same architect and company ownership. The later ancillary buildings are not eligible under NRHP Criterion C or CRHR Criterion 3, as they do not follow the distinctive style of the original building. Subtle nods are found in the curved, cantilevered extension on the west side of the central kitchen, but it does not exhibit any other hallmarks of the style and there is no cohesive design linking the otherwise utilitarian additions. Due to its eligibility under Criterion C, the NRHP eligible boundary is the footprint of the building (as expanded through 1946) and the entrance plaza. The later additions to the parcel, such as the central kitchen, equipment shelter canopy, and small additions to the main building, do not contribute to the property.
- **Division of Forestry Service Office, APN: 00212007, 2731 and 2738 O Street; 1120 Golden State Avenue, Bakersfield; MR #055 (NRHP/CRHR).** This 4.6-acre parcel at 2731 O Street/2738 O Street/1120 Golden State Avenue contains eight Kern County administrative buildings: a single-story office, a warehouse, four garage buildings, a carport, and a veteran's center. Works Progress Administration crews built the adobe brick office building fronting O Street in 1942. The adobe building on this property is individually eligible for listing in the NRHP under Criteria A and C, and in the CRHR under Criteria 1 and 3, as a locally significant example of a Works Progress Administration project that used adobe construction. The period of significance is 1942 (the year of its construction) to 1948, when the building was turned over to the County of Kern. The character-defining features of the office building are its one-story massing, cross-gable roof with red clay tile, and smooth stucco exterior wall finish, as well as its recessed casement windows and lug sills. The few later alterations are noncontributing, such as the rear additions. Due to its eligibility under Criterion A for its Spanish Style characteristics, the NRHP eligible boundary is limited to the footprint of the original office building; subsequent alterations, changes, and additional buildings are not eligible. None of the other buildings on the parcel are eligible for listing in the NRHP or CRHR.

- **Kern County Land Company Warehouse, APN: 01435009, 210 Sumner Street, Bakersfield; MR #075 (NRHP/CRHR).** The building at 210 Sumner Street is a single-story, long rectangular plan, side-gable, brick-masonry warehouse fronting the present UPRR tracks located north of the building. The warehouse building was previously evaluated in 1999 and is eligible for listing in the NRHP and CRHR under NRHP Criterion A and CRHR Criterion 1 at the local level for its close association with the agricultural development of Kern County and the subsequent growth of what today is known as East Bakersfield, as well as for its association with the influential Kern County Land Company. The building also meets NRHP Criterion C and CRHR Criterion 3 as a good example of 1880s commercial/industrial brick construction. The boundaries of the historic property are defined by the building footprint because the modern paved parking area surrounding the building does not contain character-defining features.
- **Noriega's, APN: 00645002, 525 Sumner Street, Bakersfield; MR #097 (NRHP/CRHR).** This property is located at the corner of Sumner and Kern Streets in the heart of the formerly vibrant commercial center of East Bakersfield. The parcel contains a cluster of five buildings on a single legal parcel, three of which front Sumner Street and include the Noriega Hotel, Noriega's Restaurant, and a handball court. These buildings collectively compose Noriega's, a Basque-owned complex that has served East Bakersfield's Basque immigrant community since the boarding house was first built by Faustino Mier Noriega in 1893. The period of significance begins with construction of the oldest building in 1893 and continues through the present, because it is associated with a living community and continues to serve its role as a traditional cultural property for the Basque community. Another cluster of buildings also developed by the Noriega family, front Kern Street and have housed mostly commercial businesses since they were first constructed.

Under NRHP Criterion A and CRHR Criterion 1, the property is significant at the local level for its association with the early development of a community of Basque immigrants in East Bakersfield, and for its continuous and ongoing function as a place where Basque immigrants and their descendants gather to maintain their cultural identity. Under NRHP Criterion B and CRHR Criterion 2, the property is also significant at the local level as for its associations with Faustino Mier Noriega, Frank Noriega, and Grace Elizalde, each of whom made significant individual contributions to maintaining Basque cultural practices in East Bakersfield that took place at this property. This property is also significant at the local level under NRHP Criterion C and CRHR Criterion 3 because it is an intact complex of buildings that specifically reflect Basque immigrant culture, in particular the boarding house, restaurant, and handball court. Because the complex is intact and continues its historic function with specific direct association with the Basque community, the property retains integrity to the period of significance (1893-present) under Criteria A, and C; and 1893-1974 under Criterion B. That specificity primarily lies with the handball court, which was central to making Noriega's a gathering place. It is apparent from the presence of the bleachers and the screened rooftop adjacent to the court that the sport drew quite a few spectators. The handball court, combined with the restaurant that served traditional family-style meals, and the boarding house that catered specifically to Basque immigrants is an exemplary example of built environment designed to serve Basque immigrants.

Noriega's remains a nexus of activity for the Bakersfield Basque community. It is the oldest Basque boarding house in the United States that is still operating and serving meals at one sitting, and is one of only five Basque boarding houses remaining in California. Noriega's has played, and continues to play, a crucial role in maintaining Basque cultural identity, especially in Bakersfield, through the retention of social practices and common societal referents rooted in the community's history. For this reason, Noriega's was determined eligible for inclusion in the NRHP both as a historic property and as a TCP.

Noriega's is eligible for inclusion in the NRHP as a TCP under Criterion A at the local, state, and national levels of significance because of its association with the early development of the Basque community in Bakersfield and its continuing role as a place where Basque

immigrants and their descendants gather to maintain their cultural identity. Noriega's has a period of significance of 1893 to the present under Criterion A as a TCP.

Noriega's is also eligible for inclusion in the NRHP as a TCP under Criterion C because it is an intact complex of buildings that specifically reflect Basque immigrant culture. The restaurant, bar, boarding house, and ball court are a unique array of structures common only to Basque immigrant communities. As the best-surviving complex at this time on the East Bakersfield "Basque block," Noriega's maintains its importance to the Bakersfield Basque community today. Due to its eligibility under Criterion A and as a TCP, the NRHP eligible boundary is its legal parcel.

- **Amestoy Hotel (Narducci's Café, formerly the Cesmat Hotel), APN: 01606012, 622 E 21st Street, Bakersfield; MR #107 (NRHP/CRHR).** This 0.42-acre parcel contains a two-story building with an irregular footprint located on E 21st Street in the formerly vibrant commercial center of East Bakersfield. The building was constructed in 1899 and was heavily altered after sustaining extensive damage from a series of earthquakes in 1952. At the time of the earthquakes, the building featured ornate Neoclassical design elements that, at the time of repair, were reconstructed according to the modern aesthetic of the 1950s. This resulted in a building façade that now references the International style of architecture. Today, the building has a flat roof with a recessed parapet and a central hip-roof skylight structure. Under NRHP Criterion A and CRHR Criterion 1, the property is significant at the local level for its association with the community of Basque immigrants and their descendants who congregated at boarding houses, restaurants, and ball courts in East Bakersfield. The Amestoy Hotel is about half a city block southwest of another historic Basque property, the Noriega's complex TCP (MR #097), however the hotel faces onto E. 21st Street, while Noriega's faces Sumner and Kern streets. During the decades between 1927 and 1964, the Amestoy Hotel served as one of a few places that provided not just shelter, but familiar food and recreational activity (handball), along with community that helped launch many of the young men into the sheepherding business. Young single Basque women were also part of the Basque immigrant community and the boardinghouses provided them with jobs in the kitchen and as maids. The hotel served as a cultural meeting center for Basque immigrants from the late 1920s, through the time of the 1952 earthquakes that damaged the building, until 1964 when it was sold and no longer owned or operated by the Amestoys, a locally important Basque family. The property was also determined eligible under Criterion B and CRHR Criterion 2 for its direct association with a specific member of that family, Anselma Amestoy, who made a dedicated contribution to fostering Basque culture through providing a gathering place, boarding, and family-style food and drink. Because the local Basque community no longer uses it for traditional cultural purposes, this property is not eligible as a TCP. Due to its eligibility under Criterion A, the NRHP eligible boundary is its legal parcel.
- **Southern Pacific Depot, APN: 01437001, 730 Sumner Street, Bakersfield; MR #116 (NRHP/CRHR).** The Southern Pacific Depot station is the principal building on the parcel. It consists of two main components—a passenger depot and railroad offices—linked together with an addition and a long, covered platform, or arcade. Both the depot and offices are of two-story brick construction, with complex forms and rooflines that are characteristic of the Richardsonian Romanesque and Gothic Revival architectural styles. Both originally had slate roofs and exposed brick walls but have since been clad in composition shingle and stucco. The passenger depot has a low-pitch, hipped roof topped by a prominent cross-gable. The former railroad depot at 730 Sumner Street in Bakersfield was subject to a 1999 evaluation that concluded the depot was eligible for listing in both the NRHP and CRHR. That study concluded the depot significant under NRHP Criteria A and C, and under CRHR Criteria 1 and 3. The present study updated the evaluation, and affirmed the depot's significance at the state level under NRHP Criterion A and CRHR Criterion 1 for its association with Southern Pacific Railroad and the development of Kern City, Bakersfield, and San Joaquin Valley as a whole. However, the current study did not find it significant under NRHP Criterion C or CRHR Criterion 3 as an example of Richardsonian Romanesque style of architecture, because the architecture of the building became too muddled following the major 1941 renovation for it to

be a good example of its type or to possess high artist value. The present study identified the beginning of period of significance as the depot's original construction in 1889, and its end as 1953, when the railroad converted to diesel power and laid off masses of employees for the first time. The boundary of the historic property is the footprint of the building, excluding the two noncharacter-defining additions on the south side, because none of the other elements within the legal parcel are contributing or character-defining features.

