



**US Army Corps  
of Engineers®**

Appendix C

## **Cultural Resources Analysis and Coordination**

South Pacific Division, Continuing Authorities Program  
San Francisco District



Continuing Authorities Program (CAP), Section 103

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# 1. Cultural Resources Existing Conditions

## 1.1. Regulatory Setting

Cultural resources are defined as several different types of properties ranging from precontact to historic archaeological sites, built-environment architectural properties such as buildings, bridges, or structures, and resources that have traditional, religious, or cultural significance to Native American Tribes such as traditional cultural properties or even sacred sites. The proposed project is located in an area that has been heavily developed especially within the existing South San Francisco Water Quality Control Plant (WQCP) parcel. The vicinity of the WQCP was originally a mudflats and tidal marsh environment with a small hill situated at the center known as Belle Air Island. Adjacent and surrounding the WQCP today are portions of salt marsh within Lower Colma Creek, the San Bruno Slough and Canal, and San Francisco Bay shoreline. Most of the modifications throughout the Lower Colma Creek landscape includes industrial and residential development constructing sewage pipelines, petroleum storage, warehouses, shipping manufacturing, and commercial buildings.

**National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470).** Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to consider the effects of a proposed undertaking on properties that have been determined to be eligible for listing or are listed in the National Register of Historic Places (National Register). For purposes of complying with Section 106 of the NHPA, 54 U.S.C. § 306108, a Federal agency will decide the area of potential effects (APE) for the project or undertaking. The APE is defined under 36 C.F.R. § 800.16(d) as “the geographic areas or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.” Additionally, the APE “is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking”. The APE was defined based on the geographical area where alternatives would have direct impacts to cultural resources from ground disturbing work or setting up staging areas.

**National Environmental Policy Act (42 U.S.C. §§ 4321-4327).** Under the National Environmental Policy Act (NEPA) federal agencies are required to consider potential environmental impacts—including those to cultural resources—and appropriate mitigation measures for projects with federal involvement. This document has been prepared in compliance with NEPA and CEQA regulations.

## 1.2. Cultural Resources Setting

The study area encompasses the reach of Colma Creek adjacent to the WQCP, along with intertidal marsh, mudflat, and estuarine waters near the mouth of the creek. Colma Creek is a perennial stream that flows for approximately 8 miles from its headwaters in San Bruno Mountain State and County Park, through the Cities of Daly City, Colma, and South San Francisco, eventually discharging into San Francisco Bay (Bay). The entirety of the Bay is considered navigable waters of the U.S. up to mean higher high water (MHHW). Land use in the study area is predominately mixed industrial and commercial, as well as some recreation and open space around the Bay. The historic contexts listed below

### 1.2.1. Precontact Context

A comprehensive framework to understand the pre-European contact (Precontact) cultural history of the San Francisco Bay Area has been developed by Milliken et al. in 2007. Their research divides California history into three temporal periods: the Early Period, the Middle Period, and the Late Period. This interpretation uses economic and technological types, social complexity, trading networks,

population densities, and variations of stylistic artifact types to differentiate between these three cultural periods.

The earliest period in California human history is the Paleoindian Period (13,500 to 10,000 Before Present [B.P.]) with is characterized by big game hunter-gatherers occupying large geographic areas. Paleoindian Period sites have not yet been discovered in the San Francisco Bay Area.

The Lower Archaic of the Early Period (10,000 to 5,500 B.P.) is the earliest period archaeologically identified in the San Francisco Bay. This early period is understood through its geographic mobility along with stylistic artifacts ranging from milling slabs, hand stones, and wide leaf-shaped projectile points. By the Middle Archaic of the Early Period (5,500 to 2,500 B.P.) cut shell beads and mortar and pestle artifacts are noted and documented in burial sites. These artifacts indicate a shift from mobile hunter-gatherer groups to a more sedentary lifestyle.

The Middle Period starting from the Initial Upper Archaic (2,500 to 1,570 B.P.) and Late Upper Archaic (1,570 to 950 B.P.) shows geographic mobility continuing with Ohlone groups establishing camps with longer periods of settlement in areas with a stronger diversity of resources for subsistence and use. The earliest Bay Area shellmiddens were recorded during this period. Artifacts associated with the Middle Period includes milling and grinding tools and obsidian and chert projectile points. Archaeological sites associated with this period are situated along a wider range of environments, suggesting a more dynamic economic base.

The Upper Middle Period is defined by small villages indicting a more sedentary way of living. A strong cultural shift in the trade network occurs around 1570 B.P. with the disappearance of Olivella saucer beads within the archaeological record. The Initial Late Period (950 to 450 B.P.) is characterized by social complexity within the lifeways of the Ohlone people: ranging from large, central villages with political leaders and socially complex activity sites and positions. Artifacts associated usually includes hunting bows and arrows, small corner-notched projectile points, and a wide diversity of beads and ornamental artifacts. Non-wetland Waters

### 1.2.2. Ethnography and Ethnohistory

The study area takes place on the ancestral territories of the Ramaytush Ohlone cultural group (Milliken 1995) who occupied the general vicinity of the San Francisco Bay area's peninsula. Ethnographic, historic, and archaeological research supports this claim. Many variations of culture, ideology, and diverse linguistic groups existed between the subdivisions of around 50 Ohlone villages throughout the Bay Area. This supports an interpretation different from past "static" understandings of California's Native Americans, where the Ohlone saw themselves as members of a specific village related to others by marriage, kinship, and language. The Ohlone engaged in hunting and gathering for subsistence, with their territory encompassing both coastal and further inland valley environments. With the wide variety of resources available in both plant and animal resources, from grass seeds, acorns, tubers, as well as bear, deer, elk, bird species, antelope, and rabbit were primary resources in their diet.

Once European contact occurred in 1769, the Ohlone peoples' lifeways and society would be severely disrupted by the Spanish missionization system, disease, and displacement from their ancestral lands and resources. The Ohlone still have a strong presence in the San Francisco Bay Area despite the injustices they faced from the Spanish, Mexican, and American colonial regimes. The Ohlone people are



active in preserving their historic and precontact past and finding ways to restore their traditional lifeways in the modern changing environment of the San Francisco Bay Area.

### 1.2.3. Historical Context

The first historical period event documented in the San Francisco Bay Area is the Portola expedition. The native Ohlone people made initial contact with the Spanish during their search of Monterey Bay in 1769. Mission San Francisco de Asis was established north of the study area in 1776, beginning Spanish rule in the region until 1821 when the Mexican Revolution brought in a new period of Mexican rule. The South San Francisco area was originally part of Rancho Buri Buri, a 14,639-acre area that Governor Jose Castro granted to Jose Antonio Sanchez in 1835. The name derives from the Ohlone Ramaytush village Urebure along San Bruno Creek. The people of Urebure spoke the Ohlone Ramaytush language of Yelamu (Milliken et al 2009).

By the end of the Mexican American War in 1848 and the discovery of gold in 1849, California was soon admitted to the Union in 1850. San Mateo County was formed from parts of San Francisco and Santa Cruz County in 1856. Charles Lux bought 1,464 acres of Buri Buri land in 1855 and became a partner of Henry Miller, forming the firm Miller and Lux which offered butchery services in San Francisco. Miller and Lux was the largest producer of cattle in California and one of the largest landowners throughout the United States, owning around 1,400,000 acres directly and controlling 22,000 square miles of cattle and farmland in California. Peter Iler of Omaha established two stockyards and a marketplace for cattle in 1890 with the South San Francisco Land and Improvement Company and the Western Meat Company. South San Francisco was incorporated on September 19, 1908. The name "South San Francisco" followed the pattern planned by G.F. Swift, whose company had taken over the Western Meat Company, as his other plants were "South Chicago" and "South Omaha."

During the start of World War II in the 1940s, a growing need for a warship building industry developed along the San Francisco Bay shoreline. The initial development and filling of Lower Colma Creek's native mudflat and salt marsh environment begins around this time. A defense contract was signed in the late spring of 1942 for \$18,000,000 between the United States Maritime Commission and the Barrett and Hilp Construction Company. The company already started their business building warships for World War II in San Francisco. The contract was to construct 28 large concrete barges, along with the necessary waterfront and plant facilities. The company leveled the salt marsh and tidal lands south of the WQCP, bulldozing the landscape and the hill known as Belle Air Island and backfilling it with excavated marsh material. Six-to-seven 400-foot long drydocks were constructed into the rock and soil. These "finger piers" between the drydocks exist today and are located on of the southern end of the WQCP parcel. The drydock or graving docks were cut into the land, with flooding gates established at the eastern ends so that when closed water could be pumped out and ships or barges are constructed on a dry floor. When ready, water was rushed back in, and the gates reopened for ships and barges to launch (Bloomfield 1998).

To service the wastewater needs of the growing population of the southeastern portion of San Francisco following World War II, the WQCP was initially constructed in 1953, with numerous additions and alterations over time to accommodate continued growth in the area. Around the same time span, the San Francisco International Airport grew much more than the water control plant. Airline's maintenance, storage, and parking have spread almost up to the water plant. North Access Road was built to serve the growing airport activity, although the name and addresses on that road were applied

only in 1987. The most recent additions are the SamTrans Bus Facility on the area formerly known as Belle Air Island as well as the Costco store adjacent to the water plant. Both were constructed in 1986 and the areas has continued to grow predominantly by the light industry and freight forwarding (Bloomfield 1998). More recently entrepreneurs and technical companies have gradually urbanized the area (Hoover et al., 2002).

The project's recommended plan includes a 2,000-foot-long I-wall (sheetpile) floodwall, approximately 3 to 4.5 feet above grade at WQCP at the north side of the WQCP adjacent to the right-bank of Creek, as well as a second 700-foot-long approximately two-foot-high floodwall south of plant adjacent to San Francisco Bay. The sheetpile flood walls will be topped with a concrete cap. The footprint of disturbance will be limited to four feet on either side of the wall centerline. At Pump Station 4, a perimeter sheetpile floodwall, approximately 2 feet above grade, would be constructed, with stop log gate for vehicular access and early warning system so that plant operators would know when to seal the stop log gate.

### 1.3. Cultural Resources Inventory

Following the Section 106 process to identify historic properties under the National Historic Preservation Act, the APE was delineated as a 2,000-foot polyline to account for the sheetpile floodwall proposed along the right-bank of the Lower Colma Creek, a second 700-foot polyline approximately two-feet high south of the WQCP, a 0.33-acre rectangle on the WQCP parcel for the staging area, and a 0.11-acre polygon surrounding Pumping Station 4 for a sheetpile floodwall approximately 2 feet above grade. The vertical extent of the APE covers direct impacts from the alternatives including the recommended plan. Measures such as ground disturbance, construction of structural features, and setting up staging areas for the placement of heavy machinery and equipment are expected.



Figure 1. Area of potential effects map for the undertaking along the WQCP and Lower Colma Creek.

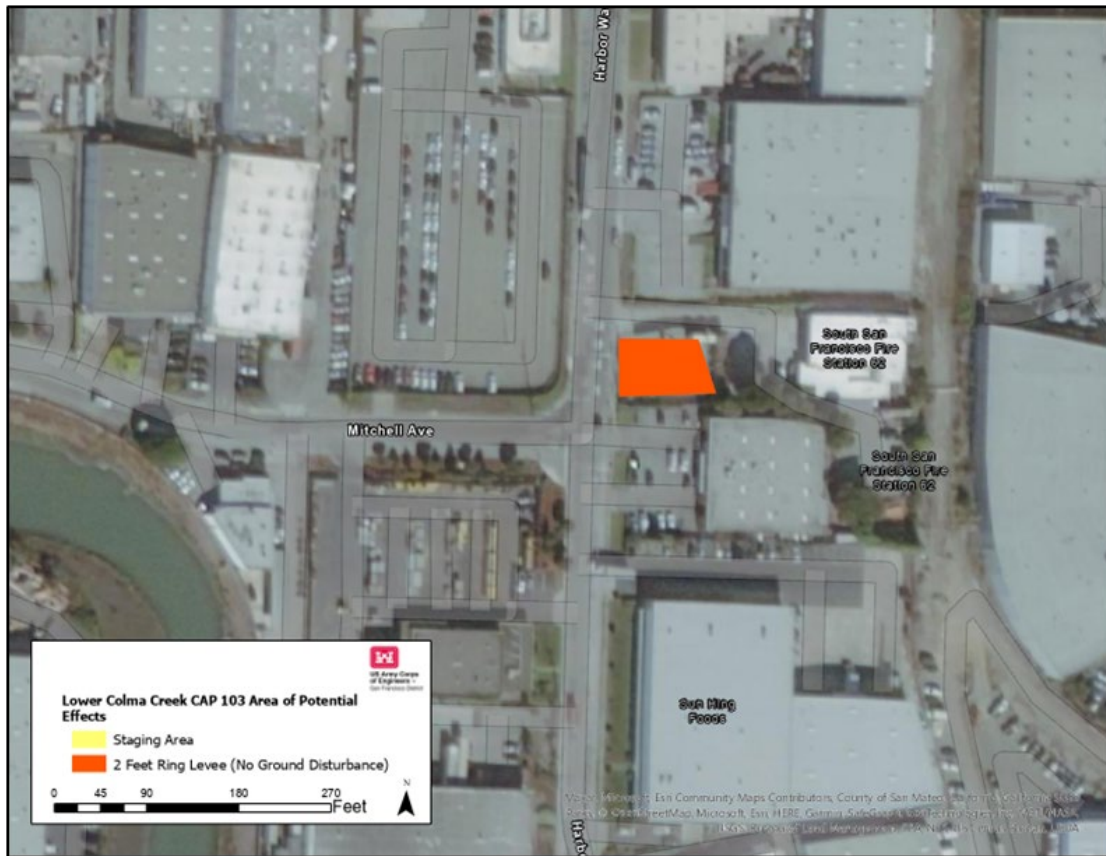


Figure 2. Area of potential effects map for the undertaking around Pump Station 4.

### 1.3.1. Historic Properties

USACE completed the literature research necessary in identifying significant cultural resources and historic properties through a records search at the California Historical Resources Information System's Northwest Information Center (NWIC) on March 5<sup>th</sup>, 2021. The records search results identified one unevaluated cultural resource within the footprint of the TSP's floodwall in the APE. The resource CA-SMA-45 is an approximately mapped shell midden archaeological site identified from a regional shellmound survey by California archaeologist Nels C. Nelson in 1909. The location depth of CA-SMA-45 has not been verified due to no subsurface testing having occurred on the horizontal and vertical boundaries of the resource. The horizontal boundaries of CA-SMA-45 were defined by researchers at the NWIC using a historic map of Nelson's 1909 shellmound investigation.

Built-environment resources were identified from the records search within or adjacent to the APE that includes buildings, structures, and districts meeting the 50-year age criteria to be a historic property. No historic built-environment resources were eligible for listing on the National Register of Historic Places due to their lack of historic significance or lacking physical integrity to be considered a significant historic property worth preserving today. Letters were sent to historic organizations and societies associated with the South San Francisco area, to ensure that perceptions in the significance of the APE's built-environment resources have not changed since the 1998 evaluation. No responses have been received to date.

In order to identify resources with traditional, cultural, or religious importance to Native Americans, USACE invited Tribes to consult as a Section 106 consulting party on March 11<sup>th</sup>, 2021. The following Ohlone tribes were identified as tribal consulting parties under Section 106 and NEPA: the Amah Mutsun Tribal Band of Mission San Juan Bautista, Indian Canyon Mutsun Band of Costanoan, the Muwekma Ohlone Indian Tribe of the SF Bay Area, the Ohlone Indian Tribe, A:ma Tur:ataj Ohlone, and the Costanoan Rumsen Carmel Tribe. The table below summarizes cultural resources within a .25-mile buffer from the APE for both archaeological and built-environment resources.

*Table 1. Existing conditions for archaeological sites*

SITE TRINOMIAL AND PRIMARY RESOURCE NUMBER	PERIOD OF SIGNIFICANCE	DESCRIPTION	NATIONAL REGISTER OF HISTORIC PLACES ELIGIBILITY
CA-SMA-45 or Nelson 384 (P-41-000049)	Precontact	Archaeological site record states CA-SMA-45 is located in San Mateo County. The exact location is not given by the investigator Nels Nelson. Existing site boundary drawn by researchers at the Northwest Information Center and is an approximate location.	Unevaluated
CA-SMA-380 (P-41-002164)	Precontact	Precontact shell midden buried under fill. Discovered from subsurface testing completed in 2006 (S-031689).	Unevaluated
CA-SMA-42 (P-41-000046)	Precontact	Archaeological site record states CA-SMA-42 is located in San Mateo County. The exact location is not given by the investigator Nels Nelson. Existing site boundary drawn by researchers at the Northwest Information Center and is an approximate location.	Unevaluated
CA-SMA-43 or Nelson 382 (P-41-000047)	Precontact	Site placement and extent are based on Nelson's rudimentary mapping, and no evidence of CA-SMA-41 or other nearby shell mounds were observed during Basin Research Associates' survey of the area (Anastasio and Garaventa, 1988). Historic maps indicate that CA-SMA-41 was located on the edge of a tidal marsh (Tillery, Sowers, and Pearce 2007). Subsurface testing in 2016 identified no cultural deposits and tidal marsh soils below fill.	Unevaluated
CA-SMA-41 or Nelson 380 (P-41-000045)	Precontact	Site placement and extent are based on Nelson's rudimentary mapping, and no evidence of CA-SMA-41 or other nearby shell mounds were observed during Basin Research Associates' survey of the area (Anastasio and Garaventa, 1988). Historic mapping indicates that CA-SMA-41 was located on the edge of a tidal marsh (Tillery, Sowers, and Pearce, 2007). AECOM boring cores identified no cultural deposits and tidal marsh soils below fill.	Unevaluated
CA-SMA-47 (P-41-000051)	Precontact	1920's archaeological site survey record states CA-SMA-42 sits in San Mateo County. However, the exact location is not given by Nelson. Site boundary drawn by the CHRIS is an approximate location.	Unevaluated

*Table 2. Existing conditions for historic built-environment resources*

HISTORIC BUILDINGS, STRUCTURES, OR DISTRICTS	DESCRIPTION	NATIONAL REGISTER OF HISTORIC PLACES ELIGIBILITY
South San Francisco/San Bruno Water Quality Control Plant (P-41-002557)	Large acreage district adjoined to the open water of Colma Creek and San Bruno Canal with 13 contributing buildings and 26 structures at the time of evaluation.	Ineligible due to lack of historic significance (Bloomfield 1998)
Digester Tank No. 1 (P-41-002571)	Contributing built-environment structure associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)
Chlorine Contact Tank (P-41-002580)	Contributing built-environment structure associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)
Sludge Conditioning Tank (P-41-002573)	Contributing built-environment structure associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)
RAS Diversion Box (P-41-002572)	Contributing built-environment structure associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)



Tillo Building North (P-41-002577)	Contributing built-environment building associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)
Shell Oil Company Tank Farm (P-41-002566)	Contributing built-environment structure associated with the WQCP district.	Ineligible due to lack of historic significance (Bloomfield 1998)
Barrett & Hilp's Graving Docks (P-41-002564)	Remnants of five piers between graving docks. The horizontal surfaces are no covered in grass and mounded. The graving drydocks were built by the Barrett & Hilp Construction Company to fulfill their World War II contract with the federal government to construct concrete barges.	Ineligible. Evaluated and determine to have significance under the NRHP Criteria B but lacks historic integrity today (Bloomfield 1998)
Belle Air Island / SamTrans Facility (P-41-002563)	The northern SamTrans bus facility. A natural hill known as Belle Air Island was graded and covered by the facility's parking lots and maintenance buildings.	Ineligible due to lack of historic significance (Bloomfield 1998)
Costco Overflow Parking (P- 41-002567)	Eastern part of a landscaped parking lot of customers of Costco.	Ineligible due to lack of historic significance (Bloomfield 1998)
Costco (P-41- 41-002568)	A very large, rectangular, one-story concrete commercial building. Its design is typical of the Costco sales buildings.	Ineligible due to lack of historic significance (Bloomfield 1998)

### 1.3.2. Traditional Cultural Properties

The National Register Bulletin 38 has defined a category of protected cultural resources known as Traditional Cultural Properties (TCP). This guidance defines a TCP as a historic property eligible for inclusion in the National Register of Historic Places because of significance associated with cultural practices or beliefs for a living community's history and maintaining their cultural identity (Parker and King, 1990). In addition to obtaining a Tribal Consultation List on March 11<sup>th</sup>, 2021, the results of the Native American Heritage Commission's Sacred Lands File search were negative for sacred lands within the APE. A formal Section 106 letter was sent to Tribes on March 4<sup>th</sup>, 2022, to aid in the identification of TCP's or significant Native American resources with traditional, cultural, or religious importance. Tribal consultation is currently ongoing. USACE will ensure impacts to TCP's or sacred sites identified later on in the study are avoided, minimized, or mitigated.

## 2. Cultural Resources Assessment

### 2.1. Methodology

The purpose of this section is to provide an assessment of adverse effects under the National Historic Preservation Act for cultural resources identified within the project's APE. All proposed ground disturbing work with deep excavation would take place on the right banks of the WQCP parcel on the southern banks of Lower Colma Creek. The staging area is expected to have no ground disturbance and be used for the transfer and storage of heavy equipment and potentially excavated material. Work taking place around Pumping Station 4 will involve constructing a ring levee with minimal to no excavational work.

### 2.2. National Register of Historic Places Criteria

For purposes of Section 106 of the NHPA, an effect to a cultural resource would be considered significant if it rose to the level of an adverse effect on a historic property, as defined under Section 106 of the NHPA. If adverse effect(s) to historic properties are identified in evaluating a proposed project, the process laid out in 36 C.F.R. § 800.6 or resolving adverse effects through avoidance, minimization, or mitigation. Historic properties are evaluated for listing in the National Register of Historic Places (36 C.F.R. § 60.4) based on their quality of significance in local, regional, or American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that

possess integrity of location, design, setting, materials, workmanship, feeling, and association. They must meet one or more of the following criteria of significance listed below:

- (a) That are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) That are associated with the lives of persons significant in our past; or
- (c) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) That have yielded, or may be likely to yield, information important in prehistory or history.