- **Fire Station Number Two, APNs: 01607012; 01607013; 01607014, 716 E 21st Street, Bakersfield; MR #120 (NRHP/CRHR).** This 0.59-acre property consists of three small legal parcels owned by the City of Bakersfield and occupied by a fire station. The property contains two buildings: a Spanish Eclectic-style firehouse and a pre-engineered, metal-frame garage building. The single-story firehouse has two main elements to its building layout. While one half is raised with a continuous parapet, both are topped with a flat, Spanish clay barrel tile roof and contain an exterior chimney rising where the two elements meet. The walls are clad with coarse stucco. Under NRHP Criterion A and CRHR Criterion 1, the property was determined eligible at the local level of significance for its association with the culmination of the City of Bakersfield's four-decade-long attempt to lower fire insurance rates through the improvement of the city's fire defense system (and thus the improvement of the Bakersfield Fire Department), as well as its association with the context of public works executed by the Works Progress Administration. The completion of the fire station was heralded as a milestone in local firefighting and civic history. Additionally, as one of the ten identified Works Progress Administration projects within Bakersfield, Fire Station No. 2 played an important role in local federal work relief efforts. This property is also significant under NRHP Criterion C and CRHR Criterion 3 as a local example of a Spanish Eclectic-style fire station and as a good example of Works Progress Administration civic design. The building is also eligible under NRHP Criterion C and CRHR Criterion 3 for its method of construction, which included extensive use of salvaged building materials that reduced the cost of the building by more than more than 70 percent. The period of significance is 1940, when it was constructed. The boundary of the historic property is the footprint of the fire station on APN 01607012. The boundary does not include the other two legal parcels (APNs: 016-070-13 and 016-070-14) or the non-contributing metal garage building. The garage and the other areas are not included in the boundary because they no longer contain any contributing elements and are covered in modern paving.
- **Folk Victorian Residence, APN: 14113025, 2509 E California Avenue, Bakersfield; MR #00D (NRHP/CRHR).** This property consists of a one-story, wood-frame Folk Victorian residence constructed in approximately 1898. The historic property was determined eligible for the NRHP and listed in the CRHR in April 2013. The building was determined eligible at the local level of significance under Criterion C as an important example of Folk Victorian architecture. The period of significance is 1898, its original date of construction. The building's character-defining features consist of its Folk Victorian architectural elements: a hip roof with rear gable, a gable dormer with pediment, wood-sash windows with wide wood surround, heavy cornice and molding in the pediment, a cutaway bay window, a partial-width porch, and a spindle-work frieze. The building retains a high degree of integrity of design, materials, workmanship, feeling, and association to the period its original construction because very few alterations or replacements have been made. The boundary of this residential historic property is its legal parcel.
- **State Route 204/Golden State Avenue, Bakersfield: MR #030 (NRHP/CRHR).** This linear resource consists of portions of Golden State Avenue and Union Avenue that make up the original SR 204. SR 204, from Airport Road to Brundage Lane, was previously determined eligible in 2010 for listing in the NRHP and the CRHR under Criterion A for its association with early to mid-20th century highway construction and associated commercial development, with a period of significance of 1933 to 1963. It is also considered an historical resource for the purposes of CEQA. The SR 204 historic property boundary consists of two discontinuous segments of SR 204/Golden State Avenue/Union Avenue in Bakersfield, Airport Drive at modern SR 99 to Stine Canal, and Kern Island Canal to Brundage Lane. The two segments



are separated by a noncontributing segment of roadway between Stine Canal and Kern Island Canal. The eligible segments of the SR 204 historic property located within the F-B LGA Built Resource APE are: the portion from the south end of the Stine Canal Bridge northward to Airport Drive, and the portion from Kern Island Canal southward to 22nd Street. Contributing elements within the northern segment include the Stine Canal Bridge (50-0208), the Kern River Bridge (50-0033), the Calloway Canal Bridge (50-0509), and three cattle crossings/culverts. Character-defining features of the Stine Canal Bridge (a contributor that the project proposes to alter) are its alignment, its metal guardrails, and the simple, fluted design of the substructure columns.

- Union Ice Company, APN: 00227102; 00227106, 3301 Chester Avenue, Bakersfield; MR #032 (Historical Resource Under CEQA).** This 1.12-acre parcel on Chester Avenue north of the UPRR crossing contains three buildings that survive, in whole or part, from the Union Ice Company factory that originally occupied this site. This property is not eligible for listing in the NRHP, but it is a California Point of Historic Interest (designated 1982) and listed in the Historic Property Data File, and is therefore listed in the CRHR and considered an historical resource for the purposes of CEQA. The boundary of the resource is the footprint of the buildings. The noncontributing elements include the paved areas and construction materials and alterations.

A total of 458 built resources surveyed were determined not eligible for listing in the NRHP or CRHR. These resources reflect the major historical events and trends previously described but were deemed ineligible for listing in the NRHP or CRHR because they either lack historical or architectural significance within those contexts or have lost historic integrity. None were found to be significant within the contexts of development patterns, for associations with important persons, or as an important example of a type, period, or method of construction, or work of a master designer. Approximately half of the resources that are not eligible for listing were documented on DPR 523 forms and are presented in Appendix E of the F-B LGA HASR (Authority and FRA 2016b) and Appendix E of the F-B HASR Addendum 1 (Authority and FRA 2016f). The remaining half not eligible for listing was subject to streamlined documentation and required no further study per the PA.

#### ***Traditional Cultural Properties Within the Built Resource Area of Potential Effect***

As mentioned above, the built resources surveys included consideration of the presence of potential TCPs within the F-B LGA Built Resource APE. Through historic research and field surveys, historians conducting research for the built resources within the F-B LGA Built Resource APE identified three Basque properties that required ethnographic research to determine whether they are eligible for listing on the NRHP as TCPs. Noriega's, Narducci's Café, and the Pyrenees Café are all rooted in the Bakersfield Basque community's history and are located in the "Basque block" of Bakersfield. They were evaluated by an ethnographer and discussed in a TCP-specific study: the *Fresno to Bakersfield Section Basque Traditional Cultural Properties Study* (Authority and FRA 2016d). The buildings were also evaluated in the F-B LGA HASR (Authority and FRA 2016b).

A literature review was conducted before the field visit to inform the nature and structure of the interview questions, as well as to provide a context for understanding and interpreting the statements made by the interviewees. Field visits were made in August, September, and October 2015 and included interviews with prominent members of the Bakersfield Basque community.

Through archival research, literature reviews, and interviews with prominent members of the Bakersfield Basque community, FRA has determined, and SHPO concurred, that one of the properties, Noriega's, is eligible for listing on the NRHP as a TCP. All three of the properties are or were owned, operated, or patronized by members of the Basque community; however, the Pyrenees Café and Narducci's Café no longer retain a strong role or are considered culturally significant to the Basque community.



### **3.17.4 Environmental Consequences**

#### **3.17.4.1 Overview**

This section describes the impact analysis relating to historic properties for the F-B LGA. Section 3.17.5 of the Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-101 through 3.17-127) describes the impact analysis relating to historical resources and historic properties for the previously evaluated alternatives, stations, and heavy maintenance facility sites.

Construction of the F-B LGA would occur in both urbanized and rural/undeveloped areas. As with other alternatives evaluated in the Fresno to Bakersfield Section Final EIR/EIS, the F-B LGA would have the greatest potential to affect built and historic-era archaeological resources in the urbanized areas and the greatest potential to affect undisturbed prehistoric archaeological sites in rural/undeveloped areas. The F-B LGA has the potential to affect 14 built resources that are listed or eligible for listing on the NRHP and the CRHR. One CEQA-only historical resource was identified within the F-B LGA Built Resource APE.

Activities that cause impacts on cultural resources are typically associated with construction of a project: disturbance of the ground, material or physical alteration of the built environment, or alteration of the visual setting. Measures to mitigate (i.e., rectify, reduce, eliminate, or compensate for) significant impacts to cultural resources accompany each impact discussion and are presented in Section 3.17.6 of this Draft Supplemental EIR/EIS. Implementation of the actions stipulated in these mitigation measures will avoid or mitigate adverse effects to Section 106 historic properties identified in the F-B LGA Built Resource APE.

#### **3.17.4.2 Summary of Analysis for May 2014 Project**

The Fresno to Bakersfield Section Final EIR/EIS analyzed potential effects to cultural resources with implementation of the May 2014 Project (please see Chapter 2 of this Draft Supplemental EIR/EIS). This section provides a summary of those effects of the May 2014 Project using information from the Fresno to Bakersfield Section Final EIR/EIS.

The May 2014 Project is used in comparison to the F-B LGA for this Draft Supplemental EIR/EIS. The May 2014 Project would have an indirect adverse visual effect on one Section 106 historic property and would have substantial adverse changes to five CEQA historical resources. The substantial adverse changes would include physical alteration or demolition, as well as indirect visual changes to the immediate surroundings of the resources, and therefore would be significant impacts under CEQA. Furthermore, the May 2014 Project may affect unrecorded or subsurface elements of archaeological site CA-KER-2507. SHPO concluded that additional identification efforts (subsurface testing) are necessary when legal access to the parcel is obtained in order to determine its NRHP eligibility, and if the May 2014 Project will affect it or if it can be avoided.

Mitigation for these adverse effects includes complying with the framework outlined in the MOA and implementing the resource treatment plans for archaeological and built environment resources that were developed for the Fresno to Bakersfield Section in coordination with the SHPO. Even with mitigation, there may be physical impacts, such as destruction of a portion of an archaeological site that may be eligible for the NRHP and may be a CEQA historical resource. Destruction of an archaeological site that qualifies as a CEQA historical resource or unique archaeological resource would be a significant impact under CEQA because the site would no longer be able to convey its historical significance.

#### **3.17.4.3 Fresno to Bakersfield Locally Generated Alternative**

##### **Construction Period Impacts**

The Fresno to Bakersfield Section Final EIR/EIS (Authority and FRA 2014a: pages 3.17-102 through 3.17-127) provides information on construction impacts for the previously studied alignment alternatives, stations, and heavy maintenance facility sites. Similar to the previously studied alternatives, the F-B LGA would result in construction impacts to historical resources and properties that, with mitigation, would be reduced to a less than significant level under CEQA.

Activities that cause impacts on cultural resources that are typically associated with construction of a project include: disturbance of the ground, material or physical alteration of the built environment, or alteration of the visual setting. Impacts on archaeological resources are addressed as construction-period impacts only because the project operations will not involve these types of actions or cause any further (or post-construction) visual discord or vibration that would result in additional adverse effects (Section 106) or substantial adverse changes (CEQA) to these resources.

### **Archaeological Resources**

Similar to the May 2014 alignment and other previously studied alternatives, archaeological sites could be subject to adverse effects during construction activities for the F-B LGA. Soil excavation or compaction resulting from the use of heavy machinery on the construction site, or in staging areas, may affect the integrity of artifact-bearing deposits associated with yet-undiscovered archaeological sites.

No archaeological resources were identified within the F-B LGA Archaeological APE. Unknown or unrecorded archaeological resources, including subsurface buried archaeological deposits, may exist within the Archaeological APE. Disturbance and removal of archaeological resources could result in an adverse effect to archaeological resources.

#### **Impact CUL #1: Potential Adverse Effects on Archaeological Resources Due to Construction Activities**

Although the F-B LGA will not affect any known archaeological resources that are considered historic properties or resources, it could potentially affect unknown archaeological resources. The majority of the F-B LGA footprint has not been subject to inventory for archaeological resources because of lack of access to the properties. CUL-AM#2 would ensure that the PA and MOA are followed, and that a phased identification efforts are conducted as right of entry is obtained. This would reduce the potential to impact archaeological resources. Within the Archaeological APE, there is still the potential to identify archaeological resources prior to or during construction. With implementation of CUL-AM#2, such archaeological resources would be evaluated to determine whether they are historic properties under Section 106 or historical resources under CEQA. The F-B LGA could potentially affect these unknown archaeological resources by disturbing an unknown archaeological site, which would be an adverse effect under Section 106 for historic properties, and a significant impact under CEQA for CEQA historical resources or unique archaeological resources. Avoidance measure CUL-AM#1, presented in the MMEP, and described further in Section 3.17.5, was approved for the Fresno to Bakersfield Section and is applicable to the F-B LGA. CUL-AM #1 would ensure that construction personnel are properly trained to identify archaeological resources that may be encountered and are aware of the mandatory procedures to follow should potential cultural resources be exposed during construction, which would reduce the impacts to such resources. CUL-AM#1 also ensures that a monitoring plan would be prepared and implemented in areas of high archaeological sensitivity. Implementation of CUL-AM#1 and CUL-AM#2 would reduce impacts to archaeological resources. Even with the implementation of CUL-AM #1 and CUL-AM#2, an archaeological resource may still be disturbed from construction activities, which would potentially be considered an adverse effect under Section 106 or substantial adverse change in the significance of an archaeological resource comprising a significant impact under CEQA.

### **Built Resources**

#### **Impact CUL #2: Potential Adverse Effects on Historic Architectural [Built Environment] Resources Due to Construction Activities**

Construction activities that may cause impacts to built resources can include excavation, staging, heavy-equipment usage and movement, drilling, demolition, or the need for relocation, as well as increases in vibration and noise levels or introduction of new visual elements.

One common potential adverse effect or change is from construction vibration. Therefore, general avoidance measures were developed to ensure that a pre-construction conditions assessment would be conducted before construction (CUL-AM#1), and that the guidelines for minimizing vibration impacts at sensitive receptors would be followed during construction (NV-AM#1) as

described in Section 3.4.5 of this Supplemental Draft EIR/EIS. Implementation of these avoidance measures would result in no adverse effects to historic properties (Section 106) or substantial adverse changes to historical resources (CEQA) from vibration caused by construction activities of the Fresno to Bakersfield Section, which would be considered a less than significant impact under CEQA. Thus, no mitigation specific to construction vibration is necessary.

The F-B LGA is proposed directly over or adjacent to seven of the 15 built resources (MR #s 00A, 00B, 00C, 133, 042, 075, and 097) within the F-B LGA Built Resource APE. CUL-AM#1 would ensure that these resources receive appropriate protection and stabilization to protect them from inadvertent damage that could potentially occur from project-related construction activities. The CUL-AM#1 commitment to stabilize and protect historic buildings and structures susceptible to damage during construction reduces potential impacts on cultural resources. Temporary stabilization and protection measures would be removed after construction is completed. Properties would be restored to their pre-construction condition. Furthermore, CUL-AM#1 calls for a Pre-Construction Conditions Assessment, Plan for Protection of Historic Built Resources and Repair of Inadvertent Damage, which would reduce potential impacts on historic cultural resources by identifying techniques to minimize inadvertent damage. If damage occurs, the plan calls for establishing standards of repair consistent with USSOI's Standards for the Treatment of Historic Properties. CUL-AM#1 also calls for training construction crews on measures to avoid or protect built historic resources, ensuring the construction crew is well informed and well versed in operational procedures that must be followed during construction activities.

CUL-AM#2 (included in the MMEP and discussed in further detail in Section 3.17.5) will ensure that stipulations in the PA regarding the implementation of treatment measures will be followed and documented during project construction; and that the MOA and treatment plans will be amended, if the F-B LGA is selected as the Preferred Alternative, to address specific treatment to historic properties or historical resources in the F-B LGA Project section. If any additional historic built resources are identified in the APE during the course of the surveys on as-yet inaccessible land and it is determined that they may be adversely affected by construction activities of the F-B LGA, CUL-AM#2 stipulates that the Section 106 PA for the HSR program will be followed and the MOA will be amended to incorporate treatment to those properties. The MOA requires archaeological and built environment treatment plans to be prepared and include requirements that specify how commitments to the protection of cultural resources will be implemented for each HSR construction segment.

Implementation of CUL-AM#1 would result in no adverse effects to historic properties (Section 106) or substantial adverse changes in the significance of a historical resource comprising a significant impact (CEQA) because inadvertent damage would be avoided by protection and stabilization measures, alternative construction methods would be used to minimize vibration that could potentially cause damage, construction crews will be trained on how to avoid damage to built resources, and in the event that damage does occur, the built resources will be treated to USSOI's Standards for Rehabilitation. Implementation of CUL-AM#2 would result in no adverse effects to historic properties (Section 106) or substantial adverse changes in the significance of an historical resource comprising a significant impact (CEQA) because the Section 106 PA for the HSR program will be followed and the MOA will be amended to incorporate treatment to any built resources that may be identified in the F-B LGA Built Resource APE. The purpose is to reduce impacts on cultural resources by identifying agreed upon treatment of resources that would be significantly impacted by the project. The BETP will be amended and include requirements that specify how commitments to the protection of cultural resources will be implemented.

Temporary construction noise is not considered an adverse effect to historic properties (Section 106) because it does not cause physical damage and does not permanently alter or diminish the integrity of such resources. Temporary noise would not result in a substantial adverse change in the significance of a historical resource and therefore would not cause a significant impact under CEQA.