Meeting one or more of the criteria for eligibility is not enough to determine a resource as eligible for listing in the NRHP. In order to meet eligibility, a resource must have also retained historic integrity of those features necessary to convey its significance (U.S. Department of the Interior 1997). There are seven aspects of integrity: Location, Design, Setting, Materials, Workmanship, Feeling, and Association. Not all aspects of integrity may be relevant to a particular resource.

### 2.3. Threshold of Significance

Section 106 outlines the process in which Federal agencies are required to determine the effects of their undertakings on historic properties. Analysis of the potential impacts was based on evaluation of the changes to the existing historic properties that would result from implementation of the project. In deciding of the effects to historic properties, consideration was given to:

- Specific changes in the characteristics of historic properties in the APE;
- The temporary or permanent nature of changes to historic properties;
- The introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's historical features; and
- The existing integrity considerations of historic properties in the APE and how the integrity was related to the specific criterion that makes a historic property eligible for listing in the National Register.

The threshold also applies to any cultural resource that has not yet been evaluated for its eligibility to the National Register or if the Proposed Action disturbs a traditional cultural property. Analysis of potential impacts to cultural resources may be the result of physically altering, damaging, or destroying all or part of a resource, altering characteristics of the surrounding environment by introducing visual or audible elements that are out of character for the period the resource represents, or neglecting the resource to the extent that it deteriorates or is destroyed. Analysis considers both direct and indirect impacts.

Direct impacts refer to the causality of the effect to historic properties. This means that if the effect comes from the undertaking at the same time and place with no intervening cause, it is considered "direct" regardless of its specific type (e.g., whether it is visual, physical, auditory, etc.). Indirect impacts to historic properties are those caused by the undertaking that are later in time or farther removed in distance but are still reasonably foreseeable. Any adverse effects on historic properties are considered to be significant under Section 106 of the NHPA. Effects are considered to be adverse if they alter, directly or indirectly, any of the characteristics of a cultural resource that qualify that resource for the



National Register so that the integrity of the resource's location, design, setting, materials, workmanship, feeling, or association is diminished.

#### 2.4. TSP Effects

Impacts are expected only for precontact archaeological sites being exposed or disturbed from ground disturbing work. Under Alternatives 1 and Alternative 2, ground disturbance and excavation based on the footprint of the floodwalls would potentially impact site CA-SMA-45 depending on its confirmed location and depth within the footprint of the floodwall. Impacts to the site will be better understood after subsurface testing determines the absence or presence of CA-SMA-45 at certain depths along the Lower Colma Creek banks.

After consulting with local Tribes, USACE determined that minimizing impacts for cultural resources will be implemented during construction by having archaeological and tribal monitors present for any ground disturbing work during construction of the TSP's floodwalls along Lower Colma Creek. Due to the need to further test for the location of CA-SMA-45 within the footprint of the TSP's floodwalls before making a finding of effects to historic properties, USACE and the SHPO has implemented a Programmatic Agreement (PA) on September 6, 2023 pursuant to 36 C.F.R. § 800.4(b)(2) for phased identification of historic properties within the APE.

The PA will ensure USACE commits to additional identification efforts, such as subsurface testing and further consultation with Tribes, after the feasibility study phase is completed and during further design of the TSP before construction occurs. The PA will also assess the effects from the undertaking towards CA-SMA-45 and resolve any adverse effects identified by preparing a historic property treatment plan between USACE, SHPO, the City of South San Francisco, and any affiliated Tribes. The procedures for developing and implementing a historic property treatment plan is documented within the PA under Stipulation 7 and will address mitigation measures to follow to avoid, minimize, or mitigate impacts for CA-SMA-45. Mitigation measures may include redesigning work proposed from the TSP to avoid impacts to the site, minimal excavation to record any cultural deposits that will be disturbed from construction of the floodwall, curation, and reburial of recorded cultural material in coordination with all parties involved in the Section 106 PA Agreement.

In the event that ground disturbance uncovers human remains, all work must be halted in the vicinity of the discovery until a qualified archaeologist and USACE official can visit the site of discovery and determine whether Health and Safety Code § 7050.5, State CEQA Guidelines 15064.5(e), and PRC § 5097.98 should be followed. These state mandates have processes to follow in the accidental discovery of any human remains in a location other than a dedicated cemetery.

In accordance with PRC § 5097.98, the San Mateo County Coroner must be notified within 24 hours of the discovery of potentially human remains. The Coroner must then determine within 2 working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours, in accordance with PRC § 5097.98. The NAHC then designates an affiliated Tribe to be the Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification. The MLD will then have the opportunity to recommend to the project and landowners means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification.

#### 2.4.1. No Action Effects

Under the No Action Alternative, ground disturbance and excavation would not occur. In accordance with Section 106 of the NHPA, archaeological sites would not be adversely affected under the No Action Alternative and would be left undisturbed from the development of the floodwalls. Natural processes in the future, such as erosion, sea level rise, and storm driven waves overtopping the Lower Colma Creek banks may potentially expose or disturb cultural deposits.

### 3. Section 106 Programmatic Agreement

**PROGRAMMATIC AGREEMENT  
BETWEEN  
THE U.S. ARMY CORPS OF ENGINEERS,  
AND  
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,  
REGARDING  
THE LOWER COLMA CREEK CONTINUING AUTHORITIES PROGRAM SECTION  
103 PROJECT, CALIFORNIA**

SUBJECT: Section 106 Consultation for the Lower Colma Creek Continuing Authorities Program Section 103 Project

1. **WHEREAS**, this Programmatic Agreement ("Agreement") is entered into between the California State Historic Preservation Officer (hereafter "SHPO") and the U.S. Army Corps of Engineers, San Francisco District (hereafter "USACE"), collectively referred to as the Signatory Parties.

a. **WHEREAS**, the USACE is proceeding with a feasibility study for the Lower Colma Creek Continuing Authorities Program Section 103 Project, California, as authorized under the Rivers and Harbors Act of 1962, as amended (33 U.S.C. § 426g).

b. **WHEREAS**, the feasibility study falls under the Continuing Authorities Program Section 103 Hurricane and Storm Damage Reduction which authorizes USACE to plan, design, and construct small scale projects under an existing program authority from Congress to protect public infrastructure from erosion and damages caused by natural storms. A Draft Project Report and Environmental Assessment (DPR/EA) has been completed that consists of alternatives and measures to reduce flooding risks for the South San Francisco Water Quality Control Plant (SFWQP). These improvements include constructing two individual floodwalls, each along the northern and southern sides of the SFWQP, in addition to a ring levee surrounding the connected Pump Station 4 sanitation building.

c. **WHEREAS**, the USACE has determined that the proposed improvements constitute an Undertaking as defined in 36 C.F.R. § 800.16(y), that is subject to Section 106 of the National Historic Preservation Act of 1966, 54 U.S.C. § 306108 (formerly 16 U.S.C. § 470f, referred to hereafter as "Section 106" or "NHPA").

d. **WHEREAS**, the USACE, in consultation with the SHPO and in accordance with 36 C.F.R. § 800.4(a)(l), defined the Undertaking's Area of Potential Effects (hereafter "APE") as depicted on the map titled, " Lower Colma Creek Continuing Authorities Program Section 103 Project Area of Potential Effects Map" included as Attachment 1 to this Agreement. The APE is located on the South San Francisco and San Mateo 7.5 Minute USGS topographic quadrangle maps in San Mateo County. The APE's horizontal extent covers 50 feet on both sides of the center polyline of the floodwalls being constructed along the northern and southern sides of the SFWQP and the Pump

SUBJECT: Programmatic Agreement, Lower Colma Creek Continuing Authorities Program  
Section 103 Project, U.S. Army Corps of Engineers, and the California State Historic  
Preservation Officer

Station 4 sanitation building. The APE's vertical extent covers 13 feet below and four feet above the ground surface to account for the concrete cap of the floodwalls. The APE includes the extent of all floodwall construction activities required to construct the project, additional right-of-way/easements for the project's features, all borrow sources, stockpiling and spoils areas, staging areas, and access routes and considers the potential for direct and indirect effects to historic properties that could result from the Undertaking.

e. **WHEREAS**, archaeological and architectural resource surveys have been conducted within the APE, as determined through background research conducted at Sonoma State University's Northwest Information Center, documenting at least one potential historic property within the APE, which is an approximate location of a plotted archaeological site originally recorded in 1908, known as Nelson-384, or CA-SMA-45.

f. **WHEREAS**, the USACE found that several adjacent built-environment resources and one district located in the APE were previously evaluated in 1998 by a qualified architectural historian and determined to be ineligible for the National Register of Historic Places (hereafter "NRHP").

g. **WHEREAS**, the USACE, with SHPO's concurrence, determined there are no effects from the Undertaking on those built-environment resources.

h. **WHEREAS**, the USACE has determined that the Undertaking may have an effect on buried cultural deposits associated with CA-SMA-45, if present, or other unrecorded subsurface archaeological sites which may be eligible for listing in the NRHP.

i. **WHEREAS**, the USACE cannot fully determine the effects of the Undertaking on historic properties prior to final approval of the Undertaking, and requires a phased process to complete subsurface archaeological testing to identify and evaluate historic properties in the APE's vertical extent, as provided for at 36 C.F.R. § 800.8(c)(1)(ii), and has decided to comply with Section 106 of the NHPA for the Undertaking through the execution and implementation of this Agreement, pursuant to 36 C.F.R. § 800.14(b)(1)(ii). The USACE has consulted with the SHPO on the development of this Agreement for phasing the subsurface identification efforts for the Section 106 process of this Undertaking.

j. **WHEREAS**, the SHPO is participating as a Signatory to this Agreement along with the USACE.

k. **WHEREAS**, in accordance with 36 C.F.R. § 800.6(a)(1)(i)(C), through correspondence sent on February 8, 2023, the USACE notified the Advisory Council on Historic Preservation (hereafter "ACHP") of the development on this Agreement and

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invited the ACHP to participate in the consultation. Through correspondence dated February 27, 2023, the ACHP declined to participate in the Section 106 consultation process.

l. **WHEREAS**, the City of South San Francisco is the non-Federal Sponsor for the study and has been invited to participate in this Agreement as a Concurring Party.

m. **WHEREAS**, the Amah Mutsun Tribal Band, Amah Mutsun Tribal Band of Mission San Juan Bautista, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Indian Tribe of the SF Bay Area, North Valley Yokuts Tribe, and the Ohlone Indian Tribe have been invited by the USACE, in accordance with 36 C.F.R. § 800.2(c)(2)(ii)(A) and 36 C.F.R. § 800.3(f)(2), to participate in the Section 106 process for the Undertaking as Consulting Parties and will continue to be included throughout the implementation of the project.

n. **WHEREAS**, the Ohlone Indian Tribe have indicated a desire to participate in consultation on the project on February 17, 2022, and May 18, 2023. The Ohlone Indian Tribe has been invited to participate in this Agreement as a Concurring Parties.

o. **WHEREAS**, in accordance with 36 C.F.R. § 800.6(a)(4) and 36 C.F.R. § 800.14(b)(2)(ii), the USACE has notified the public and local historic societies associated with the South San Francisco area of the Undertaking; held public meetings on the Undertaking on June 29, 2022, and provided an opportunity for members of the public to comment on the Undertaking and the Section 106 process as outlined in this Agreement on July 10, 2022.

p. **WHEREAS**, the definitions set forth in 36 C.F.R. § 800.16 are incorporated herein by reference and apply throughout this PA.

q. **WHEREAS**, the definitions for Signatory Parties set forth in 36 C.F.R. § 800.6(c)(1), Invited Signatory set forth in 36 C.F.R. § 800.6(c)(2), and Concurring Parties set forth in 36 C.F.R. § 800.6(c)(3), are incorporated herein by reference and apply throughout this PA.

2. REFERENCE/AUTHORITY: The Parties enter into this Agreement pursuant to 36 C.F.R. § 800.6 and 36 C.F.R. § 800.14(b)(1).

3. PURPOSE: Now, therefore, the USACE and the SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties and that these stipulations shall govern the Undertaking and all of its parts until this Agreement expires or is terminated.

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4. STIPULATIONS REGARDING UNDERSTANDINGS, AGREEMENTS, SUPPORT,  
RESOURCES, AND RESPONSIBILITIES: The USACE shall ensure that the following  
measures are carried out:

a. Stipulation 1. Time Frames and Review Procedures: For all documents and deliverables produced in accordance with the stipulations of this Agreement, including findings and effects determinations, USACE shall provide a draft document to the SHPO, Consulting Parties, and Concurring Parties for review.

(1) Any written comments provided by the SHPO, Consulting Parties, and Concurring Parties within thirty (30) calendar days from the date of receipt, shall be considered in the revision of the document or deliverable. USACE shall document and report the written comments received for the document or deliverable and how comments were addressed. USACE shall provide a revised final document or deliverable to the SHPO, Consulting Parties, and Concurring Parties and they shall have thirty (30) calendar days from receipt to respond. Failure to respond within thirty (30) calendar days of receipt of any submittal, unless discussed otherwise and agreed upon with the USACE, shall not preclude the USACE from moving to the next step in this Agreement.

(2) Should the SHPO, Concurring Parties, or Consulting Parties object to the final document or deliverable submitted for review, the USACE shall consult for a period not to exceed fifteen (15) calendar days (or other agreed upon time period) following the receipt of the written objection by email or formal letter in an effort to come to agreement on the issues to which the SHPO, Concurring Parties, or Consulting Parties has objected. Should the USACE be unable to agree on the issues to which the SHPO, Concurring Parties, or Consulting Parties has objected, the SHPO, Concurring Parties, or Consulting Parties and the USACE shall proceed in accordance with Stipulation 14. Dispute Resolution below. The timeframe to consult to resolve a disagreement or objection may be extended by mutual consent of the USACE and the SHPO, Concurring Parties, and Consulting Parties.

b. Stipulation 2. Area of Potential Effects: The USACE has determined and documented the Area of Potential Effects (APE) for the Undertaking in consultation with SHPO and Consulting Parties, as depicted in Attachment 1. The USACE will consult regarding any modifications to the APE with the SHPO, Concurring Parties, and Consulting Parties per Stipulation 3. Tribal Involvement. Modifications to the APE will be provided to SHPO, Concurring Parties, and Consulting Parties for review and comment, pursuant to 36 C.F.R. § 800.4, in the time frames established in Stipulation 1. Time Frames and Review Procedures. In addition, the USACE shall provide timely notice of any modifications within the construction footprint, right-of-way, and ancillary areas in



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accordance with Stipulation 1 Time Frames and Review Procedures.

c. Stipulation 3. Tribal Involvement: USACE will make a reasonable and good-faith effort to identify Native American properties of traditional religious and cultural importance. USACE will consult with federally recognized Indian tribes as listed on the Federal recognized tribe list, 88 Fed. Reg. 2112 (Jan. 12, 2023) and California Native American Tribes on the contact list maintained by the Native American Heritage Commission (Tribes or Indian Tribes) that are affiliated with the project area. USACE will ensure that consultation continues throughout the implementation of this Agreement.

(1) In accordance with the guidance provided in National Register Bulletin 38 and Preservation Brief 36, USACE will seek comments from all Indian tribes in making determinations of NRHP eligibility for cultural resources including Traditional Cultural Properties (TCPs) and Cultural Landscapes (as defined in Bulletin 38 and Preservation Brief 36). Review of documentation shall be consistent with Stipulation 1 Timeframes and Review Procedures.

(2) In consultation with Tribes, the USACE will develop appropriate methods to resolve adverse effects to historic properties and will prepare a Historic Property Treatment Plan (hereafter "HPTP") pursuant to Stipulation 7 Preparation of Historic Property Treatment Plan in areas with potential for historic properties of traditional religious and cultural importance.

(3) USACE shall make a reasonable and good-faith effort to ensure that Tribes, acting as Consulting Parties or those expressing interest in the project, will be invited to participate in the terms of this Agreement, including, but not limited to, identification of potential historic properties, determinations of eligibility, findings of effect, and the resolution of adverse effects for those historic properties. Review periods shall be consistent with Stipulation 1 Timeframes and Review Procedures except in situations involving unanticipated discoveries and treatment, which shall follow the review schedules of Stipulation 9 Post-Review Discovery.

(4) Tribes may choose not to sign this Agreement as a Concurring Party. Tribes and individuals not acting as Concurring Parties to the PA will still be consulted when USACE identifies potential interest in a specific action of the project. USACE will make a good faith effort to identify any Native American organizations and individuals with interest in the proposed treatment of historic properties. The identification effort may include contacting the Native American Heritage Commission (NAHC), using online databases, and using personal and professional knowledge. USACE will then contact each identified organization and individual by mail or email inviting them to consult. If interest from the contacted parties is received by USACE, USACE will proceed to consult in accordance with Stipulation 3 Tribal Involvement. Further consultation may

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also be carried out through either letters of notification, emails, public meetings, environmental assessments/environmental impact statements, site visits, and/or another method requested by a Tribe or Native American interested party. Failure of any contacted group to comment within thirty (30) calendar days shall not preclude USACE from proceeding with the project.

d. Stipulation 4. Professional Qualifications and Standards:

(1) Professional Qualifications. All technical work required for historic preservation activities implemented pursuant to this Agreement shall be carried out by or under the direct supervision of a person or persons meeting, at a minimum, the Secretary of Interior's Professional Qualifications Standards for archeology or history, as appropriate (48 Fed. Reg. 44,739). "Technical work" here means all efforts to inventory, evaluate, and perform subsequent treatment such as data recovery excavation or recordation of potential Historic Properties that is required under this PA. This stipulation shall not be construed to limit peer review, guidance, or editing of documents by SHPO and associated project consultants.

(2) Historic Preservation Standards. Historic preservation activities carried out pursuant to this Agreement shall meet the Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 Fed. Reg. 44,716-40), as well as standards and guidelines for historic preservation activities established by the SHPO. The USACE shall ensure that all reports prepared pursuant to this Agreement will be provided to the Concurring Parties and Consulting Parties and are distributed in accordance with Stipulation 1 Timeframes and Review Procedures and meet published standards of the California Office of Historic Preservation, specifically, Preservation Planning Bulletin Number 4(a), "Archaeological Resources Management Reports (ARMR): Recommended Contents and Format" (December 1989).

(3) Archeological Monitor Standards. Archeological monitoring activities required for exploratory, construction, or construction related ground disturbing activities implemented pursuant to this Agreement shall be carried out by a person meeting, at a minimum, the Secretary of Interior's Professional Qualifications Standards for precontact or historic archaeology, as appropriate (48 Fed. Reg. 44,739). "Archeological monitoring" here includes monitoring ground disturbing activities that have been determined by USACE to be occurring in areas potentially sensitive for Historic Properties or buried resources.

(4) Documentation Standards. The USACE shall ensure that all written documentation prescribed by this Agreement shall conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 Fed. Reg. 44,716-40).

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e. Stipulation 5. Identification and Evaluation: The USACE will develop a subsurface archaeological testing plan for the identification of historic properties in consultation with the Signatory Parties and Consulting Parties. The USACE shall complete the archaeological subsurface testing to identify and evaluate historic properties potentially located in the APE, prior to proceeding with construction. If the Signatory Parties or Consulting Parties object to the USACE's identification and evaluation efforts and do not agree to proceed with the phase of the project, the USACE shall follow Stipulation 14 Dispute Resolution.

(1) Identification of Historic Properties. The USACE will implement an archaeological testing program, including both field observations and geoarchaeological lab analysis, based on a sampling strategy designed to recover data sufficient to verify the presence or absence of potentially significant, buried cultural resources plotted along undisturbed portions of the APE. Construction of the northwestern portion of the north flood wall overlaps an approximately mapped cultural resource recorded as CA-SMA-45. Subsurface testing in this area will be completed to determine the areal extent of the cultural resource and to characterize the nature and integrity of such deposits within the undisturbed portions of the creek banks, if present. The testing program will consist of drilling bore holes using a hollow-stem auger and recovering a series of cores to a maximum of 13' deep segments. The testing will be completed for areas where ground disturbance is proposed from the project's floodwalls, including evaluating the nature of subsurface cultural deposits and site sensitivity within the APE.

(2) Evaluation of Properties. After recordation on DPR 523 Site Record forms, all identified resources shall be evaluated for NHRP eligibility in accordance with Stipulation 4.d. Professional Qualifications and Standards as well as 36 C.F.R. § 800.4(c) and 36 C.F.R. pt. 63. USACE shall submit a completed inventory and evaluation reports to the SHPO, Consulting Parties, and Concurring Parties in accordance with Stipulation 1 Timeframes and Review Procedures.

(3) If SHPO and/or any Consulting Parties disagree regarding eligibility and a dispute cannot be resolved using the dispute resolution process in Stipulation 14 Dispute Resolution, the USACE shall notify all parties involved and seek a formal determination of eligibility through the Keeper of the National Register of Historic Places (Keeper). The Keeper's determination will be final in accordance with 36 C.F.R. § 63.4.

f. Stipulation 6. Determinations of Effect:

(1) Avoidance of adverse effects to historic properties is the preferred treatment approach. The USACE will consider redesign of project elements in order to avoid

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historic properties and project effects that may be adverse. However, in some cases, it may not be possible to redesign the project to avoid adverse effects to historic properties.