**F-B LGA: Impacts on Built Resources**

Construction of the F-B LGA would indirectly affect four built resources (MR #s 00A, 00B, 042, and 075) (all of which are both Section 106 properties and CEQA historical resources) identified within the Built Resource APE of the F-B LGA from the introduction of visual elements that would alter the historic setting of these historic properties. The visual indirect effects to these four historic properties are further described in the following discussion. See Section 3.17.7 for the CEQA pre-mitigation and post-mitigation impacts analysis for all 15 CEQA historical resources.

The following is a summary of effects that construction of the F-B LGA may have on the 15 built resources.

- MR #00A, the **Santa Fe Passenger and Freight Depot**, would be indirectly affected by construction of the F-B LGA from the introduction of visual features that would diminish the integrity of the historic property (Section 106) and would cause a substantial adverse change to the immediate surroundings of the historical resource. This is considered a significant impact under CEQA. The project proposes to raise the BNSF track, which will compromise the historic layout and relationship this railroad depot has to the existing at-grade track. One of the character-defining features of this depot is its façade, which is oriented toward the track; by raising the track on fill, the resource will no longer be able to convey the significance it has in association with the railroad. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Furthermore, it would not be affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration or construction activities that would be considered a significant impact under CEQA. The construction and operation of the proposed project will not result in a direct adverse effect to the Santa Fe Passenger and Freight Depot because they would not result in relocation or alteration of this property. The construction of the proposed project would not cause indirect adverse noise effects on the Santa Fe Passenger and Freight Depot. Associated noise from the proposed project would result; however, the Santa Fe Passenger and Freight Depot was designed and used to serve a rail system that often emitted high levels of noise. It does not derive its NRHP significance from being located in a quiet setting. Furthermore, noise levels generated from the BNSF rail operations would continue but would generally be lower due to shielding of the retained fill and elimination of the train horns.
- MR #00B, the **San Francisco and San Joaquin Valley Railway Shafter Section House**, 434 Central Valley Highway, would be indirectly affected by construction of the F-B LGA from the introduction of visual features that would diminish the integrity of the historic property (Section 106) and would cause adverse change to the immediate surroundings of the historical resource. This is considered a significant impact under CEQA. The project proposes to raise the BNSF track, which will compromise the historic layout and relationship this resource has to the existing at-grade track. One of the character-defining features of this resource is its façade, which is oriented toward the track; by raising the track on fill, the resource will no longer be able to convey the significance it has in association with the railroad. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods would be used. Furthermore, it would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration or construction activities that would be considered a significant impact under CEQA. The



construction and operation of the proposed project will not result in a direct adverse effect to the San Francisco & San Joaquin Valley Railway Section House. Construction activities for certain project components would not result in relocation or alteration of this property. The anticipated noise from operation of the HSR would not cause indirect adverse effects to this residential property. Noise levels generated from the BNSF rail operations would continue but would generally be lower due to shielding of the retained fill and elimination of the train horns.

- MR #00C, the **Friant-Kern Canal**, would not be adversely affected by construction of the F-B LGA. The construction and operation of the proposed project would not cause a direct adverse effect on the Friant-Kern Canal because it would not result in the removal or alteration of the property. The boundary of this historic property is limited to the area immediately adjacent to the lined canal (between the tops of its banks) and the Kern River spillway structures and rock revetment area at the end of the canal. The bridge proposed to carry the HSR over the Friant-Kern Canal would be constructed outside of the surficial boundary and would span the historic property. Constructing a bridge over the canal structure would not diminish the integrity of the canal or materially alter the canal structure. Under Section 106, this property would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from construction activities that would be considered a significant impact under CEQA. Neither the construction nor the operation of the proposed elevated rail line would cause indirect adverse effects on this historic property from potential noise, vibration, or visual effects. The proposed bridge that will carry the HSR over the Friant-Kern Canal will be one of many modern bridges that currently cross the canal. Although the bridge may slightly alter the setting of the canal at this location, it will not diminish its historic integrity of design, materials, location, and workmanship and will not interfere with its ability to convey its significance.
- MR #025, **San Joaquin Compress and Warehouse Company**, 4130 State Road, would not be adversely affected by construction of the F-B LGA. The construction and operation of the proposed project would not cause a direct adverse effect on the San Joaquin Compress and Warehouse Company because the historic contributors of this property will not be physically altered or removed from their location. The contributing buildings to this property will not be adversely affected; however, three non-contributing elements of the complex will be removed for this project. Removal of the non-contributing buildings (Warehouse 8 and Storage/Utility buildings 9 and 10) will not affect the character-defining features or integrity of the remaining contributing elements of this property. The HSR would be visible along the southwest side of the property; however, this industrial property was originally constructed at a heavy rail junction and its layout configured on either side of one of the rail lines. The property has also been adjacent to a major highway since original Golden State Highway (later U.S. 99) was constructed in the 1930s, during the period of significance of the compress plant. The addition of the proposed elevated structure would not, therefore, introduce a visual element that diminishes the integrity of the industrial complex. There would be no anticipated adverse effects from construction or operational noise as the San Joaquin Compress and Warehouse Company has always been located in transportation and industrial area does not derive its NRHP significance from being located in a quiet setting. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration that would be considered a significant impact under CEQA.
- MR #133, **Father Garces Statue (California Historical Landmark #277)**, 30th Street at Chester Avenue, would not be adversely affected by construction of the F-B LGA. Widening of the Golden State Avenue (SR 204) viaduct at Garces Circle (Bridge 50-0505) would occur within 40 feet of this property. Construction activities associated with the widening of SR 204



- would not result in relocation or alteration of this resource. The proposed project would not result in an indirect adverse effect on the Statue of Father Garces from the introduction of visual, vibration, or noise elements that would diminish the integrity of the historic property. While the elevated rail line and improvements to the SR 204 viaduct will be visible from the historic property, the statue has always been located adjacent to major transportation structures. The statue was placed in the original traffic circle in the 1930s, and then relocated within the circle to accommodate a previous viaduct in the 1950s. It is recognized as a historically significant object and its proximity to the proposed project elements will not constitute any adverse effect because the project will not diminish any aspect of its integrity, nor would the proposed project materially alter the setting or views of or from this historic property. Under Section 106, this property would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from construction activities that would be considered a significant impact under CEQA.
- MR #042, **Republic Supply Company**, 1326 30th Street, would be indirectly affected by construction of the F-B LGA from the introduction of unavoidable visual features that would diminish the integrity of the historic property (Section 106) and would cause a substantial adverse change to the immediate surroundings of the historical resource. This is considered a significant impact under CEQA. Columns are proposed directly on this parcel that will support a viaduct that will pass directly over the property. Although the viaduct and columns will not affect access to this property, the modern structure will be a visually dominating, massive feature that will alter the setting of this property. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Furthermore, it would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration or construction activities that would be considered a significant impact under CEQA. The construction and operation of the proposed project will not result in a direct adverse effect to the Republic Supply Company. Construction activities for certain project components would be directly over the historic property; however, they would not result in relocation or deliberate alteration of this building.
  - MR #055, the **Division of Forestry Service Office**, will not be adversely affected by construction of the F-B LGA. The construction and operation of the proposed project would not cause a direct adverse effect on the Division of Forestry Services Office because the building will not be physically altered or removed from its location. There would be no anticipated adverse effects through the introduction of noise because this project activity would not diminish the integrity of this property, which has been located in a transportation and industrial area since its construction. The proposed elevated rail line would be visible from this historic building from most vantage points, but the building was originally constructed within a maintenance yard and shop complex and located between an at-grade freight railroad and a busy highway. The elevated HSR structure will introduce a new visual element, but its presence does not diminish the integrity of the historic building, which has always been located near two major transportation corridors. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration that would be considered a significant impact under CEQA.

- **MR #075, Kern County Land Company Warehouse**, 210 Sumner Street would be indirectly affected by construction of the F-B LGA from the introduction of visual features that would diminish the integrity of the historic property (Section 106) and would cause a substantial adverse change to the immediate surroundings of the historical resource, which is considered a significant impact under CEQA. Columns are proposed directly on this parcel that will support a viaduct that will pass over the property. Although the viaduct and columns will not affect access to this property, the modern structure will be a visually dominating, massive feature that will alter the setting of this property and compromise the property's ability to convey its association with the agricultural development of Kern County and the subsequent growth of what today is known as East Bakersfield from 1880 through 1900. The introduction of a new transportation feature of this size and scale into the building's setting is an indirect adverse effect because the building can no longer be viewed without this visual intrusion. The new structure will cast shadows on the primary elevation of the building, which also diminishes the integrity of feeling, and constitutes an indirect adverse effect. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Furthermore, it would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration or construction activities that would be considered a significant impact under CEQA. The construction and operation of the proposed project will not result in a direct adverse effect to the Kern County Land Company Warehouse. Construction activities for certain project components would be immediately adjacent to this property but would not result in relocation or alteration of this building. There would be no anticipated adverse effects from construction or operational noise because the Kern County Land Company Warehouse does not derive its NRHP significance from being located in a quiet setting and the introduction of noise from this project activity would not diminish its integrity.
- **MR #097, Noriega's**, 525–531 Sumner Street (also Kern Street), would not be adversely affected by construction of the F-B LGA. The construction and operation of the proposed project will not result in a direct adverse effect to Noriega's because it would not result in relocation or alteration of this property. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Furthermore, it would not be adversely affected by construction activities, debris, or heavy equipment because inadvertent damage would be avoided through protection and stabilization measures. A plan of repair consistent with the USSOI's Standards for Rehabilitation of Historic Properties would be prepared and followed to minimize and mitigate adverse effects in the event that unanticipated damage does occur. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration or construction activities that would be considered a significant impact under CEQA. Although the operation of the proposed project would cause a moderate level of noise to this historic property, the Southern Pacific Railroad line is located across Sumner Street from Noriega's and predates the historic property. Throughout its history, the setting of Noriega's has included noise from the rail corridor and nearby industrial and semi-industrial activities. Consequently, there would be no anticipated adverse effects from construction or operational noise as Noriega's does not derive its NRHP significance from being located in a quiet setting. The proposed project would not cause an indirect adverse effect on this historic property from the visual introduction of an elevated rail line in front of the buildings. The rail would be on viaduct within Sumner Street in front (north) of Noriega's, and would be visible from the windows and main entrance on the northern façade; however, Noriega's gains its central historic importance under NRHP Criterion A / CRHR Criterion 1 and as a traditional cultural property from interior spaces that serve as a social, recreational, and traditional cultural gathering space. Similarly,

- under NRHP Criterion B / CRHR Criterion 2, Noriega's significance lies in how Grace Elizalde ran the property as a restaurant, boarding house, and social gathering place. Nothing about the introduction of new visual element into the setting – which is not a character-defining feature of this property – prevents it from conveying its significance as a social gathering space for Bakersfield's Basque community that Grace Elizalde successfully operated. Noriega's is also significant under NRHP Criterion C / CRHR Criterion 3 as a property type that includes the boarding house, restaurant, and ball court. It is not significant under those criteria for aesthetic values of its architectural design, but rather as a unique type of property built and used by members of the local Basque community. Introduction of this new visual element does not prevent the complex from conveying this significance to an observer. No part of the proposed project impedes an observer's gaze from viewing the complex, or understanding it as a unified whole. The solid two-story front wall of the ball court would block views of the elevated rail line from within the court. The introduction of a new, elevated rail in front of Noriega's would not adversely alter the viewshed or setting of this property, which is not character-defining, in a manner that would diminish its integrity or its ability to convey its significance, and it would continue to serve as a traditional cultural property
- MR #107, **Amestoy Hotel (Narducci's Café, formerly Cesmat Hotel)**, 622 E 21st Street, would not be adversely affected by construction of the F-B LGA because it is too distant from the F-B LGA to be affected physically or visually. The property will not be affected by the introduction of visual features because it is located over 200 feet from the elevated rail line, is not oriented toward the proposed structure, and is buffered by existing buildings and vegetation. The construction and operation of the proposed project would not result in direct adverse effects on the Amestoy Hotel because they would not result in the physical demolition, destruction, relocation, or alteration of this resource. There would be no anticipated adverse effects from construction or operational noise, as the Amestoy Hotel does not derive its NRHP significance from being located in a quiet setting. The F-B LGA would not diminish the integrity of the historic property (Section 106) and would not cause a substantial adverse change to the immediate surroundings of the historical resource, thus resulting in a less than significant impact under CEQA.
  - MR #116, **Bakersfield Southern Pacific Depot**, Sumner Street, would not be adversely affected by construction of the F-B LGA. The construction and operation of the proposed project will not result in a direct adverse effect to the former Southern Pacific Depot because construction activities for certain project components would not result in its relocation or alteration. Under Section 106, this property would not be affected by vibration damage from the use of impact pile drivers because alternative construction methods that result in lower vibration levels would be used. Thus, through avoidance and minimization measures, there would be no inadvertent damage from vibration that would be considered a significant impact under CEQA. The proposed elevated rail line would be visible from this historic building's western, eastern, and southern façades; however, the front of the property is its northern façade and views toward the railroad, which contribute to the historical setting and significance of this building, would not be compromised by proposed construction. The setting behind the building is not significant and has been compromised over the years with the introduction of modern elements. There would be no anticipated adverse effects from construction or operational noise as the Southern Pacific Depot is located in a noisy transportation and industrial area and does not derive its NRHP significance from being located in a quiet setting. Therefore, no anticipated adverse effects are anticipated that would diminish the integrity of this historic property.
  - MR #120, **Fire Station Number Two**, would not be adversely affected by construction of the F-B LGA because it is too distant from the F-B LGA to be affected physically or visually. The construction and operation of the proposed project would not result in any direct adverse effects to Fire Station Number Two because they would not result in the physical demolition, destruction, relocation, or alteration of this property. (While the elevated HSR structure may be visible when looking northeast from the Fire Station Number Two, the HSR structure would be located more than 200 feet north of this property. Views toward and from the

historic property would be partially obscured by existing one and two-story buildings fronting Sumner Street. Because Fire Station Number Two is located more than 200 feet from the elevated HSR structure, it is oriented facing away from the proposed HSR structure, and it is buffered by existing properties, the introduction of the HSR structure would not materially alter the setting or view of this historic property. The construction and operation of this project would not cause indirect adverse effects on this historic property from potential vibration elements. There would be no anticipated adverse effects from construction or operational noise as Fire Station Number Two is located near a noisy transportation and industrial area and does not derive its NRHP significance from being located in a quiet setting. The F-B LGA would not diminish the integrity of the historic property (Section 106) and would not cause a substantial adverse change to the immediate surroundings of the historical resource, thus resulting in a less than significant impact under CEQA.

- **MR #00D, Folk Victorian Residence**, 2509 E California Avenue, would not be adversely affected by construction or operation of the F-B LGA because it is too distant from the F-B LGA to be affected physically or visually. The construction and operation of the proposed project would not result in any direct adverse effects for the Folk Victorian residence. All construction activities would not require the removal of, the physical destruction of, or damage to this historic property. While the elevated HSR structure may be visible to the north and northeast of this historic property, the HSR structure would be located more than 350 feet north of this property and the view of the HSR structure from the residence would be mostly shielded by existing buildings and mature trees that currently front the north side of E. California Avenue. Because the property is located more than 350 feet from the elevated HSR structure and it is buffered by existing properties, the introduction of the HSR structure would not materially alter the setting or view of this historic property. Noise effects from the proposed project would result; however, this residence is significant for its architectural style and does not derive its NRHP significance from being located in a quiet setting. No indirect adverse vibration effects to this property would result from the construction or operation of this project. The F-B LGA would not diminish the integrity of the historic property (Section 106) and would not cause a substantial adverse change to the immediate surroundings of the historical resource, thus resulting in a less than significant impact under CEQA.
- **MR #030, SR 204/Golden State Avenue**, would not be adversely affected by construction of the F-B LGA. The majority of SR 204 within the APE does not have historic integrity. However, two segments within the APE do retain their historic integrity and contribute to the significance of SR 204, including the southern segment from Kern Island Canal to 22<sup>nd</sup> Street and the northern segment from the south end of Stine Canal Bridge to the Airport Drive Interchange. The construction and operation of the proposed project will not result in a direct adverse effect to the NRHP-eligible segments of SR 204 that are within the APE for the project. The only contributing element to this historic property that the project proposes to physically alter is the Stine Canal Bridge, which will be widened. The original railings would be remounted on the top surface of the new safety barrier, and the new columns supporting the deck would be compatible with the massing, size, and scale of the existing columns. The fluting design of the new substructure columns would be similar to, but differentiated from, the original design. The project would have no direct adverse effects on the historic property as a result of the physical destruction, damage, or alteration to the contributing element of the historic property because the proposed alterations meet the USSOI Standards for the Rehabilitation of Historic Properties. The alterations would result in a less than significant impact under CEQA per 14 Cal. Code Regs. Section 15126.4(b)(1). The introduction of the new HSR transportation structures into the setting will not diminish the integrity of setting or prevent SR 204 from conveying its significance. The Southern Pacific (now Union Pacific) rail line pre-dated construction of SR 204 and the presence of another rail corridor will not diminish the integrity of the property's setting or any of its other character-defining features.
- **MR #032, Union Ice Company**, 34th Street at Chester Avenue, would not be impacted by construction of the F-B LGA because it is too distant from the F-B LGA to be affected physically or visually. The construction and operation of the proposed project would not result



in a substantial adverse change to the Union Ice Company buildings. The project would include the construction of a proposed elevated rail line and station to the southwest of this historical resource, and roadway and parking lot improvements to the north and northeast. The project would not result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The historic industrial buildings of the Union Ice Company were originally constructed near the original Southern Pacific Railroad line, which was a nineteenth-century, at-grade railroad, and today the building continues to sit immediately adjacent to the at-grade railroad tracks (now Union Pacific Railroad). The introduction of additional rail features, an elevated HSR structure and station to the southwest would not diminish the qualities of the historical resource that qualify as a Point of Historic Interest because the two remaining historic building will not be altered by the project. Furthermore, the roadway alterations to Chester Avenue and 34th Street that are proposed adjacent to this property would not cause a substantial adverse change to the immediate surroundings of this historical resource, thus resulting in a less than significant impact under CEQA. This resource is not eligible for listing on the NRHP or the CRHR; however, it is a California Point of Historic Interest and an historical resource under CEQA.