(2) The USACE shall apply the criteria of adverse effect pursuant to 36 C.F.R. § 800.5(a)(1) to all historic properties within the APE that will be affected by the project. Determinations of effect shall be made in consultation with the SHPO and the Consulting Parties. If there are no adverse effects to historic properties, USACE shall prepare and submit the finding of effect document in accordance with Stipulation 1 Timeframes and Review Procedures and then follow the provisions of Section 4.h. Notices To Proceed With Construction. If adverse effects will occur to historic properties, and SHPO, Consulting Parties, and Concurring Parties agree to the finding of adverse effect, a Historic Property Treatment Plan (hereafter "HPTP") will be developed in accordance with Stipulation 7. Preparation of Historic Property Treatment Plan.

g. Stipulation 7. Preparation of Historic Property Treatment Plan: If it is determined that project activities will result in adverse effects, the USACE, in consultation with the SHPO, Consulting Parties, and Concurring Parties shall develop a Historic Properties Treatment Plan (HPTP) to resolve all adverse effects resulting from the project, which would be appended to this Agreement. The HPTP shall describe how the USACE intends to resolve adverse effects to historic properties, as well as any minimization measures that may be necessary to avoid adverse effects to historic properties as a result of the Undertaking. If adverse effects are identified, the HPTP shall be in effect before construction commences. The HPTP may be amended and appended to this Agreement without amending the Agreement. The USACE will submit any such HPTP for review in accordance with Stipulation 1 Timeframes and Review Procedures.

(1) Scope. The HPTP may address individual or multiple historic properties. An HPTP will stipulate those actions the USACE will take to resolve the adverse effects of the project on historic properties within the project phase or specific action specified by the HPTP. For properties eligible under criteria specified in 36 C.F.R. § 60.4 (A) through (D), mitigation other than data recovery may be considered in the treatment plan (e.g., HABS/HAER, oral history, historic markers, exhibits, interpretive brochures or publications, or other means as deemed appropriate by the signatories). Appropriate measures for avoidance or minimization of effect to historic properties shall also be included, as needed. The HPTP shall include a monitoring plan to be implemented if it is determined that archaeological and/or tribal monitors are appropriate for the undertaking.

(2) Review. USACE shall submit the draft HPTP to the SHPO, Consulting Parties, and Concurring Parties for review and comment pursuant to Stipulation 1 Time

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#### Frames and Review Procedures.

(3) Reporting. Reports and other data pertaining to the treatment of effects to historic properties will be distributed to Consulting Parties and Concurring Parties to this Agreement, and other members of the public, consistent with Stipulation 1 Timeframes and Review Procedures of this Agreement, unless parties have indicated through consultation that they do not want to receive a report or data.

(4) Amendments/Addendums/Revisions. If a historic property that is not covered by an existing HPTP is discovered within the APE subsequent to the initial inventory effort, or if there are previously unexpected effects to a historic property, or if the USACE, the SHPO, and Consulting Parties agree that a modification to a HPTP is necessary, the USACE shall prepare an addendum to the HPTP. The USACE shall then submit the addendum to the SHPO, Concurring Parties, and Consulting Parties for review and comment, and if necessary, shall follow the provisions of Stipulation 9. Post Review Discovery. The HPTP may cover multiple discoveries for the same property type.

(5) Data Recovery. In consultation with the SHPO, Consulting parties, and Concurring Parties, when data recovery is proposed, USACE shall ensure that specific research designs are developed consistent with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and the ACHP's "Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites" (ACHP, May 18, 1999) and 36 C.F.R. § 800.6(b), and submitted to the SHPO, consulting parties, and Concurring Parties pursuant to Stipulation 1. Timelines and Review Procedures.

(6) Final Report Documenting Implementation of the Historic Properties Treatment Plan (hereafter "Final Report"). Within one year after the completion of all work for the project, USACE shall submit to the SHPO, Consulting Parties, and Concurring Parties a Final Report documenting the results of all work prepared under the HPTP, and the information learned from each of the historic properties.

h. Stipulation 8. Notices to Proceed with Construction: Notices to Proceed (NTP) may be issued by the USACE for individual segments of floodwall construction and geotechnical investigations for which:

(1) The USACE, the SHPO, Concurring Parties, and Consulting Parties have determined through consultation that there are either no historic properties or a low likelihood to discover historic properties within an area of the APE where construction or ground disturbance is being proposed; or

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(2) The USACE, SHPO, Concurring Parties, and Consulting Parties have accepted a finalized summary or report of the fieldwork performed and a reporting schedule for that work; and pursuant to Stipulation 1. Time Frames and Review Procedures and confirmed that the requirements of the HPTP have been met for that phase. These documents will be circulated pursuant to Stipulation 1. Time Frames and Review Procedures.

i. Stipulation 9. Post-Review Discovery: The USACE is responsible for complying with 36 C.F.R. § 800.13 in the event of inadvertent discoveries of historic properties during implementation of the project. If an HPTP has been prepared, the HPTP will provide specific procedures for complying with post review and inadvertent discoveries of historic properties. If an HPTP has not been prepared and there is a discovery of an unanticipated historic property, the USACE shall follow 36 C.F.R. § 800.13(b). Additionally, the following procedures shall be followed:

(1) Workforce Training. During implementation of project activities, USACE archeologists meeting the professional qualifications as described in Stipulation 4. Professional Qualifications and Standards and/or Tribal members will provide training to all construction personnel before they begin work, regarding proper procedures and conduct in the event that archeological deposits are encountered during construction.

(2) Human Remains. Treatment of human remains is governed by Stipulation 11. Treatment of Human Remains.

j. Stipulation 10. Curation: If, in consultation with Concurring Parties curation is determined to be appropriate mitigation to resolve adverse effects of this Undertaking, curation shall be conducted in accordance with 36 C.F.R. pt. 79, except those materials identified as Native American human remains and items associated with Native American burials. Archeological items and materials from State- or privately-owned lands shall be maintained in accordance with 36 C.F.R. pt. 79 until any specified analyses are complete. This agreement incorporates by reference the definitions for "human remains" and "funerary objects" set forth in 43 C.F.R. § 10.2(d) and those definitions shall apply to actions under this Agreement.

k. Stipulation 11. Treatment of Human Remains: In cases when human remains are discovered on non-federally owned property within the designated APE, the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. §§ 3001-3013, would not apply. USACE and the landowner shall ensure that human remains and any items associated with the remains encountered during the project that are located on state or private land are treated in accordance with the requirements of Cal. Health & Safety Code § 7050.5 and Cal. Pub. Res. Code § 5097.98. If Native American human remains are encountered within the context of a National Register eligible or potentially



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eligible archaeological site, a clear means of identifying those remains and associated funerary objects will be described in the HPTP. Any procedures described in the HPTP regarding the handling or treatment of human remains will be coordinated with the landowner to ensure that they are consistent with Cal. Pub. Res. Code § 5097.98. In the event that any Native American human remains or associated funerary items are identified, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission, shall be invited to advise the landowner in the treatment of any Native American human remains and items associated with Native American burials.

I. Stipulation 12. Annual Reporting. The USACE shall provide the parties to this Agreement an annual summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the USACE's efforts to carry out the terms of this Agreement. The USACE will provide the initial annual summary report on or before December 31, 2023, and provide subsequent reports on or before December 31 each year following until this Agreement expires or is terminated. Review of the annual summary report shall follow the procedure outlined in Stipulation 1 Time Frames and Review Procedures. At the request of any Signatory or Concurring Party to this Agreement, or if otherwise deemed necessary, the USACE shall ensure that one or more meetings are held to facilitate review, address questions, or resolve comments.

#### 5. GENERAL PROVISIONS:

a. Stipulation 13. Points of Contact:

(1) The point[s] of contact for the USACE are Ruzel Benedicto Ednalino or Julie Beagle, 450 Golden Gate Avenue, 4<sup>th</sup> Floor, San Francisco, California 94102.

(2) The point[s] of contact for the SHPO is Brendon Greenaway or Julie Polanco, 1725 23<sup>rd</sup> Street, Suite 100, Sacramento, CA 95816

(3) The point[s] of contact for the concurring parties are Andrew Galvan, The Ohlone Tribe, Inc, P.O. Box 3152 Fremont, CA 94539, and Brian Schumacker, 195 Belle Aire Road, South San Francisco, CA 94080.

b. Stipulation 14. Dispute Resolution. Should any Signatory, Consulting Party, or Concurring Party to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, the USACE shall notify the other parties to the Agreement and consult with the objecting party to resolve the objection. If the USACE determines that such objection cannot be resolved, the USACE will:

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(1) Forward all documentation relevant to the dispute, including the USACE's proposed resolution, to the ACHP. The ACHP shall provide the USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatories, Consulting Parties, and Concurring Parties, and provide them with a copy of this written response. The USACE will then proceed according to its final decision.

(2) If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the USACE may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the USACE shall prepare a written response that considers any timely comments regarding the dispute from the Signatories, Consulting Parties, and Consulting Parties to the Agreement and provide them and the ACHP with a copy of such written response.

(3) The USACE's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

c. Stipulation 15. Notices:

(1) All notices, demands, requests, consents, approvals or communications from all parties to this Agreement to other parties to this Agreement shall be personally delivered, sent by United States physical mail or digitally through e-mail. If physical mail is chosen as a form of notice, a receipt of the materials five (5) calendar days after deposit in the United States mail will be certified with postage prepaid along with a return receipt if requested.

(2) Signatory, Consulting Parties, and Concurring Parties agree to accept facsimiles or copies of signed documents and agree to rely upon such facsimiles or copies as if they bore original signatures.

d. Stipulation 16. Amendments:

(1) Any Signatory Party to this Agreement may propose that the Agreement be amended, including to extending the duration of the Agreement, whereupon the USACE shall consult with the Signatories for thirty (30) days to consider such amendment. The Agreement may be amended only upon written concurrence of all Signatories.

(2) All attachments to this Agreement, and other instruments prepared pursuant to this agreement including, but not limited to, the project's description, initial cultural resource inventory report and maps of the APE, the HPTP, and monitoring and

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discovery plans, may be individually revised or updated through consultation consistent with Stipulation 1 Timeframes and Review Procedures and agreement in writing of the Signatories without requiring amendment of this Agreement, unless the Signatories through such consultation decide otherwise. In accordance with Section 4.c. Tribal Involvement, the Concurring Parties, interested Native American Tribes, and interested members of the public, will receive a copy of amendments to the project's description, initial cultural resource inventory reports and maps of the APE, the HPTP, and monitoring and discovery plans, as appropriate, and copies of any amendment(s) to the Agreement.

e. Stipulation 17. Termination:

(1) Only the Signatories may terminate this Agreement. If this Agreement is not amended as provided for in Stipulation 16. Amendments, or if any Signatory proposes termination of this Agreement for other reasons, the Signatory proposing termination shall notify the other Signatory in writing, explain the reasons for proposing termination, and consult with the other Signatory to seek alternatives to termination, within thirty (30) calendar days of receipt of the notification. Such consultation will not be required if the Corps or SHPO proposes termination because the Undertaking no longer meets the definition of "undertaking" set forth at 36 C.F.R. § 800.16(y).

(2) Should such consultation result in an agreement on an alternative to termination, the Signatories shall proceed in accordance with that agreement.

(3) Should such consultation fail, the Signatory proposing termination may terminate this Agreement by promptly notifying the other Signatory and Concurring Parties in writing.

(4) Beginning with the date of termination, USACE shall ensure that until and unless a new agreement is executed for the actions covered by this Agreement, such undertakings shall be reviewed individually in accordance with 36 C.F.R. §§ 800.4-800.6.

f. Stipulation 18. Duration and Expiration:

(1) If the project has not been implemented within five (5) years of the date of execution of this Agreement, the Agreement shall automatically expire and have no further force or effect at the end of this five (5) year period unless it is amended or terminated prior to that time. If the Agreement has not been terminated, the Signatories shall consult on a date not less than 90 days prior to the fifth anniversary of this Agreement to reconsider its terms. Reconsideration may include continuation of the

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Agreement as originally executed, amendment, or allowing the Agreement to expire.

(2) This Agreement will be in effect through the USACE's implementation of the project and will terminate and have no further force or effect when the USACE, in consultation with the other Signatories, determines that the terms of this Agreement have been fulfilled in a satisfactory manner and/or USACE involvement in the project has ended before five (5) years of the date of the execution of this agreement. The USACE will provide the other Signatories with written notice of its determination and of termination of this Agreement.

g. Stipulation 19. Effective Date of This Agreement: This Agreement shall take effect on the date that it has been fully executed by the Signatories.

h. Stipulation 20. Entire Agreement: It is expressly understood and agreed that this PA embodies the entire agreement between the Parties regarding the PA subject matter.

i. Stipulation 21. Execution: Execution of this Agreement by the USACE and the SHPO, its transmittal to the ACHP, and subsequent implementation of its terms evidence that USACE has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, that the USACE has taken into account the effects of the Undertaking on historic properties, and that the USACE has satisfied its responsibilities under Section 106 of the NHPA and applicable implementing regulations for all aspects of the undertaking.

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BRIAN SCHUMACKER  
Superintendent  
City of South San Francisco

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[Date]


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ANDREW A. GALVAN  
President  
The Ohlone Indian Tribe

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[Date]

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JULIANNE POLANCO  
State Historic Preservation Officer  
California Office of Historic Preservation

31 Aug 23

[Date]



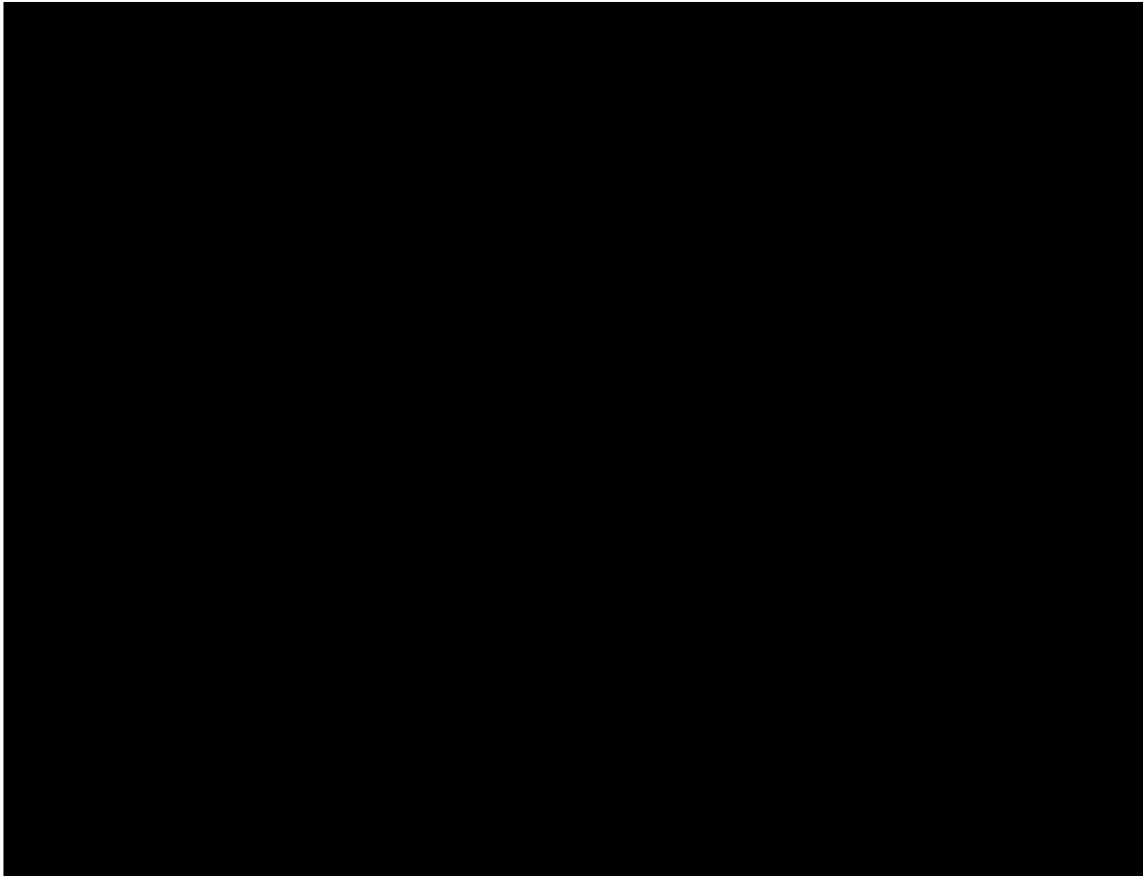
TIMOTHY W. SHEBESTA  
Lieutenant Colonel, U.S. Army  
District Commander and Engineer

6 SEP 23

[Date]

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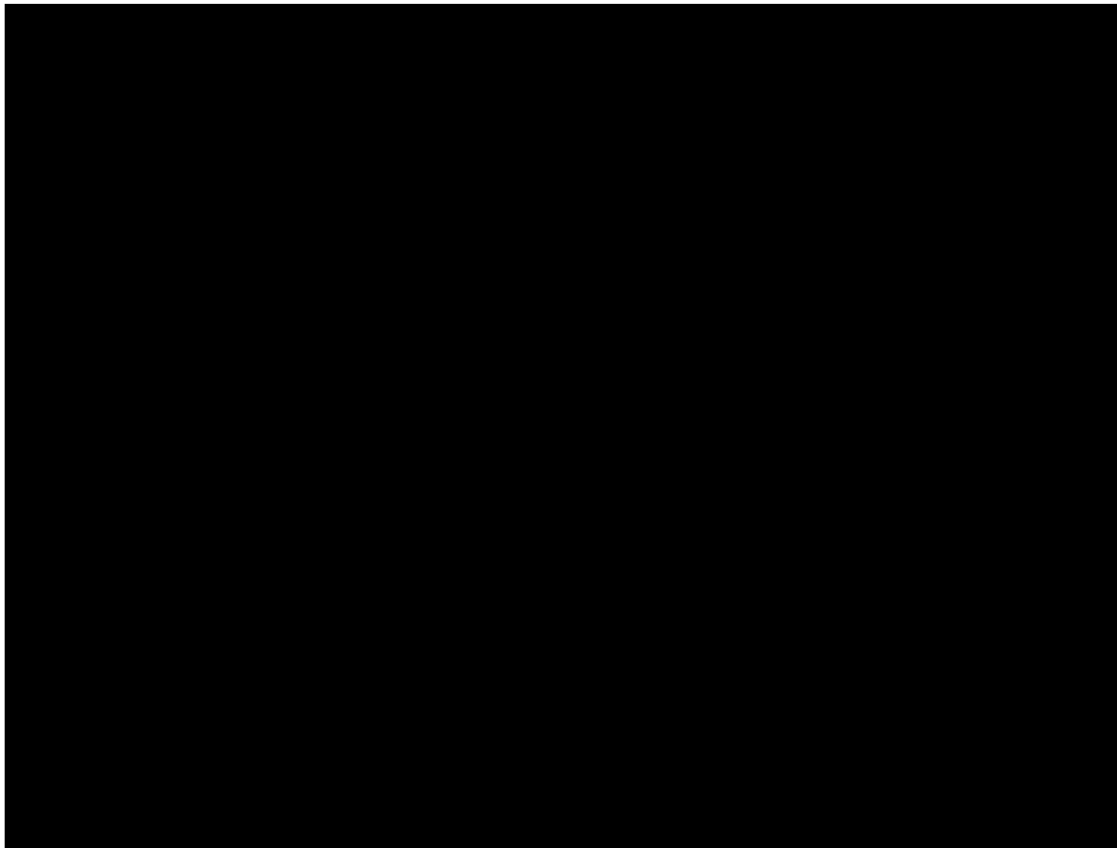
ATTACHMENT 1: LOWER COLMA CREEK CONTINUING AUTHORITIES  
PROGRAM SECTION 103 PROJECT AREA OF POTENTIAL EFFECTS MAP





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ATTACHMENT 1: LOWER COLMA CREEK CONTINUING AUTHORITIES  
PROGRAM SECTION 103 PROJECT AREA OF POTENTIAL EFFECTS MAP



ATTACHMENT 1: LOWER COLMA CREEK CONTINUING AUTHORITIES  
PROGRAM SECTION 103 PROJECT AREA OF POTENTIAL EFFECTS MAP



ATTACHMENT 1: LOWER COLMA CREEK CONTINUING AUTHORITIES  
PROGRAM SECTION 103 PROJECT AREA OF POTENTIAL EFFECTS MAP



SUBJECT: Programmatic Agreement, Lower Colma Creek Continuing Authorities Program  
Section 103 Project, U.S. Army Corps of Engineers, and the California State Historic  
Preservation Officer

ATTACHMENT B: HISTORIC PROPERTY TREATMENT PLAN

Reserved for future use.

(Refer to Stipulation 7.  
Preparation of Historic Property Treatment Plan for more information)

## 4. Section 106 Consultation Letters



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, SAN FRANCISCO DISTRICT  
450 GOLDEN GATE AVENUE  
SAN FRANCISCO, CA 94102

January 10, 2023

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consultation for the Lower Colma Creek CAP 103 Study

Julianne Polanco  
State Historic Preservation Officer  
California Office of Historic Preservation  
1725 23rd St., Suite 100  
Sacramento, CA 95816

Dear Ms. Polanco,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to continue consultation under Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco (CSSF) under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek. The Lower Colma CAP has selected a tentatively selected plan (TSP) from the final array of alternatives. The study is wrapping up the feasibility study and will transition into further design of the TSP before construction occurs.

USACE is writing to provide additional information in our efforts to identify historic properties within the APE. USACE has determined that subsurface testing is necessary to complete our identification efforts and effects determination for historic properties within the area of potential effects (APE). One approximately located archaeological resource was identified within the footprint of the TSP based on a records search completed at the Northwest Information Center. The site is plotted where ground disturbance would be required for the construction of a floodwall, and future subsurface testing will determine the presence or absence of this archaeological resource.