The Fresno to Bakersfield Section Final EIR/EIS includes “Impact CUL #3: Potential Adverse Effects on Paleontological Resources due to Construction Activities” (Authority and FRA 2014a: pages 3.17-126 and 3.17-127). Impacts the F-B LGA would have on paleontological resources are defined in Section 3.9.4.2 of this Draft Supplemental EIR/EIS as “Impact GSSP #12 – Sensitive Paleontological Resources” and are not discussed in this section.

## **Project Operation Impacts**

### ***Archaeological Resources***

**Impact CUL #4: Potential Adverse Effects on Archaeological Resources Due to Operational Activities**  
Archaeological sites would only be subject to adverse effects during construction activities, not during operational activities. Increasing public access to archaeological sites can lead to their intentional or unintentional disturbance or destruction by those who previously would not have been able to enter the project right-of-way. The F-B LGA would not create new access for any areas that contain archaeological resources. In remote areas, the guideway would be fenced; therefore, it would not provide access for vandals or expose sites to the adverse effects of compaction through pedestrian or vehicular traffic. The related roadway modifications would not cause more traffic near identified archaeological sites. Therefore, project operation would not result in effects on archaeological resources. No impacts would result from project operations under NEPA or CEQA, and no mitigation is necessary.

### ***Built Resources***

**Impact CUL #5: Potential Adverse Effects on Historic Architectural (Built) Resources due to Operational Activities**

Although operation of the HSR would result in exposure of two historic properties to severe noise levels (noise levels for MR #055 would increase 11 dBA and noise levels for MR #00D would increase 8 dBA), neither of these properties derive their NRHP significance from a quiet setting. Both are positioned adjacent to or nearby the existing, operational UPRR. These properties already exist within an industrial/commercial setting and experience intermittent railroad noise; therefore, the noise from the HSR, which would also be intermittent, is not expected to alter their historic setting. Operational noise levels of the HSR are therefore not anticipated to be sufficient to have an indirect adverse effect on these historic properties.

HSR stationary facilities would not generate high vibration levels from long-term operations. The intermittent vibration caused by the operation of the HSR would not materially impair any of the historic properties or historical resources. Therefore, no vibration impacts would occur at historic properties from long-term operations within the project vicinity.

None of the 15 built resources (including the Union Ice Company, a CEQA-only historical resource) within the F-B LGA Built Resource APE would be directly or indirectly affected by the



operation of the F-B LGA. No impacts would result from project operations under NEPA or CEQA, and no mitigation is necessary.

Furthermore, members of the Bakersfield Basque community, including Noriega's (MR #097) manager, Linda McCoy, attended the public open house meeting held in Bakersfield on August 25, 2015, for the F-B LGA. Ms. McCoy acknowledged that the Noriega's building would not be disturbed by the operation of the HSR. The general consensus of the Bakersfield Basque community in attendance at the meeting was that the Basque community was not concerned about any adverse effects the HSR would have to Noriega's (McCoy 2015). The HSR would not limit access to this TCP by the Basque community, nor would it adversely affect the TCP's setting and environment. No impacts to the TCP would result from project operations under NEPA or CEQA, and no mitigation specific to this resources as a TCP is necessary.

### 3.17.5 Avoidance and Minimization Measures

The Authority and FRA have identified avoidance and minimization measures for the Fresno to Bakersfield Section that are applicable to the F-B LGA. During project design and construction, the Authority will ensure that the measures are implemented to reduce impacts on cultural resources. The Fresno to Bakersfield MMEP incorporated measures from the Mitigation Monitoring and Reporting Plan associated with the 2014 CEQA findings; general measures presented in the MOA, ATP, and BETP that were developed through Section 106 consultation; and IAMMs established to comply with the NEPA

process as part of the completion of the Final Fresno to Bakersfield Section EIR/EIS (Authority and FRA 2014a) and Record of Decision (FRA 2014). The MMEP (as amended) is attached to this Supplemental Draft EIR/EIS as Appendix 2-G, and all measures identified are applicable to the F-B LGA. The applicable avoidance and minimization measures as presented in the MMEP are presented below. The Fresno to Bakersfield MOA and BETP would be amended, if applicable, to include the treatment of the historic properties identified in the F-B LGA APE.

#### *Approved Mitigation Measures that Apply to the F-B LGA*

MMEP:

- CUL-MM#4
- CUL-MM#5
- CUL-MM#12
- CUL-MM#13

- **CUL-AM#1 – Protective Measures.** Cultural resources mitigation measures and commitments could occur prior to, during, and following construction. Protective measures, such as conducting archaeological training, building stabilization or archaeological site capping, and recordation of resources, would take place prior to construction; other protective measures, such as vibration monitoring for built resources or monitoring for archaeological resources during ground-disturbing activities, would occur during construction. Measures that could take place after construction may include interpretive programs, including displays, interpretive signage, etc.
- **CUL-AM#2 – PA:** The PA established the framework for the development and implementation of measures to avoid, minimize, and/or mitigate adverse effects on historic properties caused by the HSR System, in compliance with Section 106 and NEPA. The PA also established that a MOA will be prepared for each section of the HSR project to detail the HSR project commitments to implement these treatments.
- **NV-AM#1 – General Construction Guidelines - Noise and Vibration:** FTA and FRA have guidelines for minimizing noise and vibration impacts at sensitive receptors that will be followed during construction.

Appendix 2-H of this Supplemental Draft EIR/EIS provides a description of the functions of these avoidance and minimization measures.

CUL-AM#1 (same as CUL-IAMM#1) incorporates measures that will avoid or minimize effects to historic properties and historical resources presented in the BETP, including Standard Structural Measure: Stabilization and Protection; as well as measures presented in both the BETP and ATP, including Pre-Construction Measures (Resources Mapping for Construction, Completion of Inventory and Evaluation, Cultural Resources Worker Awareness Training, Installation and Maintenance of Avoidance and Protection Measures, Completion of Archaeological Monitoring Plans, and Safety Plans), and Measures to be Implemented during Construction (Construction Monitoring and Protocols for Unanticipated Impacts). CUL-AM#1 also incorporates General Mitigation Measure #1 (Plan for Repair of Inadvertent Damage) which is presented in both the BETP and MOA. Implementation of CUL-AM#1 would protect a historic property and historical resource from inadvertent damage that may result from project construction that would otherwise alter the resource's ability to convey its significance. It would ensure that construction personnel would receive appropriate training on cultural resources that may be encountered during construction and that significant cultural resources that may be identified or inadvertently damaged during project construction would receive appropriate protection and treatment. Regularly updated mandatory training reduces potential impacts on cultural resources by producing a well-informed construction crew versed in operational procedures that must be followed during construction activity. An archaeological sensitivity-monitoring plan would be developed and implemented, as would a built environment-monitoring plan. This reduces the potential for unplanned impacts to cultural resources during construction activities. CUL-AM#1 includes preparation of Pre-Construction Conditions Assessments, and Plans for Protection of Historic Built Resources and Repair of Inadvertent Damage. This will reduce potential impacts on historic cultural resources by identifying techniques to minimize inadvertent damage. The plan will consist of a general protocol for inadvertent damage to historic architectural resources, and a listing of specific properties that should be the subject of an individual plan because of their immediate proximity to the project. Inadvertent damage from the project to any of the historic properties or historical resources near construction activities will be repaired in accordance with the USSOI's Standards for Rehabilitation. Inadvertent damage will consist of any damage that results in a significant impact to a historical resource within the meaning of CEQA Guidelines Section 15064.5(b)(2) or adverse effects to historic properties within the meaning of 36 C.F.R. Part 800.5(a)(1). Repairs consistent with USSOI's Standards for Rehabilitation are not considered adverse effects to historic properties (Section 106), and are considered less than significant under CEQA. The commitment to stabilize and protect historic buildings and structures susceptible to damage during construction reduces potential impacts on cultural resources. Such measures would include, but would not be limited to, vibration monitoring of construction in the vicinity of historic properties, cordoning off of resources from construction activities (e.g., traffic, equipment storage, personnel), shielding of resources from dust or debris, and stabilization of buildings adjacent to construction. Temporary stabilization and protection measures would be removed after construction is completed. Properties would be restored to their pre-construction condition.

CUL-AM#2 (same as CUL-IAMM#2) incorporates certain measures that will ensure compliance with Section 106 that are presented in the ATP, including Pre-Construction Treatment Measures (Completion of Inventory and Evaluation), Procedures for Unanticipated Discoveries during Construction (Protocols for Archaeological Discoveries, Consultation with MOA Signatory Parties, Consultation with Tribes and other Concurring Parties), and Curation of Archaeological Materials. Implementation of CUL-AM#2 will ensure that specific treatments to historic properties or historical resources will be documented and followed during project construction. CUL-AM#2 ensures that the PA will be followed, including Stipulation VIII.A.1, which stipulates that phased identification efforts shall be completed as right of entry is obtained, and that documentation of this identification effort is prepared and provided to the SHPO. If the F-B LGA is selected as the Preferred Alternative, the F-B MOA will be amended, as will the associated treatment plans, to address specific treatment to historic properties or historical resources in the F-B LGA Project section. The purpose is to reduce impacts on cultural resources by identifying agreed upon resources that will or may be adversely affected by the project and by specifying how commitments to the protection of cultural resources will be implemented.

NV-AM#1 (same as NV-IAMM#1) incorporates General Avoidance Measure #1 (Avoid Noise Effects) and General Avoidance Measures #2 (Avoid Vibration Effects) presented in the BETP and MOA. Implementation of NV-AM#1 would ensure that federal guidelines for minimizing vibration impacts at sensitive receptors would be followed during construction.

### **3.17.6 Mitigation Measures**

As described, the F-B LGA incorporates avoidance measures to reduce impacts on cultural resources. In addition, as stated previously, the Authority and FRA have identified mitigation measures for the Fresno to Bakersfield Section that are applicable to the F-B LGA. During project design and construction, the Authority will ensure that the measures are implemented to reduce impacts on cultural resources.

#### **3.17.6.1 Mitigation Measures Identified in the Fresno to Bakersfield Section Final EIR/EIS**

The Fresno to Bakersfield ATP focuses on the treatment of unknown archaeological resources that may be affected by the Fresno to Bakersfield Section, and requires the phased identification and treatment of cultural resources located on parcels for which legal access has yet to be granted. It also provides requirements for procedures to be followed in the event of unanticipated discoveries. The phased identification and treatment of unknown archaeological resources presented in the Fresno to Bakersfield ATP is applicable to the F-B LGA.

If the F-B LGA is selected as the Preferred Alternative, the FRA and Authority would consult with the MOA signatories and concurring parties and amend the MOA, ATP and BETP before the start of construction activities that could adversely affect historic properties. If applicable, the Fresno to Bakersfield BETP would be amended to address historic architectural resources within the F-B LGA Built Resources APE and describe the treatments to be applied to adversely affected built environment historic resources and properties. The treatments include, but are not limited to: condition assessments; vibration monitoring; or requirements for the moving, storing, shoring, stabilizing, monitoring, and rehabilitation or restoration of buildings. The ATP and BETP would also outline the provisions for other treatment measures to be carried out for this project, such as responses to inadvertent damage, interpretation mitigation, and monitoring protocols, consistent with the approved avoidance, minimization, and mitigation measures established in the MOA (Authority and FRA 2014) and MMEP (Authority and FRA 2014b).

#### **Archaeological Resources**

As discussed in Section 3.17.3, the field survey and records search did not identify any archaeological resources within the F-B LGA APE; however, the geoarchaeological analysis and historic map review identified areas that contain a high sensitivity for buried deposits. Therefore, project construction may inadvertently result in damaging or destroying an archaeological resource to where it can no longer convey its significance or yield valuable information, which would be a substantial adverse effect under NEPA and Section 106. Directly affecting a historical resource or unique archaeological resource is considered a significant impact under CEQA. Mitigation Measures CUL-MM#4 and CUL-MM#5, shown in Table 3.17-5 were approved under the Fresno to Bakersfield MMEP (Authority and FRA 2014b) and the MOA, and described in the ATP as Pre-Construction Treatment Measures (Data Recovery) and as Procedures for Unanticipated Discoveries during Construction (Protocols for Discovery of Human Remains). Mitigation Measures CUL-MM#4 and CUL-MM#5 would mitigate impacts to archaeological resources in the F-B LGA Archaeological APE should they be inadvertently discovered during construction. None of the mitigation measures applicable to archaeological resources would result in adverse secondary effects or impacts.

**Table 3.17-5 Mitigation Measures Applicable to Archaeological Resources in the F-B LGA**

Number	Description
CUL-MM#4	<p><b>Comply with State and Federal Law for Human Remains:</b></p> <p>Discoveries of human remains on private and state agency lands in California are governed by California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. Native American remains discovered on federal lands are governed by NAGPRA (25 U.S. Code Section 3001).</p> <p>If human remains are discovered on state-owned or private lands the contractor shall contact the relevant County Coroner to allow the Coroner to determine if an investigation regarding the cause of death is required. If no investigation is required and the remains are of Native American origin, the Authority shall contact the Native American Heritage Commission to identify an MLD. The MLD shall be empowered to reinter the remains with appropriate dignity. If the MLD fails to make a recommendation, the remains shall be reinterred in a location not subject to further disturbance and the location shall be recorded with the Native American Heritage Commission and relevant information center of the California Historical Resources Information System.</p> <p>If human remains are part of an archaeological site the Authority and contractor shall, in consultation with the MLD and other stakeholders, consider preservation in place as the first option, in the order of priority called for in CEQA Guidelines Section 15126.4(b)(3).</p> <p>In consultation with the relevant Native American stakeholders, the Authority may conduct scientific analysis on the human remains if called for under a data recovery plan and amenable to all stakeholders. California and the Authority will work with the most likely descendant, to satisfy the requirements of California Public Resources Code Section 5097.98. Performance tracking of this mitigation measure will be based on successful implementation and approval of the documentation by the SHPO and appropriate consulting parties.</p>
CUL-MM#5	<p><b>Conduct Additional Testing and Data Recovery:</b></p> <p>When access is obtained, conduct surveys, testing, and evaluation pursuant to the ATP. Follow treatments and data recovery, as required.</p>

CEQA = California Environmental Quality Act  
 MLD = Most Likely Descendant  
 NAGPRA = Native American Graves Protection and Repatriation Act  
 SHPO = State Historic Preservation Officer

**Built Resources**

As discussed in Section 3.17.3, the field survey and records search identified 14 built resources that qualify as historic properties and one that qualifies as a historical resource. Four of the 15 resources will be indirectly affected by the F-B LGA, which may be considered a significant impact under CEQA. Mitigation measures have been approved under the Fresno to Bakersfield Section MMEP (Authority and FRA 2014b) and the MOA, and, if applied, would mitigate the impacts to these historic properties and historical resource, and are presented in this section. None of the mitigation measures applicable to built resources would result in adverse secondary effects or impacts.

The approved Mitigation Measures CUL-MM#12 and CUL-MM#13 that were established in the MMEP (Authority and FRA 2014b) are applicable to built resources within the F-B LGA. CUL-MM#12 and CUL-MM#13 both incorporate General Mitigation Measure #2 (Recordation/Documentation of Historic Properties) as presented in the BETP and MOA. CUL-MM#13 also incorporates the Interpretive Measure presented in the BETP. As stated previously, complete descriptions of the approved mitigation measures are provided in detail in the MMEP and in Table 3.17-6. If applicable, the BETP will be amended to include the specific treatment of the historic properties identified in the F-B LGA APE.



**Table 3.17-6 Mitigation Measures Applicable to Built Resources in the F-B LGA**

Number	Description
CUL-MM#12	<p><b>Prepare and Submit Additional Recordation and Documentation:</b></p> <p>A BETP will identify specific historical resources that would be physically altered, damaged, relocated, or destroyed by the project that will be documented in detailed recordation that includes photography. This documentation may consist of preparation of updated recordation forms (DPR 523), or may be consistent with the HABS, the Historic American Engineering Record (HAER), or the Historic American Landscape Survey (HALS) programs; a Historic Structure Report; or other recordation methods stipulated in the MOA and described in the BETP. The recordation undertaken by this treatment would focus on the aspect of integrity that would be affected by the project for each historic property subject to this treatment. For example, historic properties in an urban setting that would experience an adverse visual effect would be photographed to capture exterior and contextual views; interior spaces would not be subject to recordation if they would not be affected. Consultation with the SHPO and the consulting parties will be conducted for the historic architectural resources to be documented. Recordation documents will follow the appropriate guidance for the recordation format and program selected. Copies of the documentation will be provided to the consulting parties and offered to the appropriate local governments, historical societies and agencies, or other public repositories, such as libraries. The documentation will also be offered in printed and electronic form to any repository or organization to which the SHPO, the Authority, and the local agency with jurisdiction over the property, through consultation, may agree. The electronic copy of the documentation may also be placed on an agency or organization's website.</p>
CUL-MM#13	<p><b>Prepare Interpretive or Educational Materials:</b></p> <p>Based on the finalization of design and the completed inventory, the BETP will identify historic properties and historical resources that will be subject to historic interpretation or preparation of educational materials. Interpretive and educational materials will provide information regarding specific historic properties or historical resources and will address the aspect of the significance of the properties that would be affected by the project. Interpretive or educational materials could include, but are not limited to: brochures, videos, websites, study guides, teaching guides, articles or reports for general publication, commemorative plaques, or exhibits.</p> <p>Historic properties and historical resources subject to demolition by the project will be the subject of informative permanent metal plaques that will be installed at the site of the demolished historic property or at nearby public locations. Each plaque will provide a brief history of the subject property, its engineering/architectural features and characteristics, and the reasons for and the date of its demolition.</p> <p>The interpretive or educational materials will utilize images, narrative history, drawings, or other material produced for the mitigation described above, including the additional recordation prepared, or other archival sources. The interpretive or educational materials should be advertised, and made available to, and/or disseminated to the public. The interpretive materials may be made available in physical or digital formats, at local libraries, historical societies, or public buildings.</p>

Authority = California High-Speed Rail Authority  
 BETP = built-environment treatment plan  
 DPR = Department of Parks and Recreation  
 HABS = Historic American Building Survey

HAER = Historic American Engineering Record  
 HALS = Historic American Landscape Survey  
 SHPO = State Historic Preservation Officer

The F-B LGA Built Resources APE was completely surveyed as part of the technical studies to support this Draft Supplemental EIR/EIS for the F-B LGA. No physical impacts, such as demolition or incompatible alteration of an NRHP-listed or eligible historic property, are anticipated.