An historic architecture survey report of the APE was also reviewed, documenting 14 built-environment resources, ranging from commercial buildings to sanitation structures within the South San Francisco Water Quality Control Plant. The recorder observed that none of the resources appeared to be eligible due to lack of historic significance or poor integrity. However, USACE is requesting these buildings and structures be treated as eligible to the NRHP for this specific undertaking, as the project will not affect any built-environment resources. We request your agreement with this decision.

USACE has determined pursuant to 36 C.F.R. § 800.14(b)(ii) that a project specific Programmatic Agreement (PA) is necessary to govern Section 106 compliance. The

feasibility analysis for the Lower Colma CAP will require a USACE decision regarding project construction by the time the feasibility study ends in early April. This will require USACE to assess the undertaking's effects on historic properties to comply with Section 106. The PA will ensure phased identification and evaluation of historic properties within the APE is completed through subsurface testing of the approximately located archaeological resource during further design of the TSP and before construction occurs. The PA is needed due to delays in contracting the subsurface testing efforts as well as available funds during the feasibility study.

We are writing to continue Section 106 consultation with the SHPO (COE\_2022\_0324\_001) and requesting the SHPO's agreement to redefine the vertical and horizontal extent of the APE previously agreed upon on April 25, 2022. USACE also requests your concurrence on several built-environment resources that were determined to be ineligible for the NRHP. Finally, we request a PA to be developed and implemented to govern Section 106 compliance for this undertaking by April 2023.

### **Description of the Undertaking**

The Lower Colma CAP takes place in California, San Mateo County, near the South San Francisco Water Quality Control Plant (WQCP) located in the town of South San Francisco (Attachment 1). The WQCP is located adjacent to the San Francisco Bay on Colma Creek and provides wastewater treatment for the surrounding cities. A sanitation station known as Pump Station 4 connects to the facility across from the channel (Attachment 2). Inundation of the WQCP could potentially cause physical structural damages and loss of water quality control services resulting in untreated sewage released into the bay waters and potentially backing up streets and homes in the service area.

For the past year, USACE and CSSF have screened several flood risk alternatives before selecting one as the TSP. Alternatives are drafted from structural and non-structural flood risk measures that address coastal flooding risks around the WQCP and its connected pump stations.

The TSP involves an i-wall sheet pile floodwall constructed north of the WQCP following the south right bank of Lower Colma Creek. The second floodwall is proposed below the WQCP adjacent to the San Francisco Bay. The TSP also proposes to construct a full perimeter ring wall around Pump Station 4 with no excavation. Stop log gates and an early warning system will be included to protect from discharge of wastewater.

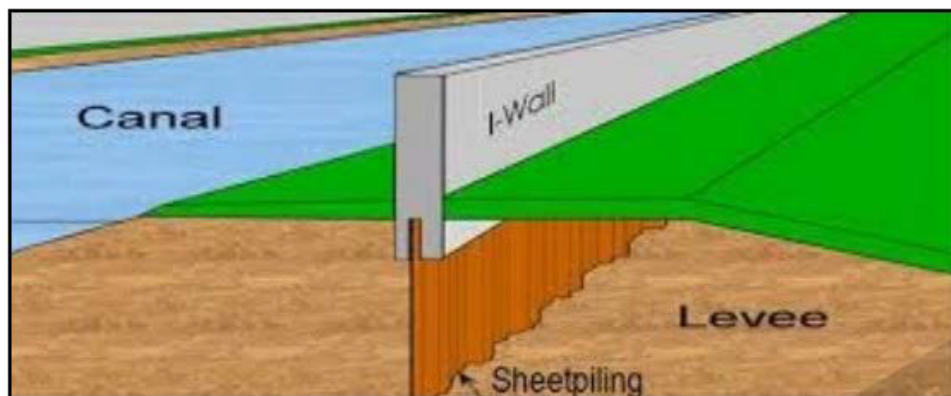
### **Area of Potential Effects (APE)**

The APE is defined under 36 C.F.R. § 800.16(d) as the geographic area where the undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. USACE is writing to redefine the horizontal and vertical extent of the APE to cover the footprint of the TSP where ground disturbance from construction of the floodwalls may alter or destroy the integrity of historic properties.



USACE has defined the horizontal extent of the APE to be the polyline where the i-wall sheet pile floodwalls are being placed along the northern and southern sides of the WQCP. The horizontal APE includes the full perimeter ring wall surrounding Pump Station 4 that was considered a non-structural measure, due to the lack of excavation involved. The ring wall around Pump Station 4 extends roughly two feet high at grade. USACE also identified the staging area for excavated material to be placed during construction. This staging area will be set up on the WQCP and is included as part of the APE. No excavation or ground disturbance is expected for the staging area.

Construction of sheet pile i-walls will include a reinforced cap on grade. Approximately 13' of prefabricated sections will be driven below the surface. The concrete cap extends 4 feet above the surface. The vertical extent of the APE will be 13' in depth from the surface and 4' above to account for the height of the floodwalls concrete cap. Depending on the soil conditions, certain sheet pile may be vibrated into the ground versus being hammer driven. The horizontal extent of the APE was extended to 15' on both sides of the floodwall's polyline to account for these potential vibrational impacts. Maps of the APE and nearby resources were provided in Attachments 3, 4, and 5.



*Figure 1. Graphic showing a constructed i-wall sheet pile flood wall on a levee.*

#### **Identification Efforts for Historic Properties**

In the previous Section 106 consultation letter sent to the SHPO on March 23, 2022, USACE provided results of the literature research completed at the Northwest Information center (NWIC 20-1667) along with the resources identified within a 1-mile buffer of the project area. One approximately located archaeological resource was identified in the APE where ground disturbance would occur. The archaeological resource is CA-SMA-45 or Nelson 384 (P-41-00049) which was determined by researchers at the NWIC to be an approximate location using California archaeologist Nels Nelson's historic mapping of shellmound sites observed throughout the San Francisco Bay.

The site record for CA-SMA-45 only states that it was located near a tidal marsh. The area where CA-SMA-45 is plotted was historically a tidal marsh environment, however development of the area during World War II involving excavation and filling of the current channel and tidal marsh habitats have made certain areas of the south bank less archaeologically sensitive. USACE met with the NWIC coordinator on March 29, 2022, and discussed the mapping completed by researchers at the information center. The coordinator explained that the site boundary was based on the historic Nelson 1909 shellmound map but used additional annotations from a physical map stored at UC Berkeley and Sonoma State University.

Two built-environment resources were also identified within the boundaries of the APE. These resources are the South San Francisco San Bruno Water (P-41-002557) and Barret and Hilp's Graving Docks (P-41-002564). A historic architectural survey completed throughout the APE in 1998 determined both resources met the 50-year-old criteria but have no particular historic significance or lack integrity today. Further information on USACE's review of this report and USACE's determination of eligibility for these built-environment resources is summarized in a section below.

#### **Depth of Previous Disturbances within the APE**

The WQCP property as well as Pump Station 4 has undergone disturbances during channelization of the Lower Colma Creek, leveling and filling of native marsh habitats, asphaltting, and urbanization from World War II shipbuilding beginning as early as 1930. In response to the SHPO's last letter, it was suggested that USACE compare the known depth of previous disturbance to the vertical extent of the APE to better understand the potential of the undertaking to extend into previously undisturbed soils. Documentation on the depth of disturbance is available for the WQCP property as well as the Pump Station 4 facility. The area behind the Costco building where the San Francisco Bay Trail and CA-SMA-45 site boundary is located has not undergone any cultural resources subsurface investigations. It is assumed fill exists above undisturbed soils or sediment but unclear as to what depth.

The cultural report S-048423 was completed in 1992 and attempted to locate archaeological deposits as well as the former Belle Air Island, a hill identified in past topographic maps that protruded from the historic saltwater marsh habitat (Attachment 6). The investigation assessed archaeological sensitivity within the WQCP property by employing 10 trenches, focusing on the southeastern area of the WQCP property. No traces of archaeological deposits were identified. All trenches demonstrated imported fill and other types of materials such as asphalt from top to bottom at depths of up to around 7-10' below the surface. Within Attachment 7, Trench #3 revealed a layer of impenetrable rock 3.5' from the surface revealing the base of the low hill. Trench #10 uncovered remains of railroad ties and iron tracks at around 3' below the surface. This supports the disturbances on the property from the shipbuilding industry during World War II. Much of the historic tidal marsh was excavated and filled to provide access to the finger piers and graving docks below the WQCP.



The cultural resource report S-031689 was completed for CCSF's Wet Weather Program in 2006 to comply with Section 106 review for a sanitary sewer and water treatment rehabilitation project. Literature research and mechanical augering going 12-24' deep determined that the WQCP property and Pump Station 4 areas are not archaeologically sensitive due to past disturbances from World War II shipbuilding and construction of the current channel. Fill was observed 10' below the surface closest to Pump Station 4. However, the northern bank of Lower Colma Creek where the resource CA-SMA-380 resides was determined to be archaeologically sensitive. This was confirmed through mechanical augering through geoprobes that documented the shell midden resource.

S-031689 states that the area around Pump Station 4 has largely been the same since it was leveled and filled for industrialization in the 1890's. The parcel was filled to the west by 1955 and to the east in 1956 and again in 1961. Eventually, Pump Station 4 was installed in the 1960's and assumed to be connected to the WQCP as a sanitary station for treating wastewater. Excavations to upgrade the facility have periodically occurred at Pump Station 4 – including one recent project where the facility was rehabilitated by removing cap pipes and connections that involved around 13' of excavation below existing pavement to replace existing sewer pipes. The excavations did not yield any precontact or historic archaeological deposits due to the history of filling events on that parcel. Three geotech borings were also deployed around Pump Station 4 which did not yield any historic materials or artifacts, determining an 8' layer of recorded fill with a strong substrate of indurated sandstones and mixed gravels.

An archaeological monitoring report (S-34087) in 2007 was also completed for a different phase of the CCSF Wet Weather Program located southeast of the APE. An area below the Costco buildings parking lot was included within the extent of monitoring for deep excavation. Archaeological monitors did not identify any indicators of cultural deposits and noted fill existed to a depth of around 14' below the surface at the Costco parking lot. Archaeological monitors observed very few indicators of old surfaces or in situ soil development.

In addition to review of the cultural resource investigations, a 2018 geotechnical investigation was reviewed for the project. This report was completed for CCSF to better understand subsurface conditions and geologic hazards of the WQCP property and Pump Station 4. The report also summarizes previous geotechnical borings completed in 1997 and 1998. The 2018 eleven exploratory borings were deployed around Pump Station 4 and throughout the WQCP parcel. The borings around the WQDP property determined that the subsurface conditions below the existing pavement consisted of artificial fill over recent marsh deposits and residual soils over bedrock. Stiff sandy lean clay and gravel fill exists around 8-15' feet below the ground surface of the WQCP property.

The only available report near the area where CA-SMA-45 is plotted is a 1992 geotechnical investigation completed for the Costco building. Boring 5 was plotted west of the Costco building near the channel (Attachment 8). The results showed fill

characterized as grey-brown and blue clay at a depth of 7-8' below the surface. Borings within the Costco parking lot determined fill was encountered to a depth of around 11' below the surface with bay mud beneath the fill.

USACE's site visit in 2021 confirmed that the landscape of the WQCP property and Pump Station 4 is covered by buildings, tanks, and pavement with the exception of small marshland habitats further upstream along the Lower Colma creek banks. The southern portion of the area looks to be built up over the years during the ship building activities of World War II. The site visit and literature research confirmed that the ground surface looked to be of imported soils on top of native bedrock.

Based on all of the cultural resource and geotechnical investigations summarized above, USACE has determined the areas where 13' of ground disturbance will occur along the northern and southern ends of the WQCP property is not archaeologically sensitive and presents little to no risk of disturbing a buried archaeological site that is in situ. This includes the facility Pump Station 4; however, excavation is not expected in this location during construction of the full perimeter ring wall. Efforts to consider the undertakings impacts from driving sheet pile into the ground should be focused on the western end of the Lower Colma Creek's south bank, behind the Costco building and where the San Francisco Bay Trail is located. This area has not undergone any cultural resource or geotechnical investigations to either determine the depth of fill in the area or the absence/presence of CA-SMA-45 beneath it. There is also the potential for the fill to consist of shellmidden deposits during the early construction and leveling of the channel.

Report Title	Date	Survey Type	Summary
Map of report locations below in Attachment 9			
<b>S-003175,</b> Belle Air Island Property (letter report)	1976	Archaeological surface survey and literature research	Letter to the City of South San Francisco stating completion of a preliminary surface reconnaissance of the WQCP parcel and surrounding area. No evidence of precontact cultural material was identified on the surface. Fill was assumed to exist across the entire WQCP parcel from ship building activities during World War II.
<b>S-012201,</b> Cultural Resources Evaluation for the San Francisco International Airport Master Plan EIR, San Mateo County, California	1990	Archaeological surface survey and literature research	Archaeological field survey was completed on the surface along with literature research being completed. Exposed terrain of the San Francisco International Airport (located below the Lower Colma CAP APE) was noted to be entirely fill. No precontact or historic period resources were recorded.
<b>S-017730,</b> Colma Creek Zone Drainage Improvement Project, Cultural	1995	Archaeological surface survey and literature research	Archaeological field survey and literature research for the existing Lower Colma creek and corridor going further upstream. Mentions from a 1973 report that the entire Colma Creek

Resources Technical Report			Channel has been completely disturbed from previous excavations and urbanization. No precontact or historic period resources were identified.
<b>S-038684</b> , A Cultural Resources Study for the San Mateo County Smart Corridors Project	2008	Archaeological sensitivity assessment and literature research	Cultural resources assessment to determine archaeological sensitivity for a traffic control improvement project taking place across 26 project locations throughout San Mateo County. One project location further below the WQCP and APE was determined to be of high archaeological sensitivity.
<b>S-045702</b> , South San Francisco/San Bruno Water Quality Control Plant Capital Improvement Projects, South San Francisco, San Mateo County, Final Cultural Resources Survey Report	2014	Archaeological surface survey and literature research	Cultural resources report summarizing literature research conducted and the archaeological surface survey results for the WQCP's Capital Improvement Projects. No precontact or historic period resources were identified. The report concludes that the WQCP property has no precontact or historic-period archaeological sensitivity based on previous cultural resource investigations that have occurred before 2014.
Map of report locations below in Attachment 10			
<b>S-048423</b> , Report of Findings from Archival Research and a Field Inspection of the Proposed South San Francisco Water Control Plant Improvement Project, South San Francisco, San Mateo County, California (letter report)	1998	Archaeological surface survey, literature research, and subsurface testing	<p>The first intensive subsurface investigation for buried cultural resources. The 1998 report details the investigation taken to identify remnants of Belle Air Island as well as unrecorded archaeological sites within the WQCP property. No traces of archaeological deposits were discovered from the 10 trenches and backhoe testing completed across the property.</p> <p>The report concludes that the entire WQCP property which used to be comprised of historic tidal marshlands is now fill from construction of the 1942 barge building facility during World War II. No further archaeological investigations were recommended within the WQCP property.</p>
<b>S-031689</b> , City of South San Francisco Wet Weather Program, Extended Phase 1 Historic Properties Inventory Research: Subsurface Reconnaissance for Phase 4, Task 1: Pump Station 4 Improvements and Force Main	2006	Archaeological surface survey, literature research, and subsurface testing	Field survey, literature research, and subsurface reconnaissance through mechanical augering was completed for the South San Francisco Wet Weather Program. The testing determined the WQCP, Lower Colma Creek channel, and Pump Station 4 areas to have little to no archaeological sensitivity. The report determined the northern bank of Lower Colma Creek to be archaeologically sensitive, where geophone augers determined the presence of a buried midden recorded as CA-SMA-380.

<b>S-034087</b> , City of South San Francisco Wet Weather Program Project, Section 106 Compliance for the South San Francisco Wet Weather Program: Phase I Archaeological Monitoring Report	2007	Archaeological monitoring report during project construction	Archaeological monitoring report along the WQCP property, as well as portions of the Shaw Road Pump Station located further east of the APE. No significant finds or potential historic properties were discovered during monitoring. Fill was observed from around 2' near Belle Air Road to around 14' within the Costco parking lot.
Map of report locations below in Attachment 11			
<b>S-048426</b> , Historic Architecture Survey Report for the South San Francisco/San Bruno Water Quality Control Plant Improvement Project, in the City of South San Francisco, California	1998	Architectural field survey	Historic architectural survey completed for upgrades across the WQCP property. The historic architectural survey identified 14 built-environment resources and evaluated their historic significance for eligibility on the National Register of Historic Places. None of the resources appeared to be eligible due to lack of historic significance or poor integrity.
Geotechnical			
Geotechnical Study for Water Quality Control Plant Wet Weather and Digester Improvements Project, South San Francisco/San Bruno Water Quality Control Plant	2018	Geotechnical report for the WQCP	Geotechnical study on the WQCP that included field exploration and laboratory testing of geotechnical bores to assess the subsurface conditions of the property. Eleven exploratory borings were conducted throughout the WQCP property and Pump Station 4. Results determined fill was deposited 8-15' below the surface of the project area.
Geotechnical Investigation Sales Building Addition and Tire Storage Building Price Club	1992	Geotechnical report completed for the area surrounding Costco	Geotechnical study completed at the Costco building west of the WQCP property to determine subsurface conditions of the area. All borings encountered fill on top of bay mud and alluvial soils. Fill ranged from around 7-8' closer to the channel while borings along the parking lot revealed fill to a depth of 11' below the surface. Bay mud and alluvial sands, clays, and silts were observed beneath the fill.

### **Built-Environment Resources Identified**

Two built environment resources were identified within the APE. The South San Francisco/San Bruno Water Quality Control Plant (P-41-002557) and Barret and Hilp's Graving Docks (P-41-002564). No effects are expected from constructing the floodwall for both built environment resources.

The South San Francisco San Bruno Water Quality Control Plant district and its contributing 12 buildings and structures were evaluated in 1998 by an architectural historian who met the National Park Service's qualifications to study California

architectural history. The district and its contributing buildings and structures throughout the survey was photographed and DPR 523 forms were filled out in the 1998 evaluation.

The South San Francisco/San Bruno Water Quality Plant is an air-activated sludge treatment plant where raw wastewater is received in two sewers from the cities of San Bruno and South San Francisco. The facility was constructed in 1952 by the City of South San Francisco and was continuously improved upon by 1962, 1972, 1978, and 1992. The tallest resource in the district is less than three stories in height with many buildings and structures being low-lying or carved into the ground. All are constructed of reinforced concrete and steel with a network of pipes and flumes connecting them underground.

The evaluation determined that the South San Francisco San Bruno Water Quality Control Plant district and its contributing elements are not eligible for inclusion in the National Register of Historic Places after evaluating each element of the district based upon the four main criteria's of NRHP significance. The evaluation determined that the buildings lack integrity, with their Arc Deco 1952 architectural characteristics being altered to where they are unrecognizable and only modern engineering designs remain.

The 1998 evaluation also determined that the Barret and Hilp's Graving Docks were not eligible for listing on the NRHP. This resource are the remnants of five piers between six 400' graving docks running north of east and are open to the water at their eastern ends. The eastern ends have deteriorating concrete which were once the posts of gates to let the water in or out for floating or constructing ships during World War II. Originally, these graving drydocks cut into the natural rock by the Barret and Hilp Construction Company to fulfill their World War II contract with the federal government to construct concrete barges.

The 1998 evaluation concluded that the Barret and Hilp's Graving Docks had historic significance under criteria A for its association to the World War II theme of industry and shipbuilding, which occurred from 1939 to 1945. However, the resource has long since been abandoned and the lack of integrity determined it was ineligible for listing on the NRHP. The docks and piers have not been used since about 1946. It now lacks the gates, locks, and powerhouses to be operated. The architectural historian stated the resource's condition appears to be poor beyond repair, with the only integrity remaining today being location.

A site visit by USACE in 2021 confirmed that the 1998 evaluation is accurate today. The built-environment resources above indeed meet the 50-year-age criteria but still lack integrity or historic significance under the four main criteria of the NRHP. The condition of the Barret and Hilps Graving Docks has further deteriorated, and its lack of integrity confirmed. The resource can no longer be recognized or operated for its historic origin and purpose. However, the 1998 evaluation has not undergone SHPO concurrence by another federal agency. USACE is assuming the built-environment resources below are eligible for the purposes of this undertaking, as the TSP avoids all of the following buildings and structures:

- 195 Belle Air Road, South San Francisco/San Bruno Water Quality Control Plant (P-41-002557)
- Digester Tank No. 1 (P-41-002561)
- RAS Diversion Box (P-41-002572)
- Sludge Conditioning Tank (P-41-002573)
- Maintenance Building (P-41-002574)
- Garage, Shop, and Storage Building (P-41-002575)
- Mixed Liquor Channel (P-41-002576)
- Tillo Building North (P-41-002577)
- Vacuator Tank No. 1 (P-41-002578)
- Vacuator Tank No. 2 (P-41-002579)
- Chlorine Contact Tank (P-41-002580)
- Vacuator Control Building (P-41-002581)
- Rail Tracks (P-41-002582)
- Barret and Hilp's Graving Docks (P-41-002564)

#### **Coordination with Tribal Parties**

USACE has continued to coordinate with the seven Bay Area Native American tribes provided from the Native American Heritage Commission. A Sacred Lands File (SLF) search based on the initial APE was also requested with negative results. Tribes were formally invited to consult on March 11<sup>th</sup>, 2021 and October 16, 2022 by phone call, email, and formal letter. Tribes were also invited to be participating agencies under the National Environmental Policy Act, where meetings were held to discuss each agencies interests and concerns for the Lower Colma CAP. The only feedback received was from Andrew Galvan from the Ohlone Indian Tribe.

A formal request was made by the Ohlone Indian Tribe on February 17<sup>th</sup>, 2022, requesting subsurface testing be completed to determine the location of CA-SMA-45 within the APE, as well as hiring tribal monitors during any future field investigations and earthmoving work. USACE will ensure these considerations are included within the PA as it starts to put out contracts for the subsurface investigation. USACE will also invite the 7 Bay Area Native American tribes to be concurring parties to the PA before it is signed and executed early next year.

#### **800.16 Programmatic Agreement Request**

USACE will reconsult with the SHPO in February, to ensure the development of the PA captures the undertaking's need for phased identification efforts under 36 C.F.R. § 800.4 and 36 C.F.R. § 800.5's assessment of adverse effects to historic properties during design and before construction. The PA will govern the need for presence-absence subsurface testing to identify whether portions of CA-SMA-45 exist within the APE and below or within fill. The specifics of the testing will be further coordinated later in design, but the minimum logistics will include use of a geotechnical drill rig to collect borings to a minimum depth of 8' and up to 13' below ground surface. Borings will be collected using

4" diameter plastic liners that will be split and analyzed on-site. A qualified archaeologist and tribal monitor will observe all mechanical testing and all spoils will be screened through a 1/8" mesh.

At this time, USACE is seeking your review and agreement on our APE based on the footprint of the TSP, our assuming eligibility for the South San Francisco/San Bruno Water Quality Control Plant (P-41-002557) and Barret and Hilp's Graving Docks (P-41-002564) which the undertaking will avoid, and our request to develop a PA to comply with Section 106 review. USACE will provide a copy of a draft PA for your staff to help develop and review before signature by our District Commander and the California SHPO. If the SHPO would prefer a meeting with USACE's cultural resources lead before a formal response is given for this undertaking, we would welcome the opportunity to meet with you and your staff.

We respectfully request your response within 30 days of receipt of this letter. Please note that a copy of a drafted Programmatic Agreement will be sent to your office by the end of January 2023. We are also providing several reports and site records obtained from the NWIC records search through our secure file-sharing service DoD Safe.

If you have any comments or questions, you can contact Ruzel Benedicto Ednalino by email at [RUZEL.B.EDNALINO@USACE.ARMY.MIL](mailto:RUZEL.B.EDNALINO@USACE.ARMY.MIL). Mr. Ednalino can also be reached at (415) 503-6661.

Sincerely,

BEAGLE.JULIE.RU<sup>2</sup> Digitally signed by  
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BEN.1598717792 Date: 2023.01.10 11:17:40 -08'00'

Julie Beagle  
Environmental Planning Leader  
San Francisco District

Attachment 1. Overview of the South San Francisco Study Area

Attachment 2. Map of the South San Francisco Water Quality Control Plan

Attachment 3. Map of the Area of Potential Effects

Attachment 4. Map of the Northern and Southern Floodwalls

Attachment 5. Map of the Ring Levee Floodwall around Pump Station 4

Attachment 6. 1899 San Mateo Quadrangle Map

Attachment 7. Map of S-048423 Trench Units

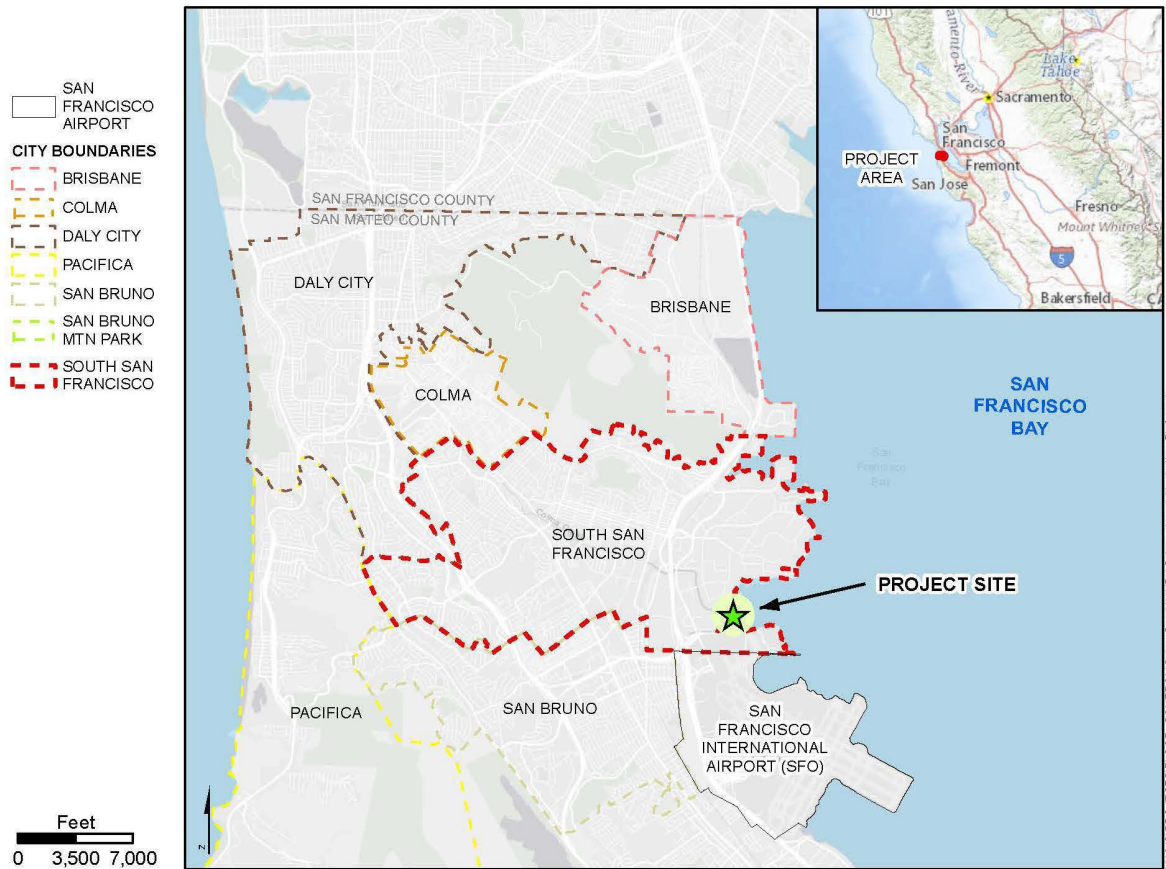
Attachment 8. 1992 Geotechnical Bores Map

Attachment 9. Map of Pedestrian Surface Surveys in the APE

Attachment 10. Map of Subsurface Investigations in the APE

Attachment 11. Map of Historic Architectural Surveys in the APE





Attachment 1. Overview of the South San Francisco Study Area



Attachment 2. Map of the South San Francisco Water Quality Control Plan



**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION**

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000

FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov

[www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)

April 25, 2022

In reply refer to: COE\_2022\_0324\_001

VIA ELECTRONIC MAIL

Dr. Tessa Beach  
Chief, Environmental Planning Branch  
Army Corps of Engineers, San Francisco District  
450 Golden Gate Ave, 4<sup>th</sup> Floor, Suite 0134  
P.O. Box 36152  
San Francisco, CA 94102

RE: Section 106 consultation for the Lower Colma Creek CAP 103 Study, San Mateo County

Dear Tessa Beach,

The U.S. Army Corps of Engineers (COE) is initiating consultation with the State Historic Preservation Officer (SHPO) to comply with Section 106 of the National Historic Preservation Act of 1966 (as amended) and its implementing regulation at 36 CFR § 800 *et seq.* By letter received on March 24, 2022, the COE is seeking comments on their final array of alternatives, preliminary area of potential effects (APE), and identification efforts for the above-referenced undertaking. The COE submitted the following documents for review and comment:

- *Historic Architecture Survey Report for the South San Francisco/San Bruno Water Quality Control Plant Improvement Project in the City of South San Francisco, California* (Bloomfield Architectural History 1998)

The COE is proposing to conduct an undertaking to study, adopt, and construct coastal flooding and erosion controls along Lower Colma Creek in partnership with the City of South San Francisco near the South San Francisco Water Quality Control Plant (WQCP) in San Mateo County. Preliminary project activities include structural and non-structural flood risk measures as described in the APE alternatives descriptions below:

- The COE describes the APE for alternative 1 (North Floodwall Alternative) as the area needed to construct the North Floodwall (1BN and 1AN) i-wall (sheet pile) floodwall, at the north side of the WQCP adjacent to the right bank of the creek. The

floodwall is expected to be approximately 3 to 4.5-feet above grade and the installation of a full perimeter sheet pile floodwall approximately 2-feet above grade with stop log gates and an early warning system.

- The COE describes the APE for alternative 2 (North and South Floodwall Alternative) as the area needed to construct the North Floodwall (1BN and 1AN) i-wall (sheet pile) floodwall, at the north side of the WQCP adjacent to the right bank of the creek; the second South Floodwall (2S) south of the WQCP adjacent to San Francisco Bay; and the installation of a full perimeter sheet pile floodwall approximately 2-feet above grade with stop log gates and an early warning system.
- The COE describes the APE for alternative 3 (Nonstructural Only Alternative) as the area needed to dry floodproof 23 structures at the main WQCP through the installation of water-tight doors and windows and using membranes waterproof structures; the elevation of the subterranean electrical system; and the installation of a full perimeter sheet pile floodwall approximately 2-feet above grade with stop log gates and an early warning system.

Efforts to identify historic properties include a records search, review of previous identification efforts, and Native American outreach.

The COE requested a search of the Sacred Lands File from the Native American Heritage Commission (NAHC) returning negative results. The COE contacted Native American entities listed by the NAHC as having cultural ties to the project area. The COE received a response from the Ohlone Indian Tribe requesting subsurface testing be completed to determine the location of CA-SMA-45 and recommending the presence of tribal monitors during future fieldwork and potentially during construction. The COE received no further responses.

Efforts to identify historic properties resulted in three cultural resources in the APE. The first cultural resource is an approximate mapped location of CA-SMA-45 (P-41-00049, Nelson 380), a prehistoric shell mound noted by Nels Nelson as near a tidal marsh. The COE states that the area of CA-SMA-45 as mapped by the Northwest Information Center (NWIC) is developed with several commercial buildings and a trail running through that area. The second cultural resource is the South San Francisco San Bruno Water Quality Control Plant district and its contributing buildings and structures. The third cultural resource is the Barret and Hilp's Graving Docks, associated with the construction of ship docks during World War II. The COE also notes that two prehistoric sites, CA-SMA-41 (Nelson 380) and CA-SMA-43 (Nelson 382) are mapped as outside the APE but within the NWIC 1-mile search area.

After review of your letter and supplemental documents, I have the following comments:

- The COE has requested the SHPO accept or decline their invitation to be a participating agency for the purposes of the National Environmental Policy Act



(NEPA). I agree to be a participating agency and plan to have staff attend interagency meetings for this undertaking as workloads allow.

- As the COE continues to weigh alternatives and refine the APE, please convey the depth of the APE as it becomes reasonably able to be approximated.
- The submission letter summarizes previous disturbances at the WQCP property. As the COE continues its identification efforts, it is suggested the agency compare the known depth of previous disturbance to the vertical extent of the APE to better understand the potential of the undertaking to extend into previously undisturbed soils.
- The COE states that the South San Francisco San Bruno Water Quality Control Plant district and its contributing buildings and structures was previously determined to be not eligible for inclusion in the National Register of Historic Places (NRHP) in 1998 and that this previous determination is still appropriate. If this determination received SHPO concurrence, please convey a copy of the SHPO letter. If a copy of the letter cannot be located, please convey the date of SHPO concurrence and the federal agency that made the previous determination.
- The COE states that the Barret and Hilp's Graving Docks was previously determined to be not eligible for inclusion in the NRHP in 1998 and that this previous determination is still appropriate. If this determination received SHPO concurrence, please convey a copy of the SHPO letter. If a copy of the letter cannot be located, please convey the date of SHPO concurrence and the federal agency that made the determination.

I anticipate continuing to consult on this undertaking as the COE weighs alternatives, refines the APE, and continues identification efforts. If you require further information, please contact Elizabeth Hodges of my staff at (916) 445-7017 or [Elizabeth.Hodges@parks.ca.gov](mailto:Elizabeth.Hodges@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer

## 5. Section 106 Tribal and Historic Organization Consultation Letters



DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
450 GOLDEN GATE AVE.  
SAN FRANCISCO, CA 94102

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Chairwoman Irene Zwierlein  
Amah Mutsun Tribal Band of  
Mission San Juan Bautista  
789 Canada Road  
Woodside, CA 94062  
[amahmutsuntribal@gmail.com](mailto:amahmutsuntribal@gmail.com)

Dear Chairwoman Zwierlein,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to the Amah Mutsun Tribal Band of Mission San Juan Bautista pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

USACE is contacting your tribe and inviting you to be a consulting party pursuant to 36 C.F.R § 800.2(c). We are requesting to consult directly under 36 C.F.R § 800.4 to respectfully gather information from your tribe, who may have knowledge of or concerns for historic properties within our study area.

We obtained a tribal consultation list from the Native American Heritage Commission (NAHC) and are reaching out to update you on our identification efforts for historic properties and our final array of alternatives to reduce flooding risks. We have completed a records search at the Northwest Information Center located at Sonoma State University and are sharing the results of that summary in this letter.

We request your assistance in identifying historic properties and any potential impacts your tribe may have knowledge about within our area of potential effects (APE). This can include natural or cultural resources that may hold traditional, religious, and cultural significance to your tribe. We also welcome the opportunity to discuss native culturally sensitive plants and how access to those resources may benefit your tribe.

### Description of the Undertaking

The Lower Colma CAP takes place in California, San Mateo County, near the South San Francisco Water Quality Control Plant (WQCP) (Figure 1). Inundation of the WQCP could

potentially cause physical damages and loss of water quality control services resulting in untreated sewage being released into the bay waters and potentially backing up streets and homes in the service area. USACE and the City of South San Francisco have screened several alternatives and created a final array of alternatives. Alternatives are drafted from structural and non-structural flood risk measures that address coastal flooding risks around the WQCP and its connected pump stations.

The area of potential effects is defined under 36 CFR § 800.16 as the geographic area where the undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. USACE has defined the APE to be the areas where each alternative proposes deep ground disturbance that may expose or destroy the integrity of archaeological sites in the area (Figure 2). USACE also identified the staging areas being set up on the WQCP as a part of the APE. The Lower Colma CAP's final array of alternatives is listed below, and we invite your tribe to review the following alternatives:

**Alternative 1:** Deep excavation to construct a North Floodwall (1BN and 1AN) on the south bank near the WQCP. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4. (Figure 3)

**Alternative 2:** Deep excavation to construct a North Floodwall (1BN and 1AN) on the south bank near the WQCP. A south floodwall (2S) is proposed on the southern end of the WQCP. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4. (Figure 4)

**Alternative 3:** Non-structural alternative that proposes to floodproof 23 structures on the WQCP with minimal excavation. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4.

The WQCP property has undergone extensive surface survey since 1976 as well as subsurface testing and trenches conducted in 1998 with no artifacts or indicators of a cultural feature present. The WQCP property was disturbed during widening of the Colma Creek Channel in the mid-1970's including previous excavation, landfilling, urbanization, and asphaltting. The southern bank around the WQCP was historically a tidal salt marsh known as Belle Air Island, which had been leveled around the 1930's to the elevation of the San Francisco Bay and provided fill for the San Francisco International Airport. The WQCP parcel was also reinforced around the tidal line and built up again which removes any potential for archaeological sites to be situated within or near the WQCP.

#### **Identification Efforts for Historic Properties**

USACE has contacted the Northwest Information Center (NWIC) associated with the California Historical Resources Informational Systems to complete a records search for the Lower

Colma CAP. The NWIC completed the records search request for USACE to review (NWIC 21-0368) and the boundaries were drawn by USACE onto a map (Figure 5). Within the APE defined in Figure 2, only one archaeological resource was identified within our APE. 15 resources were identified within a .25 mile radius of the APE, which includes archaeological resources and built-environment resources.

The resource is CA-SMA-45 or Nelson 384 (P-41-00049). The site boundary was drawn by NWIC researchers in 2010 as an approximate location on their basemap. The NWIC site placement and extent was based on California archaeologist Nels Nelson's rudimentary mapping of shellmounds observed in the Bay Area and notes that Nelson site 384 was identified near a tidal marsh. The surface above CA-SMA-45 is developed with several commercial buildings and a trail running through the site. No subsurface investigations have occurred directly on this resource. Nearby excavations for a pipeline installment 200 feet south from the resource noted layered historic fill of various kinds over bay mud deposits, along with natural shell layers. No cultural material or indicators of these deposits being created by people was noted in the monitoring report.

Outside of the APE, the NWIC plotted two similar Nels Nelson resources CA-SMA-41 (Nelson 380) and CA-SMA-43 (Nelson 382) based on approximate locations from their basemap. The sites sit within the vicinity of US101 and San Mateo Avenue. Both resources underwent Geoprobe subsurface testing in 2016 by AECOM with negative boring results, indicating the area may have been a historic tidal marsh based on estuarine and tidal deposits observed in Geoprobe samples.

CA-SMA-380 (P-41-002164) is a buried precontact shellmidden that was located on the northern bank of Colma Creek outside the footprint of our final array alternatives. This site was recorded during Geoprobe subsurface testing in 2006. Three Geoprobe samples indicated that the precontact site was buried 500 to 800 centimeters below the surface of historic and natural fill.

Geoprobe samples confirmed the site does not extend past Colma Creek onto the southern bank. Ecofacts from the Geoprobe samples include Bay Mussell, California Oyster, Macoma Clams, Boring Clams, Barnacles, Gaper Clam, a crab claw, and tiny fish bones were present. Cultural artifacts procured were two obsidian flakes, one chert flake, and fire-cracked rocks. Interpretations from the site record states that this precontact Bayside shellmidden could possibly be Nelson 378 which was recorded on the south bank of San Bruno Point. However, this is unlikely given the site is across the former Belle Aire Island and too far south.

#### **Future Section 106 Consultations**

We would welcome the opportunity to discuss these findings with you and respectfully request your response within 30 days of receipt of this letter to be a consulting party. If you do not respond within this time frame, you may still request consulting party status in the future. We will formally invite your tribe to consult around April once we determine a tentatively selected plan from the final array of alternatives. The consultation will focus on potential effects or concerns you may have for resources within our APE.



If you have any comments or questions regarding the information presented in this letter or would prefer USACE and the City of South San Francisco set up a virtual meeting to go over the records search result, please contact [Ruzel.B.Ednalino@USACE.Army.Mil](mailto:Ruzel.B.Ednalino@USACE.Army.Mil). Ruzel Ednalino can also be reached by phone at (415) 503-6661. Thank you for your time and consideration, we look forward to hearing from you.

Sincerely,

Julie R. Beagle  
Environmental Planning Section Leader  
San Francisco District

Figure 1. Study Area of the Lower Colma CAP  
Figure 2. Area of Potential Effects Map  
Figure 3. Alternative 1 Map  
Figure 4. Alternative 2 Map  
Figure 5. Records Search Results Map  
Figure 6. Records Search Results Table

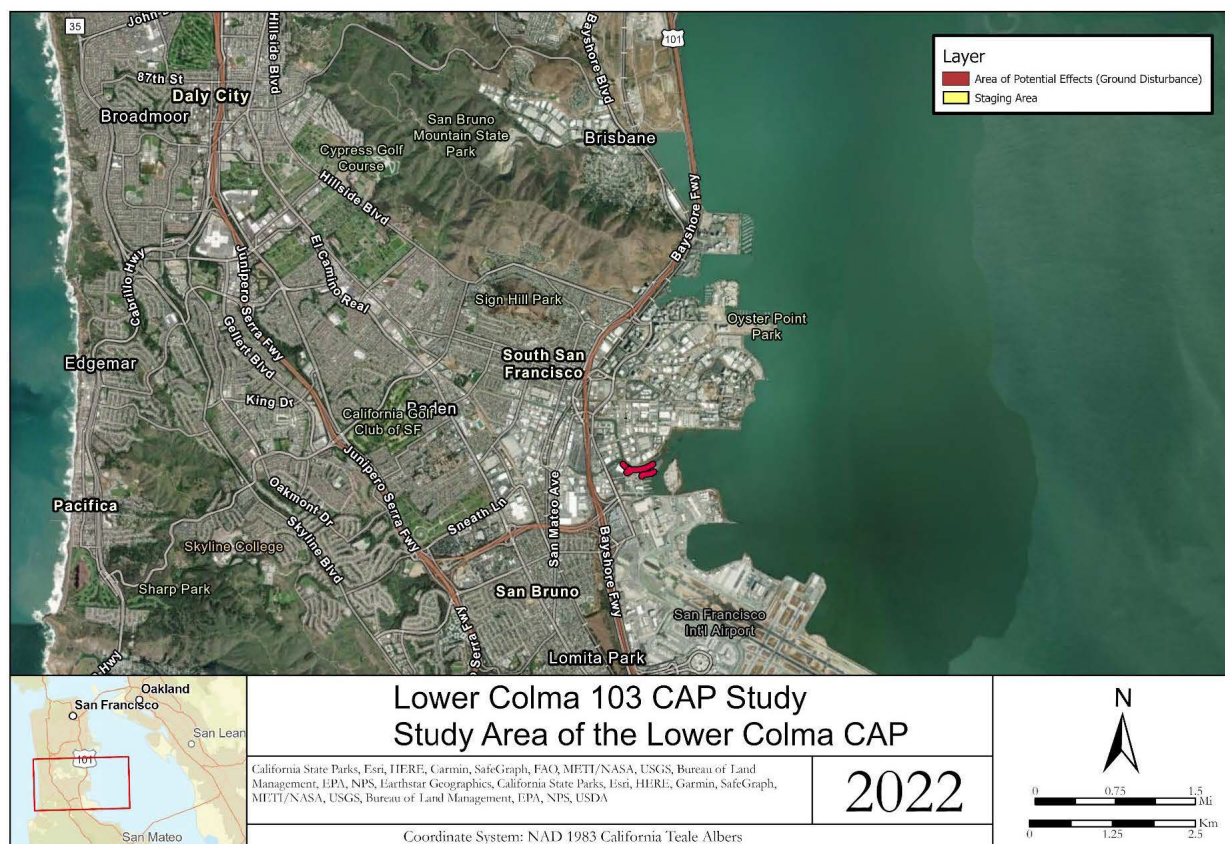


Figure 1. Study Area of the Lower Colma CAP



Figure 2. Area of Potential Effects Map



**DEPARTMENT OF THE ARMY**  
**SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
**450 GOLDEN GATE AVE.**  
**SAN FRANCISCO, CA 94102**

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Chairman Tony Cerda  
Costanoan Rumsen Carmel Tribe  
244 E. 1<sup>st</sup> Street  
Pomona, CA 91766  
[Rumsen@aol.com](mailto:Rumsen@aol.com)

Dear Chairman Cerda,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to the Costanoan Rumsen Carmel Tribe pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

USACE is contacting your tribe and inviting you to be a consulting party pursuant to 36 C.F.R § 800.2(c). We are requesting to consult directly under 36 C.F.R § 800.4 to respectfully gather information from your tribe, who may have knowledge of or concerns for historic properties within our study area.