The proposed project will cause indirect adverse effects to four historic properties (MR #s 00A, 00B, 042, and 075) by the introduction of new visual elements into their setting. Alteration of the local context when it is part of an historic property's integrity could result in an adverse effect under Section 106. This indirect impact may affect the historic property's ability to convey its significance. Affected historic resources within urbanized areas adjacent to the HSR project often

are adjacent to other transportation infrastructure, such as freight lines and highways, and in these cases the functional context may not substantially change. However, some indirect impacts may render an historic property, or a contributing element of an historic district, incapable of conveying its significance under the criteria that established its eligibility for listing in the NRHP. In such cases, the impacts would be considered significant under NEPA. Indirect impacts that do not diminish the property's ability to convey its significance are not considered significant under NEPA. The visual indirect effects cannot be avoided or minimized; however, they can be mitigated through the implementation of CUL-MM#12 and CUL-MM#13. The remaining historic properties will not be adversely affected by construction or operation of the project (MR #s 025, 055, 097, 107, 116, 120, 133, 00C, 00D, and 030). Furthermore, the CEQA-only historical resource (MR #32) will not be impacted by the project. See Section 3.17.7 for the pre-mitigation and post-mitigation CEQA impacts analysis.

### **3.17.6.2 Mitigation Measures Specific to F-B LGA**

Implementation of Mitigation Measures CUL-MM#4 and CUL-MM#5 would reduce or mitigate potential adverse effects on archaeological resources due to construction activities (Impact CUL #1). No new additional mitigation measures are required to address impacts to archaeological resources resulting specifically from the F-B LGA.

Implementation of Mitigation Measures CUL-MM#12 and CUL-MM#13 would mitigate adverse visual effects on historic architectural (built) resources due to construction activities (Impact CUL #2). The MMEP identifies responsible parties for each project phase (pre-construction and construction) to ensure that the requirements are appropriately implemented. No new additional mitigation measures are required to address impacts to built resources resulting specifically from the F-B LGA.

### **3.17.7 CEQA Significance Conclusions**

Within the Archaeological APE, there is the potential to identify archaeological resources during construction (Impact CUL #1). CUL-AM#2 would ensure that the resources are properly identified, evaluated, and treated in accordance with the MOA and PA. Construction of the F-B LGA could potentially affect these unknown archaeological resources by inadvertently damaging or disturbing them, which would be a significant impact under CEQA for historical resources or unique archaeological resources. CUL-AM#1 would ensure that construction personnel are properly trained to identify archaeological resources, and are aware of the mandatory procedures to follow should they be identified during construction. Implementation of CUL-AM#1 and CUL-AM#2 would reduce the impacts to archaeological resources; however, they may still be disturbed from construction activities, which would potentially be considered an adverse effect under Section 106 or significant impact under CEQA. CUL-MM#4 and CUL-MM#5 would mitigate these impacts because it would ensure that compliance with State and Federal laws with human remains are followed, and that data recovery and additional testing is conducted in order to fully document and record such resources. Thus, Impact CUL #1 would be less than significant following the application of mitigation.

The F-B LGA would introduce visual elements that would create a substantial adverse change to the setting of four historical resources (MR #s 00A, 00B, 042, and 075). The substantial adverse change would be considered a significant impact. The visual impacts can be mitigated through implementation of CUL-MM#12 and CUL-MM#13, as described in Section 3.17.6. Impacts to cultural resources with implementation of these measures would be less than significant under CEQA because the mitigation measures would ensure that the resources would be fully recorded and photographed in their current condition and setting before being visually affected by the introduction of the F-B LGA. These mitigation measures will not result in adverse secondary effects or impacts.

Table 3.17-7 summarizes the level of significance under CEQA before mitigation, associated mitigation measures, and the level of significance under CEQA after mitigation for the cultural resources impacts identified within the F-B LGA APE.

**Table 3.17-7 CEQA Significant Impacts Analysis to Historical Resources and Unique Archaeological Resources of the F-B LGA**

Impacts Analysis on Historical Resources and Unique Archaeological Resources of the F-B LGA						
Impact CUL #1: Potential Adverse Effects on Archaeological Resources Due to Construction Activities						
Resource Type				CEQA Impact Pre-Mitigation	Mitigation Measures	CEQA Impact Post-Mitigation
Unidentified Archaeological Resources				S	CUL-MM#5	LTS
Human Remains				S	CUL-MM#4; CUL-MM#5	LTS
Impact CUL #2: Potential Adverse Effects on Historic Architectural [Built] Resources Due to Construction Activities: Introduction of Visual Elements						
Map Reference (MR) #	APN	Resource Name and Address	City/County	CEQA Impact Pre-Mitigation	Mitigation Measures	CEQA Impact Post-Mitigation
MR #00A	027-030-08	Shafter Santa Fe Depot 150–200 Central Valley Hwy	City of Shafter	S	CUL-MM#12; CUL-MM#13	LTS
MR #00B	027-070-28	San Francisco & San Joaquin Valley Railway, Shafter Section House 434 Central Valley Hwy	City of Shafter	S	CUL-MM#12; CUL-MM#13	LTS
MR #00C	N/A	Friant-Kern Canal	Kern County	LTS	N/A	LTS
MR #025	116-021-08; 116-021-09; 116-060-08; 116-070-14	San Joaquin Cotton Oil Company 1660 E California Ave	City of Bakersfield	LTS	N/A	LTS
MR #133	N/A	Statue of Father Garces (CHL #277)	City of Bakersfield	LTS	N/A	LTS
MR #042	002-240-02	Republic Supply Company (Golden Empire Gleaners) 1326 30th St	City of Bakersfield	S	CUL-MM#12; CUL-MM#13	LTS
MR #055	002-120-07	Division of Forestry Service Office 2731 and 2738 O St; 1120 Golden State Ave	City of Bakersfield	LTS	N/A	LTS
MR #075	014-350-09	Kern County Land Company Warehouse 210 Sumner St	City of Bakersfield	S	CUL-MM#12; CUL-MM#13	LTS
MR #097	016-050-05	Noriega's 525 Sumner St	City of Bakersfield	LTS	N/A	LTS
MR #107	016-060-12	Amestoy Hotel (Narducci's Café, formerly Cesmat Hotel) 622 E 21st St	City of Bakersfield	LTS	N/A	LTS

Impacts Analysis on Historical Resources and Unique Archaeological Resources of the F-B LGA						
MR #116	014-370-01	Southern Pacific Depot 730 Sumner St	City of Bakersfield	LTS	N/A	LTS
MR #120	016-070-12; 016-070-13; 016-070-14	Fire Station Number Two 716 E 21st St	City of Bakersfield	LTS	N/A	LTS
MR #00D	141-130-25	Folk Victorian Residence 2509 E California Ave	City of Bakersfield	LTS	N/A	LTS
MR #030	N/A	SR 204/Golden State Ave	City of Bakersfield	LTS	N/A	LTS
MR #032	002-271-02; 002-271-06	Union Ice Company 3301 Chester Ave	City of Bakersfield	LTS	N/A	LTS

All resources in this list are both a Section 106 historic property and an historical resource for the purposes of CEQA (listed, determined eligible for listing, or eligible for listing in the NRHP or CRHR, or as defined in CEQA Guidelines Section 15054.5) except the Union Ice Company, which is not an historic property but an historical resource as defined by CEQA Guidelines Section 15054.5.

APN = Assessor's Parcel Number

CEQA = California Environmental Quality Act

CHL = California Historical Landmark

CRHR = California Register of Historical Resources

F-B LGA = Fresno to Bakersfield Locally Generated Alternative

LGA = Locally Generated Alternative

LTS = less than significant impact

MR = map reference

N/A = not applicable

NRHP = National Register of Historic Places

S = significant impact



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