We obtained a tribal consultation list from the Native American Heritage Commission (NAHC) and are reaching out to update you on our identification efforts for historic properties and our final array of alternatives to reduce flooding risks. We have completed a records search at the Northwest Information Center located at Sonoma State University and are sharing the results of that summary in this letter.

We request your assistance in identifying historic properties and any potential impacts your tribe may have knowledge about within our area of potential effects (APE). This can include natural or cultural resources that may hold traditional, religious, and cultural significance to your tribe. We also welcome the opportunity to discuss native culturally sensitive plants and how access to those resources may benefit your tribe.

**Description of the Undertaking**

The Lower Colma CAP takes place in California, San Mateo County, near the South San Francisco Water Quality Control Plant (WQCP) (Figure 1). Inundation of the WQCP could potentially cause physical damages and loss of water quality control services resulting in untreated sewage being released into the bay waters and potentially backing up streets and



homes in the service area. USACE and the City of South San Francisco have screened several alternatives and created a final array of alternatives. Alternatives are drafted from structural and non-structural flood risk measures that address coastal flooding risks around the WQCP and its connected pump stations.

The area of potential effects is defined under 36 CFR § 800.16 as the geographic area where the undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. USACE has defined the APE to be the areas where each alternative proposes deep ground disturbance that may expose or destroy the integrity of archaeological sites in the area (Figure 2). USACE also identified the staging areas being set up on the WQCP as a part of the APE. The Lower Colma CAP's final array of alternatives is listed below, and we invite your tribe to review the following alternatives:

**Alternative 1:** Deep excavation to construct a North Floodwall (1BN and 1AN) on the south bank near the WQCP. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4. (Figure 3)

**Alternative 2:** Deep excavation to construct a North Floodwall (1BN and 1AN) on the south bank near the WQCP. A south floodwall (2S) is proposed on the southern end of the WQCP. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4. (Figure 4)

**Alternative 3:** Non-structural alternative that proposes to floodproof 23 structures on the WQCP with minimal excavation. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4.

The WQCP property has undergone extensive surface survey since 1976 as well as subsurface testing and trenches conducted in 1998 with no artifacts or indicators of a cultural feature present. The WQCP property was disturbed during widening of the Colma Creek Channel in the mid-1970's including previous excavation, landfilling, urbanization, and asphaltting. The southern bank around the WQCP was historically a tidal salt marsh known as Belle Air Island, which had been leveled around the 1930's to the elevation of the San Francisco Bay and provided fill for the San Francisco International Airport. The WQCP parcel was also reinforced around the tidal line and built up again which removes any potential for archaeological sites to be situated within or near the WQCP.

#### **Identification Efforts for Historic Properties**

USACE has contacted the Northwest Information Center (NWIC) associated with the California Historical Resources Informational Systems to complete a records search for the Lower Colma CAP. The NWIC completed the records search request for USACE to review (NWIC 21-0368) and the boundaries were drawn by USACE onto a map (Figure 5). Within the APE defined

in Figure 2, only one archaeological resource was identified within our APE. 15 resources were identified within a .25 mile radius of the APE, which includes archaeological resources and built-environment resources.

The resource is CA-SMA-45 or Nelson 384 (P-41-00049). The site boundary was drawn by NWIC researchers in 2010 as an approximate location on their basemap. The NWIC site placement and extent was based on California archaeologist Nels Nelson's rudimentary mapping of shellmounds observed in the Bay Area and notes that Nelson site 384 was identified near a tidal marsh. The surface above CA-SMA-45 is developed with several commercial buildings and a trail running through the site. No subsurface investigations have occurred directly on this resource. Nearby excavations for a pipeline installment 200 feet south from the resource noted layered historic fill of various kinds over bay mud deposits, along with natural shell layers. No cultural material or indicators of these deposits being created by people was noted in the monitoring report.

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Geoprobe samples confirmed the site does not extend past Colma Creek onto the southern bank. Ecofacts from the Geoprobe samples include Bay Mussell, California Oyster, Macoma Clams, Boring Clams, Barnacles, Gaper Clam, a crab claw, and tiny fish bones were present. Cultural artifacts procured were two obsidian flakes, one chert flake, and fire-cracked rocks. Interpretations from the site record states that this precontact Bayside shell midden could possibly be Nelson 378 which was recorded on the south bank of San Bruno Point. However, this is unlikely given the site is across the former Belle Aire Island and too far south.

#### **Future Section 106 Consultations**

We would welcome the opportunity to discuss these findings with you and respectfully request your response within 30 days of receipt of this letter to be a consulting party. If you do not respond within this time frame, you may still request consulting party status in the future. We will formally invite your tribe to consult around April once we determine a tentatively selected plan from the final array of alternatives. The consultation will focus on potential effects or concerns you may have for resources within our APE.

If you have any comments or questions regarding the information presented in this letter or would prefer USACE and the City of South San Francisco set up a virtual meeting to go over the records search result, please contact [Ruzel.B.Ednalino@USACE.Army.Mil](mailto:Ruzel.B.Ednalino@USACE.Army.Mil). Ruzel Ednalino

can also be reached by phone at (415) 503-6661. Thank you for your time and consideration, we look forward to hearing from you.

Sincerely,

Julie R. Beagle  
Environmental Planning Section Leader  
San Francisco District

Figure 1. Study Area of the Lower Colma CAP  
Figure 2. Area of Potential Effects Map  
Figure 3. Alternative 1 Map  
Figure 4. Alternative 2 Map  
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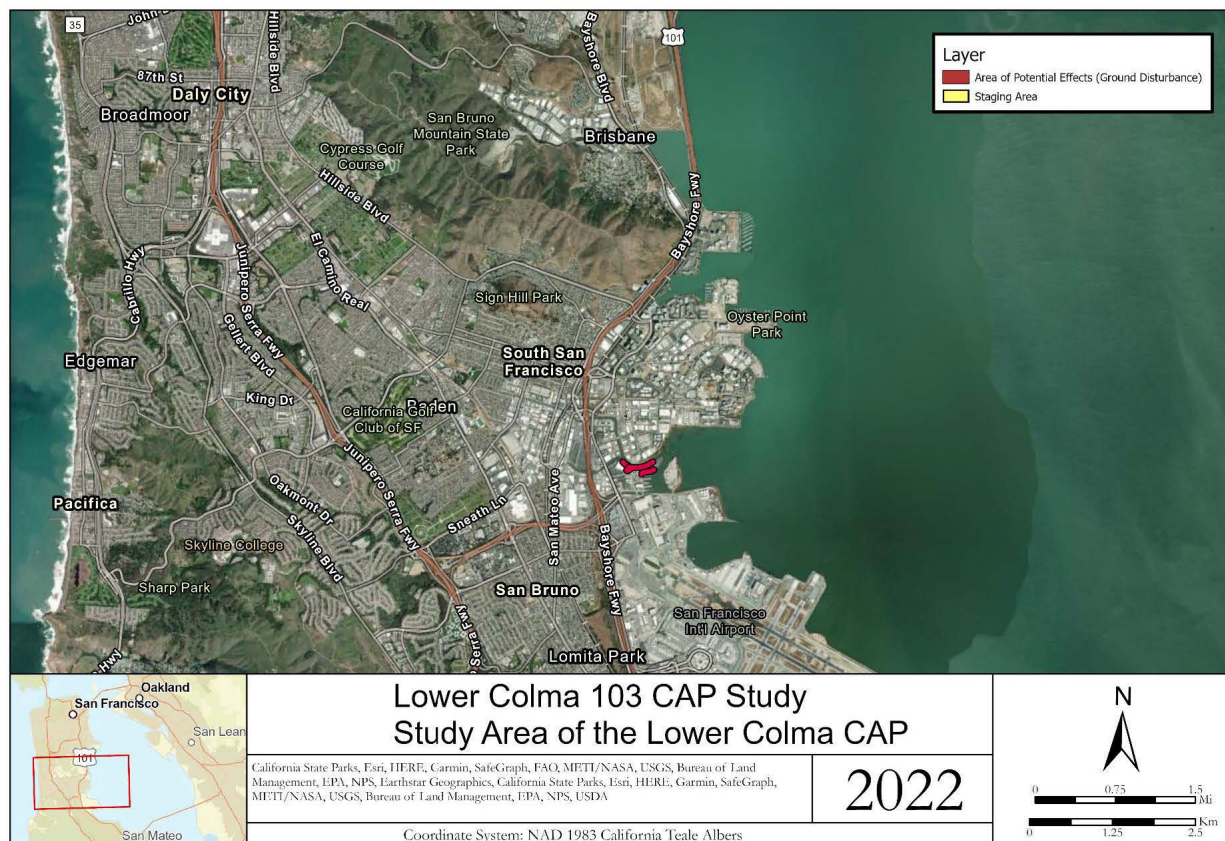


Figure 1. Study Area of the Lower Colma CAP





Figure 2. Area of Potential Effects Map



Figure 3. Alternative 1 Map

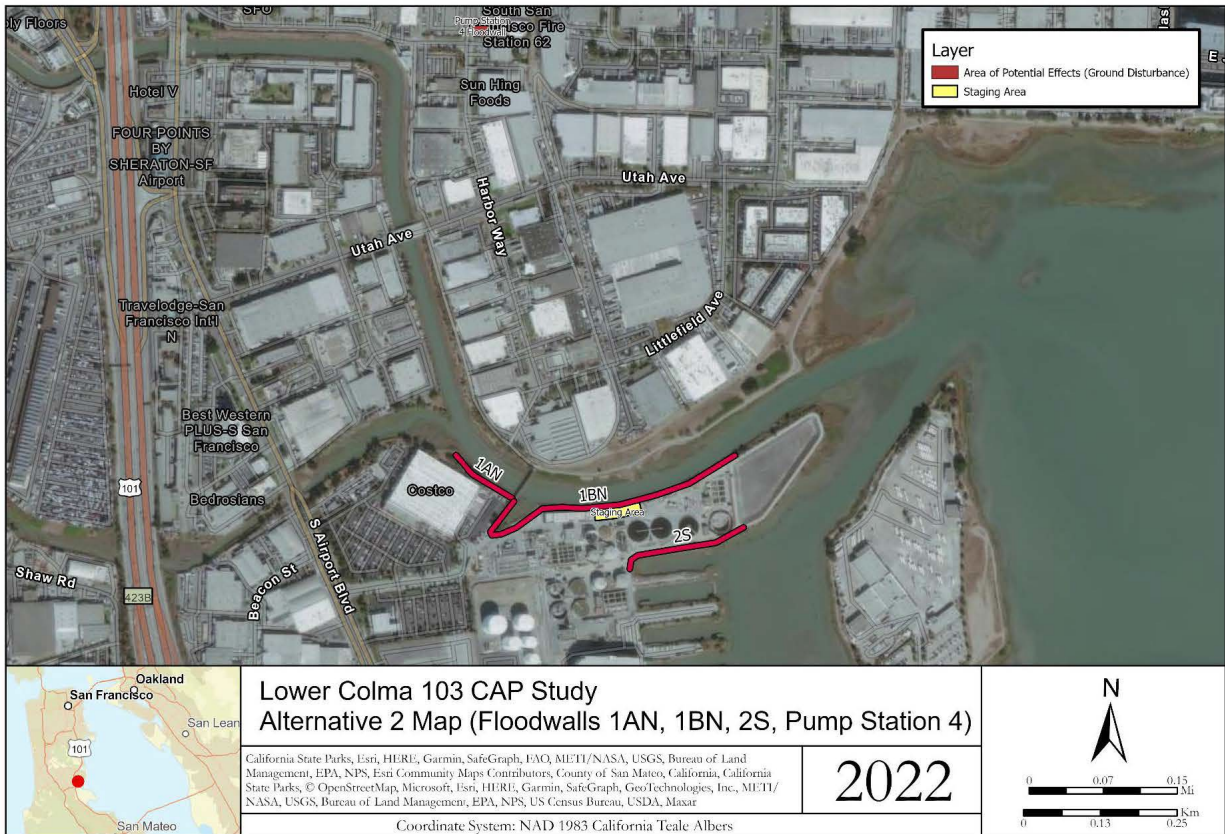


Figure 4. Alternative 2 Map





**DEPARTMENT OF THE ARMY**  
**SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
**450 GOLDEN GATE AVE.**  
**SAN FRANCISCO, CA 94102**

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

To whom it may concern,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to your organization pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

Section 106 is a federal historic preservation law that requires agencies who establish, approve, or fund federal projects to consider their effects to significant historic properties and cultural resources. USACE acknowledges the importance of including as many interested parties as possible in the Section 106 review process. Your organization's involvement as USACE continues to identify historic properties in the study area will ensure that the citizens and communities along the Lower Colma Creek's voices are heard to preserve the places that reflect their history and values.

**Description of the Undertaking**

The Lower Colma CAP takes place in California, San Mateo County, near the South San Francisco Water Quality Control Plant (WQCP) (Figure 1). Inundation of the WQCP could potentially cause physical damages and loss of water quality control services resulting in untreated sewage being released into the bay waters and potentially backing up streets and homes in the service area. USACE and the City of South San Francisco have screened several alternatives and created a focused array of alternatives. Alternatives are drafted from structural and non-structural flood risk measures that address coastal flooding risks around the WQCP and its connected pump stations.

The area of potential effects is defined under 36 CFR § 800.16 as the geographic area where the undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. USACE has defined the APE to be the areas where each alternative proposes deep ground disturbance that may expose or destroy the integrity of archaeological sites in the area (Figure 2). USACE also identified the staging areas being set up on the WQCP as a part of the APE. The Lower Colma CAP's final array of alternatives is listed below, and we invite your tribe to review the following alternatives:

**Alternative 1:** Deep excavation to construct a North Floodwall (1BN and 1AN) on the south bank near the WQCP. A full perimeter concrete floodwall with stop log gates will be built around Pump Station 4 with a warning system. Excavation is expected to be minimal for the floodwall surrounding Pump Station 4. (Figure 3)

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#### **Identification Efforts for Historic Properties**

USACE has contacted the Northwest Information Center (NWIC) associated with the California Historical Resources Informational Systems to complete a records search for the Lower Colma CAP. The NWIC completed the records search request for USACE to review (NWIC 21-0368) and historic resources meeting the 50-year age criteria were identified in our study area. Various historic buildings, such as the South San Francisco San Bruno Water Quality Control Plant and the Barret and Hilp's Graving Docks associated with building ships during World War II, were determined to be ineligible for the National Register of Historic Places in 1998 by an architectural historian due to their lack of historic significance and/or retaining poor integrity to be considered a historic property.

USACE and the City of South San Francisco invite you to be a consulting party pursuant to 36 CFR § 800.4(a)(3). We recognize that your organization has knowledge and background regarding historic properties in the study area which would help inform our selection of a tentatively selected plan from our final array of alternatives. By becoming a consulting party, you will be actively informed of the steps we are taking to identify and preserve historic properties. Your views and comments will ensure our undertaking incorporates historic preservation when necessary and fulfills the spirit of public stewardship advocated through Section 106 review.

To better understand how Section 106 review works, the Advisory Council on Historic Preservation (ACHP) has a citizens guide explaining the purposes of this federal historic preservation law. The citizens guide and other information is available on the ACHP's website, and can be accessed through the following link: <https://www.achp.gov/digital-library-section-106-landing/citizens-guide-section-106-review>

We would welcome the opportunity to discuss these findings with you and respectfully request your response within 30 days of receipt of this letter to be a consulting party. If you do not respond within this time frame, you may still request consulting party status in the future. We will formally invite your tribe to consult around April once we determine a tentatively selected plan from the final array of alternatives. The consultation will focus on potential effects or concerns you may have for resources within our APE.

If you have any comments or questions regarding the information presented in this letter or would prefer USACE and the City of South San Francisco set up a virtual meeting to go over the records search result, please contact Ruzel.B.Ednalino@USACE.Army.Mil. Ruzel Ednalino can also be reached by phone at (415) 503-6661. Thank you for your time and consideration, we look forward to hearing from you.

Sincerely,

Julie R. Beagle  
Environmental Planning Section Leader  
San Francisco District

Figure 1. Study Area of the Lower Colma CAP  
Figure 2. Area of Potential Effects Map  
Figure 3. Alternative 1 Map  
Figure 4. Alternative 2 Map  
Figure 5. Map of Historic Resources within the APE

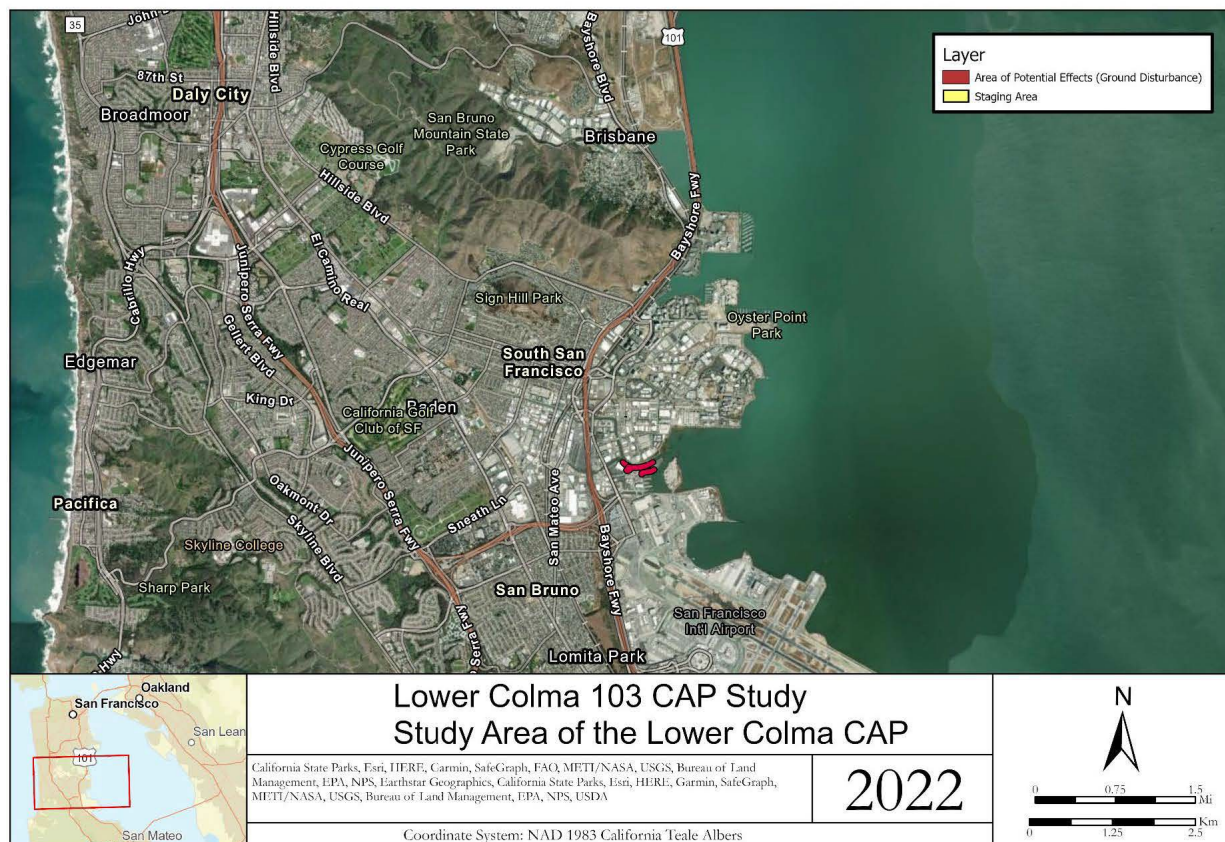


Figure 1. Study Area of the Lower Colma CAP





Figure 2. Area of Potential Effects Map



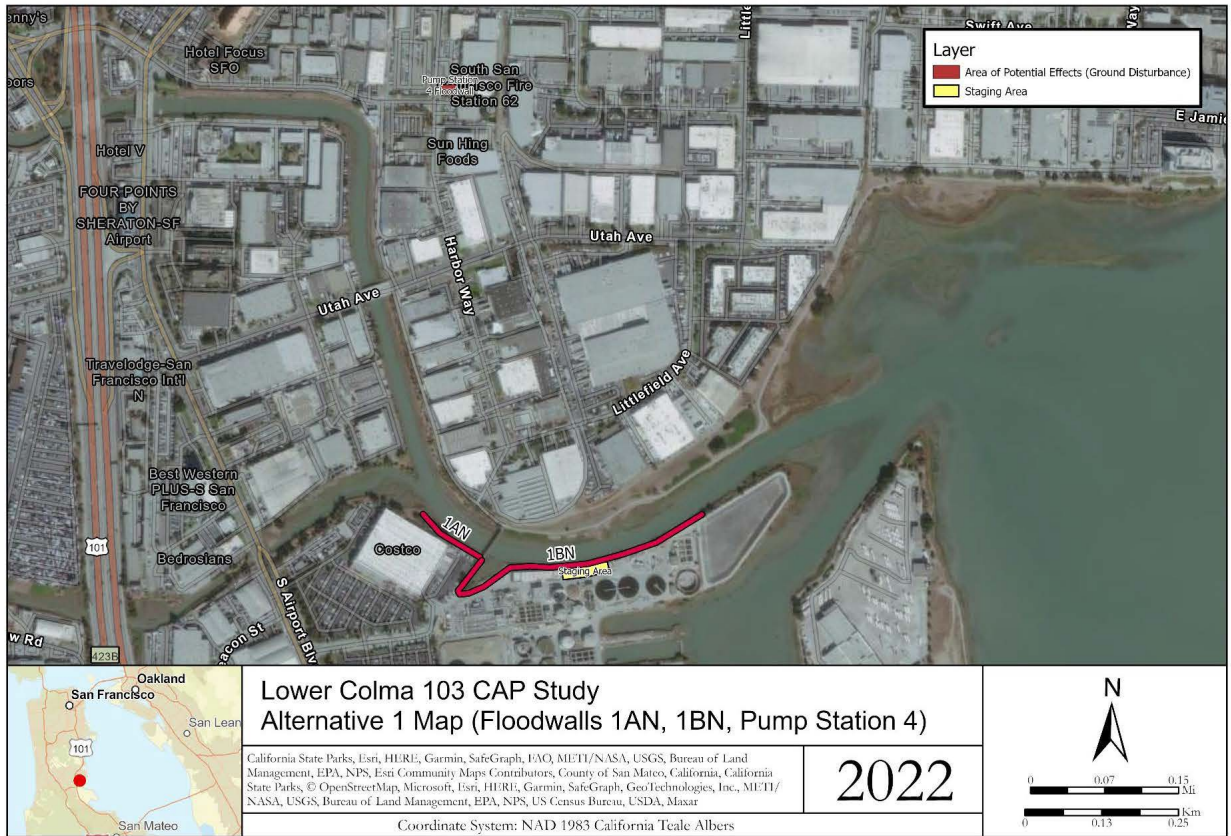


Figure 3. Alternative 1 Map

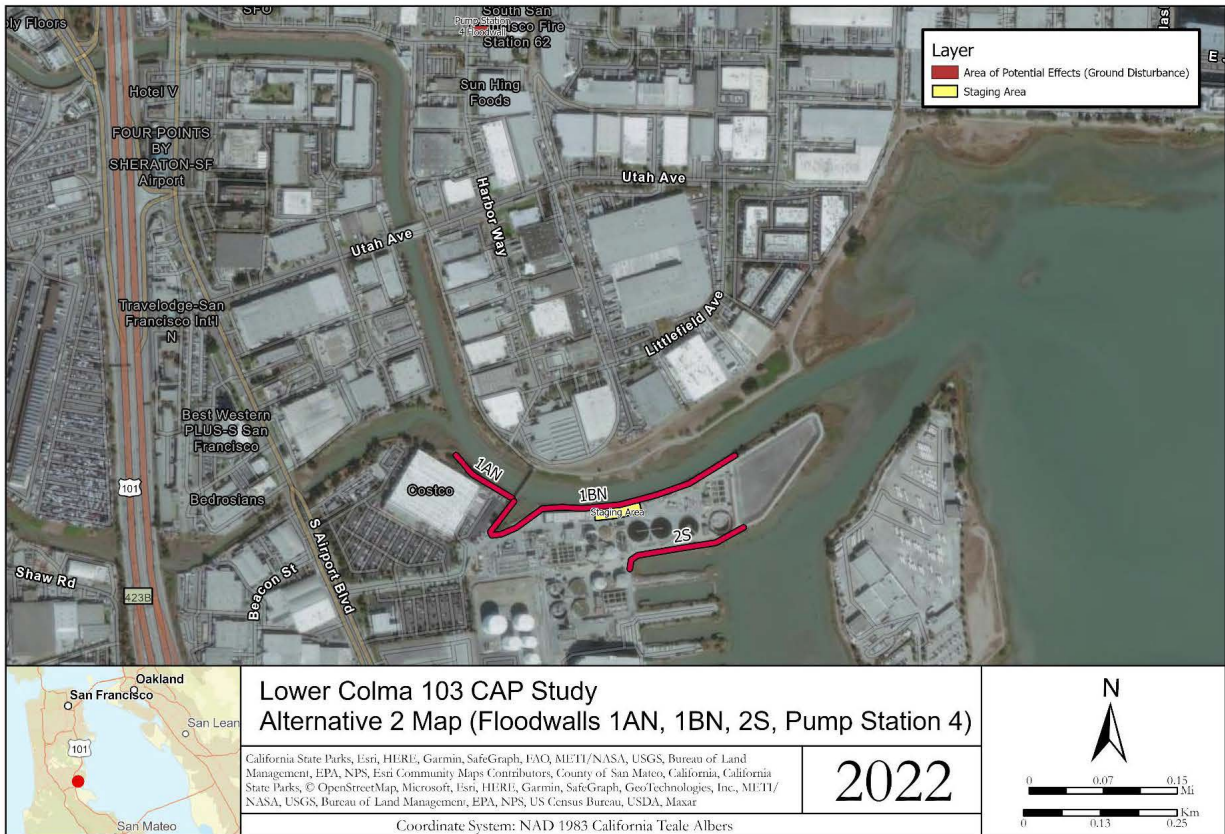
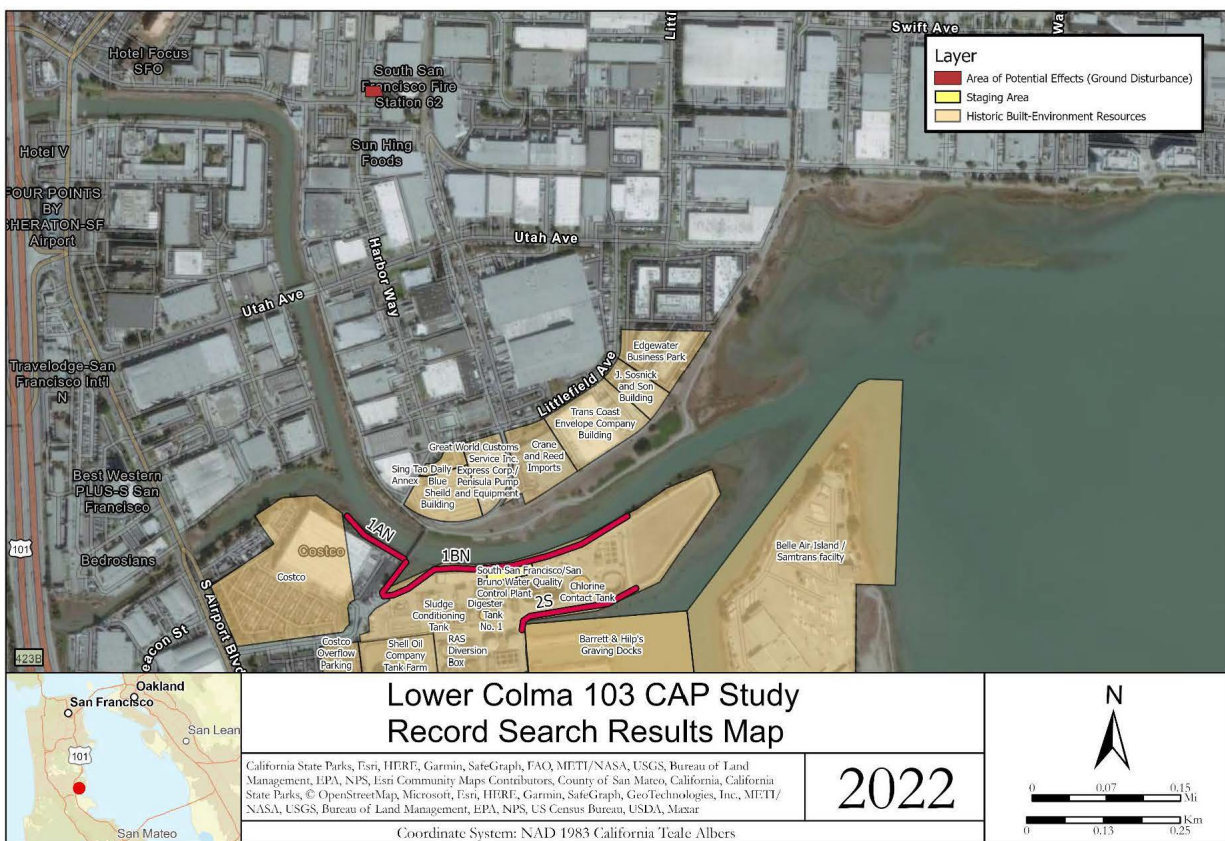


Figure 4. Alternative 2 Map







DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
450 GOLDEN GATE AVE.  
SAN FRANCISCO, CA 94102

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Chairwoman Ann Marie Sayers  
Indian Canyon Mutsun Band of  
Costanoan  
P.O. Box 28  
Hollister, CA 95024  
[ams@indiancanyon.org](mailto:ams@indiancanyon.org)

Dear Chairwoman Sayers,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to the Indian Canyon Mutsun Band of Costanoan pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

USACE is contacting your tribe and inviting you to be a consulting party pursuant to 36 C.F.R. § 800.2(c). We are requesting to consult directly under 36 C.F.R. § 800.4 to respectfully gather information from your tribe, who may have knowledge of or concerns for historic properties within our study area.

We obtained a tribal consultation list from the Native American Heritage Commission (NAHC) and are reaching out to update you on our identification efforts for historic properties and our final array of alternatives to reduce flooding risks. We have completed a records search at the Northwest Information Center located at Sonoma State University and are sharing the results of that summary in this letter.

We request your assistance in identifying historic properties and any potential impacts your tribe may have knowledge about within our area of potential effects (APE). This can include natural or cultural resources that may hold traditional, religious, and cultural significance to your tribe. We also welcome the opportunity to discuss native culturally sensitive plants and how access to those resources may benefit your tribe.

**Description of the Undertaking**

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untreated sewage being released into the bay waters and potentially backing up streets and homes in the service area. USACE and the City of South San Francisco have screened several alternatives and created a final array of alternatives. Alternatives are drafted from structural and non-structural flood risk measures that address coastal flooding risks around the WQCP and its connected pump stations.

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Geoprobe samples confirmed the site does not extend past Colma Creek onto the southern bank. Ecofacts from the Geoprobe samples include Bay Mussell, California Oyster, Macoma Clams, Boring Clams, Barnacles, Gaper Clam, a crab claw, and tiny fish bones were present. Cultural artifacts procured were two obsidian flakes, one chert flake, and fire-cracked rocks. Interpretations from the site record states that this precontact Bayside shellmidden could possibly be Nelson 378 which was recorded on the south bank of San Bruno Point. However, this is unlikely given the site is across the former Belle Aire Island and too far south.

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Sincerely,

Julie R. Beagle  
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San Francisco District

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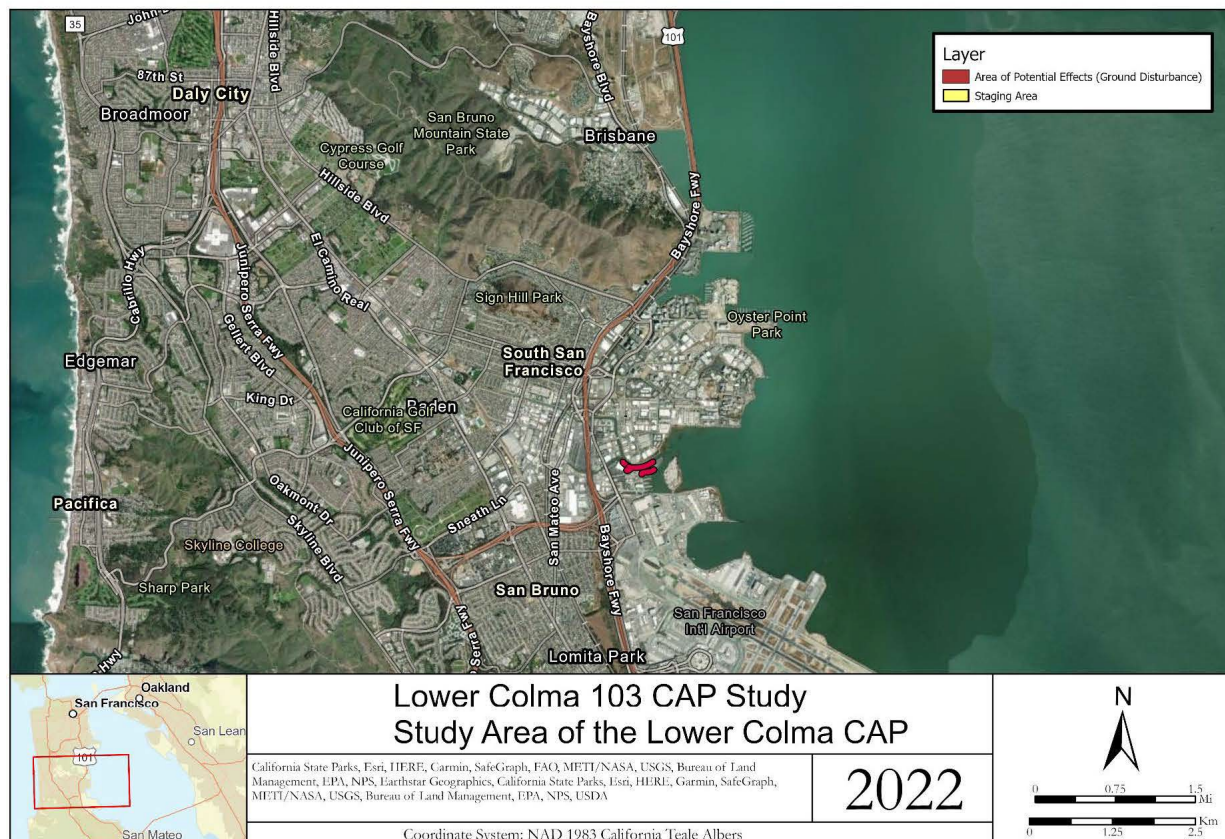


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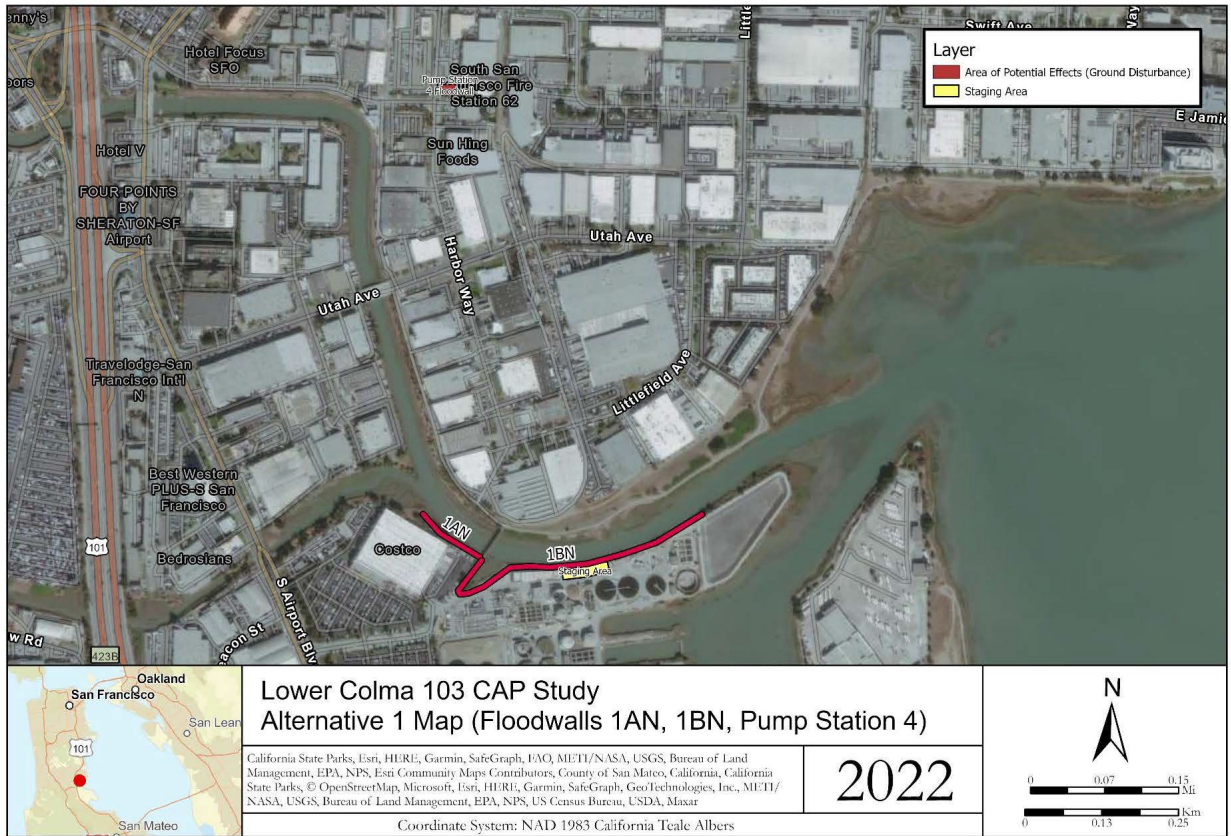


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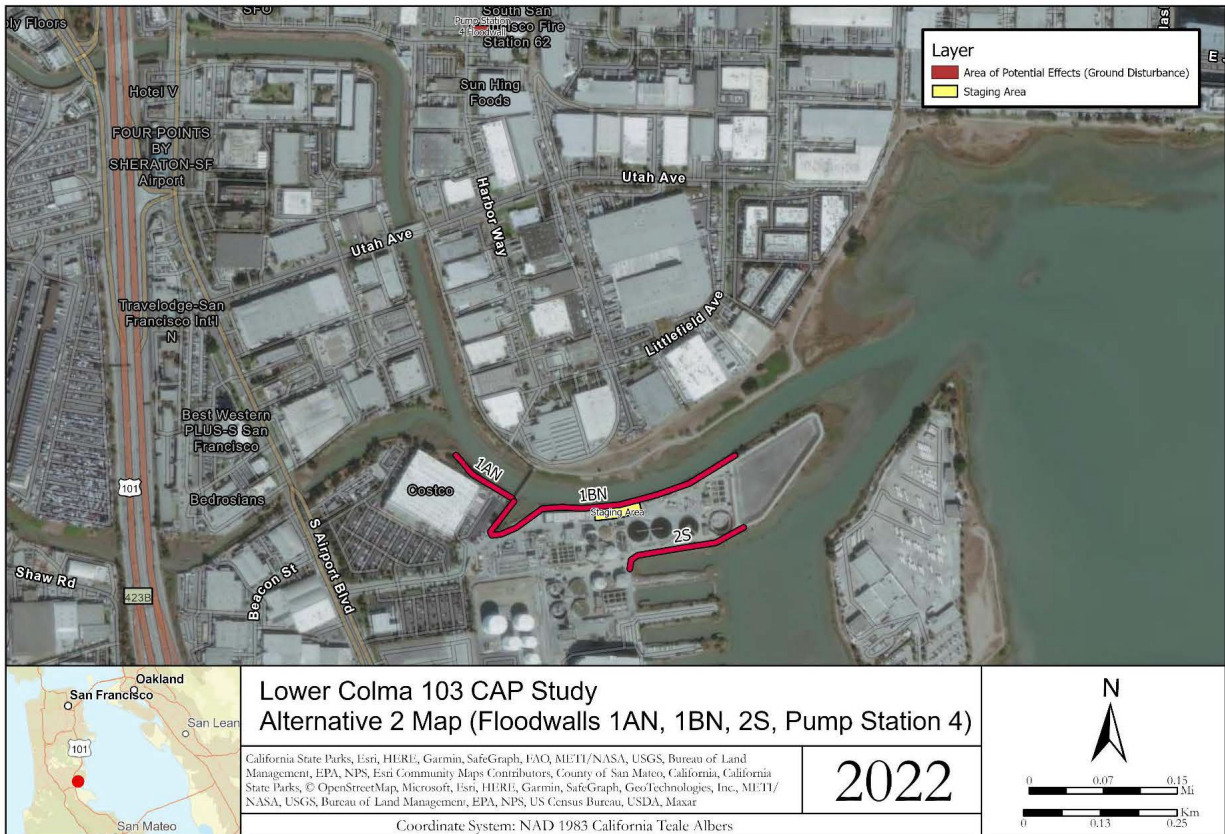


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DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
450 GOLDEN GATE AVE.  
SAN FRANCISCO, CA 94102

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Chairwoman Charlene Nijmeh  
Vice Chairwoman Monica Arellano  
Muwekma Ohlone Indian Tribe  
of the SF Bay Area  
20885 Redwood Road, Suite 232  
Castro Valley, CA 94546  
[marellano@muwekma.org](mailto:marellano@muwekma.org)  
[cnijmeh@muwekma.org](mailto:cnijmeh@muwekma.org)

Dear Chairwoman Nijmeh and Vice Chairwoman Arellano,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to Muwekma Ohlone Indian Tribe of the SF Bay Area pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

USACE is contacting your tribe and inviting you to be a consulting party pursuant to 36 C.F.R. § 800.2(c). We are requesting to consult directly under 36 C.F.R. § 800.4 to respectfully gather information from your tribe, who may have knowledge of or concerns for historic properties within our study area.

We obtained a tribal consultation list from the Native American Heritage Commission (NAHC) and are reaching out to update you on our identification efforts for historic properties and our final array of alternatives to reduce flooding risks. We have completed a records search at the Northwest Information Center located at Sonoma State University and are sharing the results of that summary in this letter.

We request your assistance in identifying historic properties and any potential impacts your tribe may have knowledge about within our area of potential effects (APE). This can include natural or cultural resources that may hold traditional, religious, and cultural significance to your tribe. We also welcome the opportunity to discuss native culturally sensitive plants and how access to those resources may benefit your tribe.

## Description of the Undertaking

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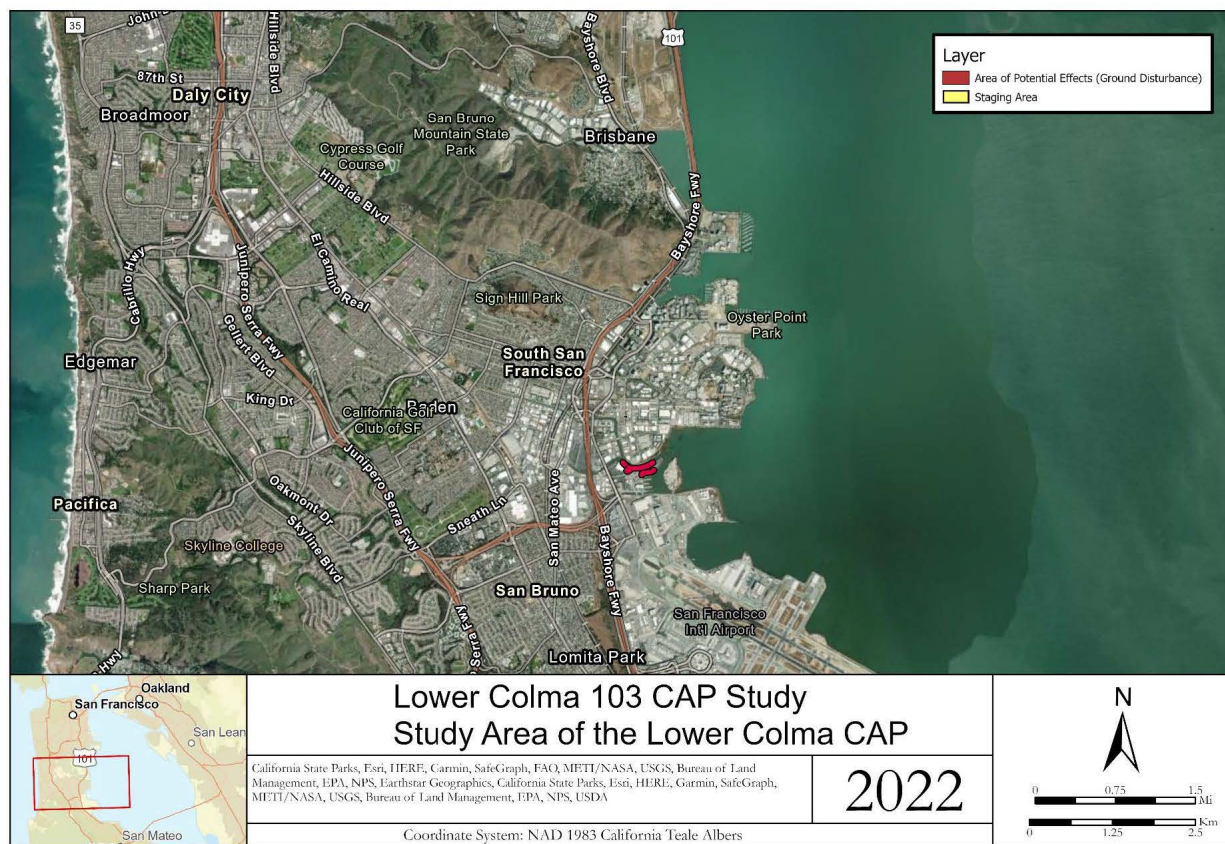


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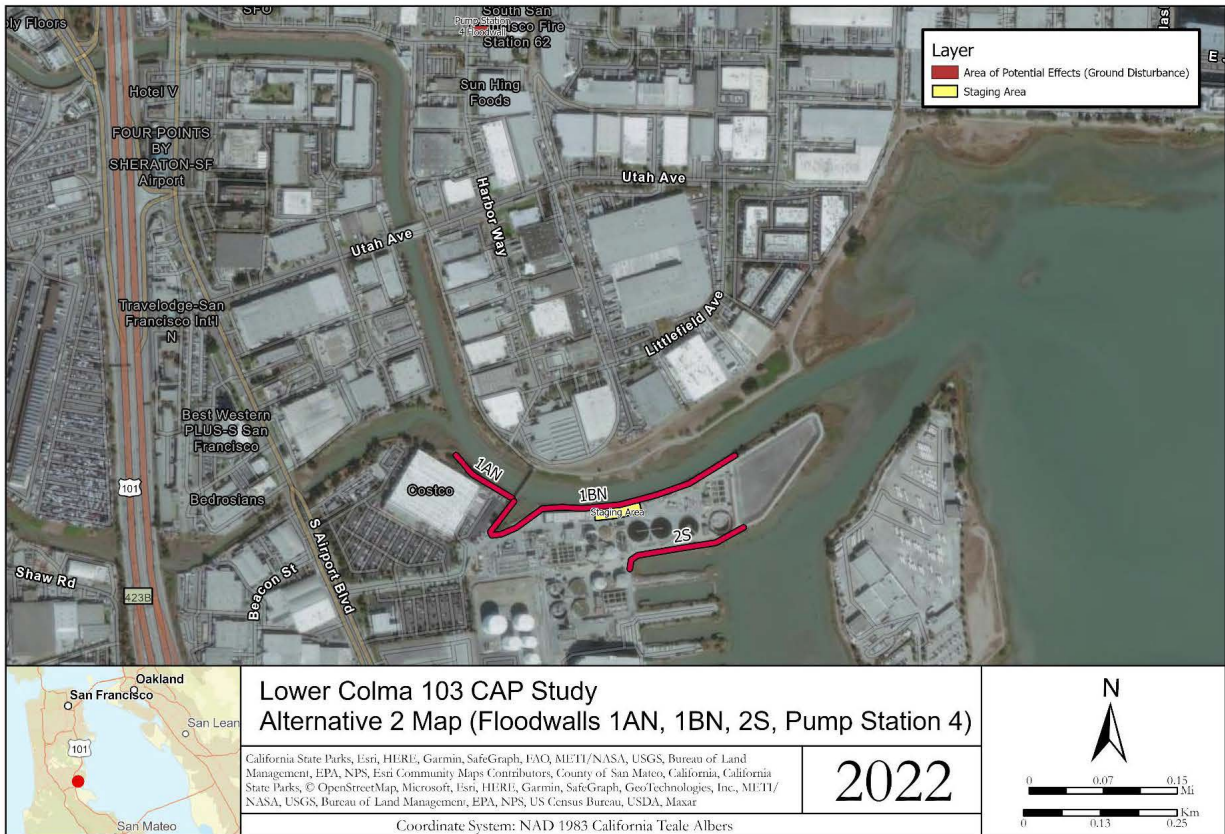


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DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
450 GOLDEN GATE AVE.  
SAN FRANCISCO, CA 94102

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Chairperson Dee Dee Ybarra  
Rumsen Am:ataj Ohlone  
14671 Farmington Street  
Hesperia, CA 92345  
[rumsenama@gmail.com](mailto:rumsenama@gmail.com)

Dear Chairperson Ybarra,

The U.S. Army Corps of Engineers, San Francisco District (USACE) is writing to the Rumsen Am:ataj Ohlone pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) to be a consulting party for the Lower Colma Creek CAP 103 Study (Lower Colma CAP). The Lower Colma CAP is being conducted in partnership with the City of South San Francisco under the authorization of the Rivers and Harbors Act of 1962, as amended (33 USC 426g) to study, adopt, and construct coastal flooding and erosion control along Lower Colma Creek.

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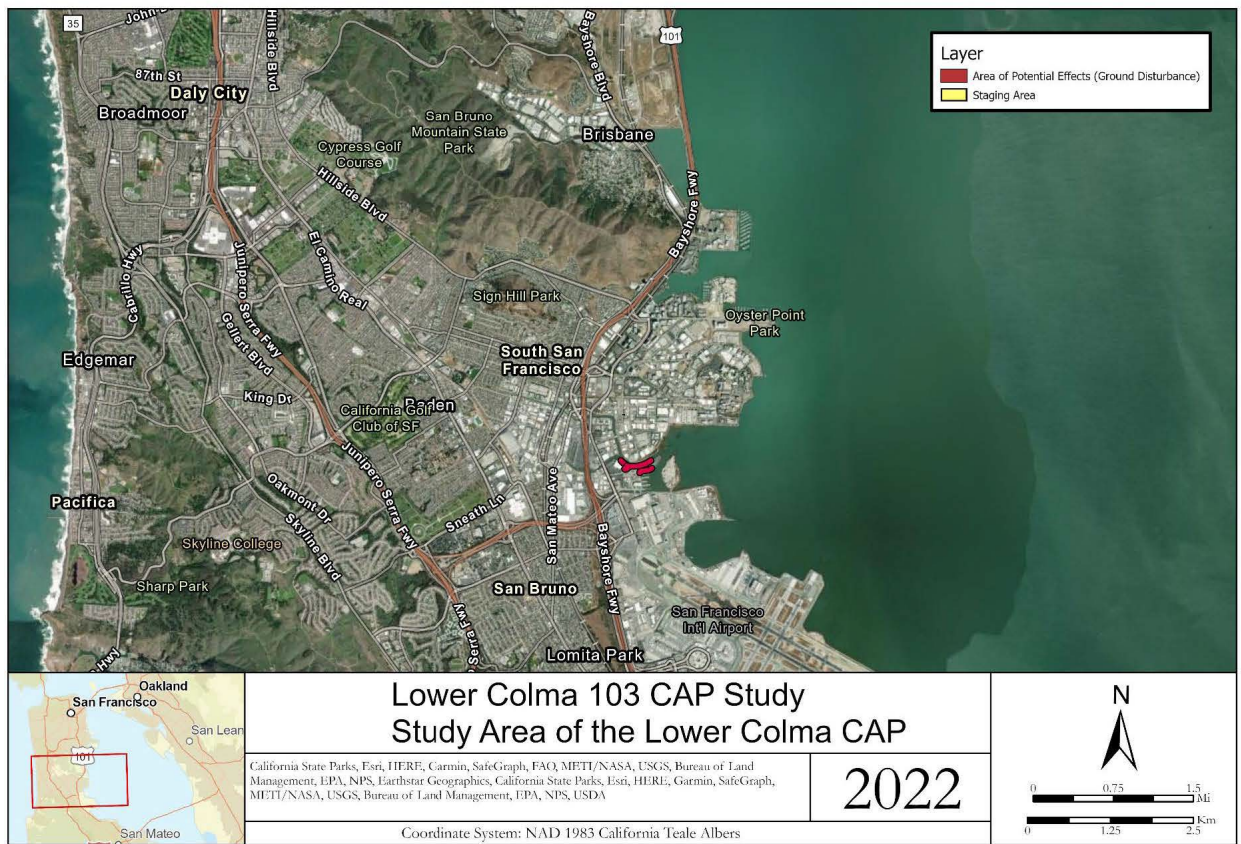


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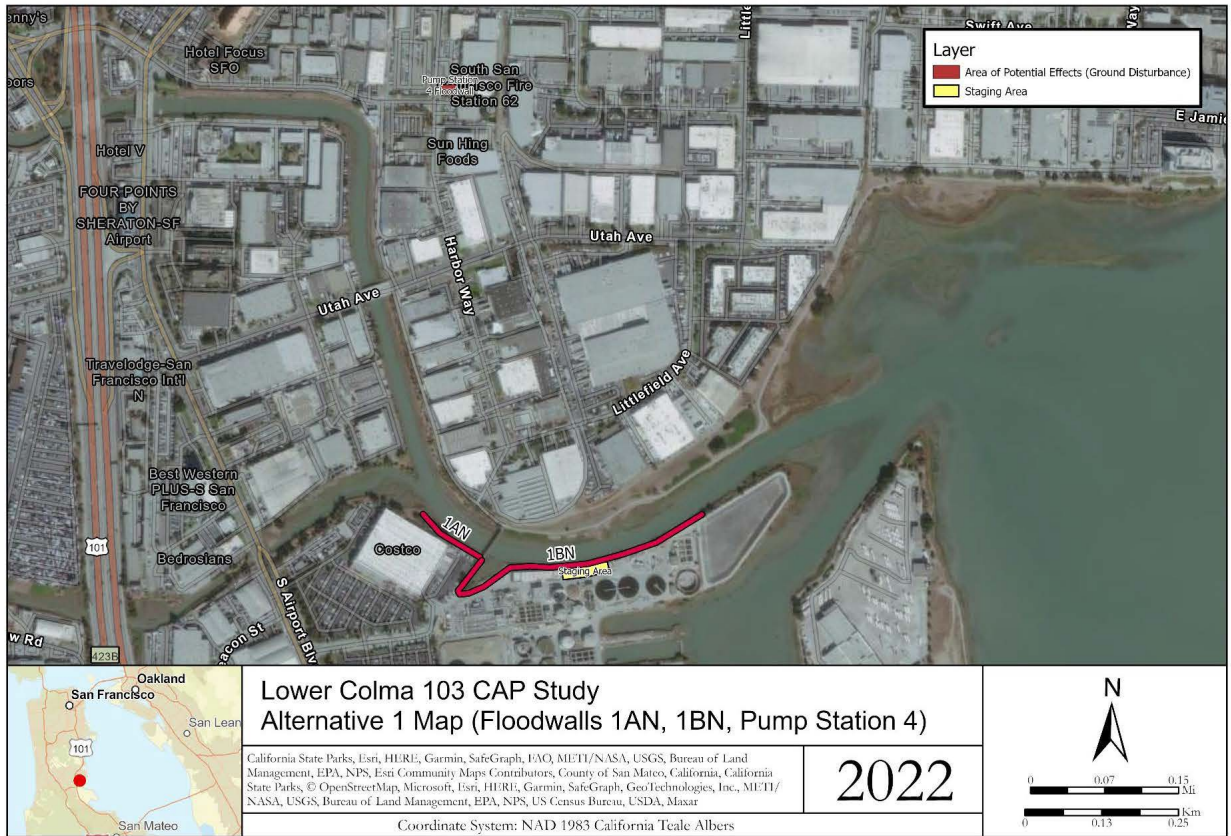


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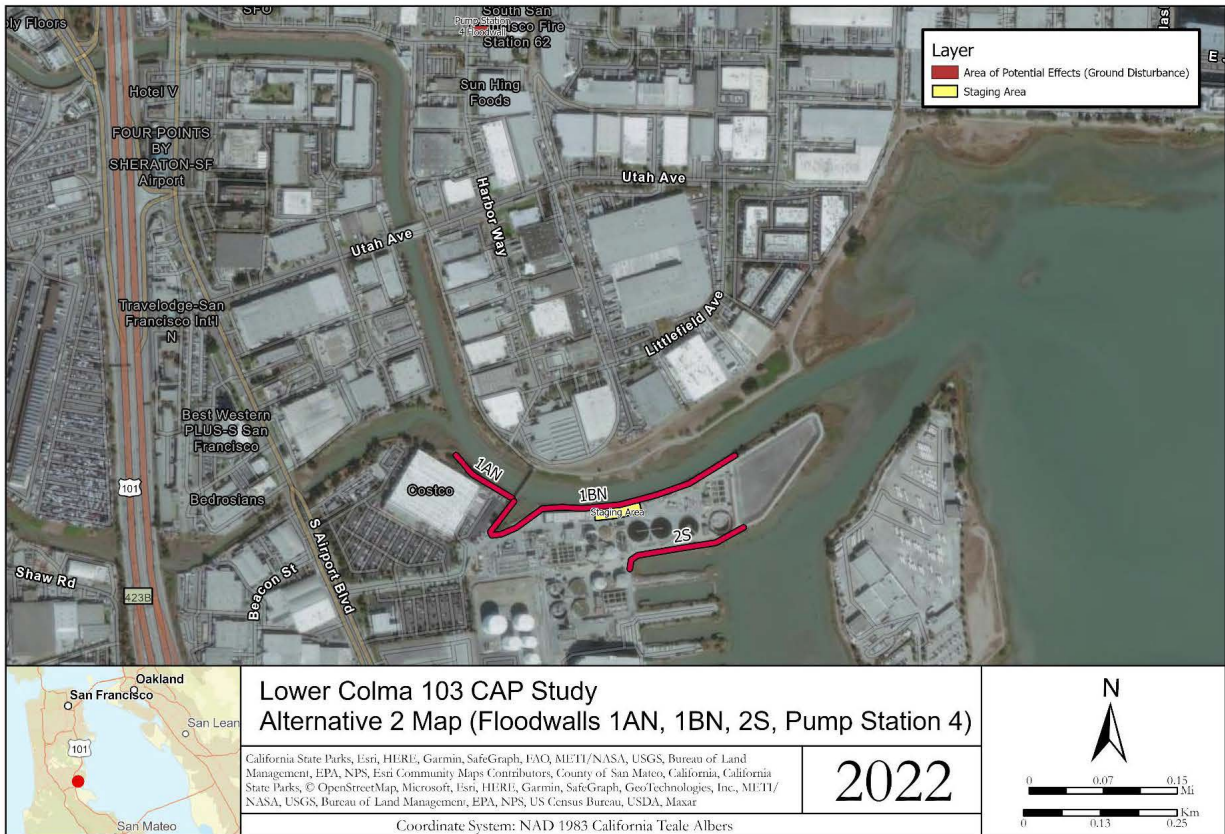


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DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
450 GOLDEN GATE AVE.  
SAN FRANCISCO, CA 94102

March 4, 2022

SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consulting Party Invitation  
for the Lower Colma Creek CAP 103 Study

Andrew Galvan  
The Ohlone Indian Tribe  
P.O. Box 3388  
Fremont, CA 94539  
[chochenyon@AOL.com](mailto:chochenyon@AOL.com)

Dear Andrew Galvan,

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### **Identification Efforts for Historic Properties**

USACE has contacted the Northwest Information Center (NWIC) associated with the California Historical Resources Informational Systems to complete a records search for the Lower Colma CAP. The NWIC completed the records search request for USACE to review (NWIC 21-0368) and the boundaries were drawn by USACE onto a map (Figure 5). Within the APE defined in Figure 2, only one archaeological resource was identified within our APE. 15 resources were identified within a .25 mile radius of the APE, which includes archaeological resources and built-environment resources.

The resource is CA-SMA-45 or Nelson 384 (P-41-00049). The site boundary was drawn by NWIC researchers in 2010 as an approximate location on their basemap. The NWIC site placement and extent was based on California archaeologist Nels Nelson's rudimentary mapping of shellmounds observed in the Bay Area and notes that Nelson site 384 was identified near a tidal marsh. The surface above CA-SMA-45 is developed with several commercial buildings and a trail running through the site. No subsurface investigations have occurred directly on this resource. Nearby excavations for a pipeline installment 200 feet south from the resource noted layered historic fill of various kinds over bay mud deposits, along with natural shell layers. No cultural material or indicators of these deposits being created by people was noted in the monitoring report.

Outside of the APE, the NWIC plotted two similar Nels Nelson resources CA-SMA-41 (Nelson 380) and CA-SMA-43 (Nelson 382) based on approximate locations from their basemap. The sites sit within the vicinity of US101 and San Mateo Avenue. Both resources underwent Geoprobe subsurface testing in 2016 by AECOM with negative boring results, indicating the area may have been a historic tidal marsh based on estuarine and tidal deposits observed in Geoprobe samples.

CA-SMA-380 (P-41-002164) is a buried precontact shellmidden that was located on the northern bank of Colma Creek outside the footprint of our final array alternatives. This site was recorded during Geoprobe subsurface testing in 2006. Three Geoprobe samples indicated that the precontact site was buried 500 to 800 centimeters below the surface of historic and natural fill.

Geoprobe samples confirmed the site does not extend past Colma Creek onto the southern bank. Ecofacts from the Geoprobe samples include Bay Mussell, California Oyster, Macoma Clams, Boring Clams, Barnacles, Gaper Clam, a crab claw, and tiny fish bones were present. Cultural artifacts procured were two obsidian flakes, one chert flake, and fire-cracked rocks. Interpretations from the site record states that this precontact Bayside shellmidden could possibly be Nelson 378 which was recorded on the south bank of San Bruno Point. However, this is unlikely given the site is across the former Belle Aire Island and too far south.

### **Future Section 106 Consultations**

We would welcome the opportunity to discuss these findings with you and respectfully request your response within 30 days of receipt of this letter to be a consulting party. If you do not respond within this time frame, you may still request consulting party status in the future. We will formally invite your tribe to consult around April once we determine a tentatively selected plan

from the final array of alternatives. The consultation will focus on potential effects or concerns you may have for resources within our APE.

If you have any comments or questions regarding the information presented in this letter or would prefer USACE and the City of South San Francisco set up a virtual meeting to go over the records search result, please contact [Ruzel.B.Ednalino@USACE.Army.Mil](mailto:Ruzel.B.Ednalino@USACE.Army.Mil). Ruzel Ednalino can also be reached by phone at (415) 503-6661. Thank you for your time and consideration, we look forward to hearing from you.

Sincerely,

Julie R. Beagle  
Environmental Planning Section Leader  
San Francisco District

Figure 1. Study Area of the Lower Colma CAP  
Figure 2. Area of Potential Effects Map  
Figure 3. Alternative 1 Map  
Figure 4. Alternative 2 Map  
Figure 5. Records Search Results Map  
Figure 6. Records Search Results Table

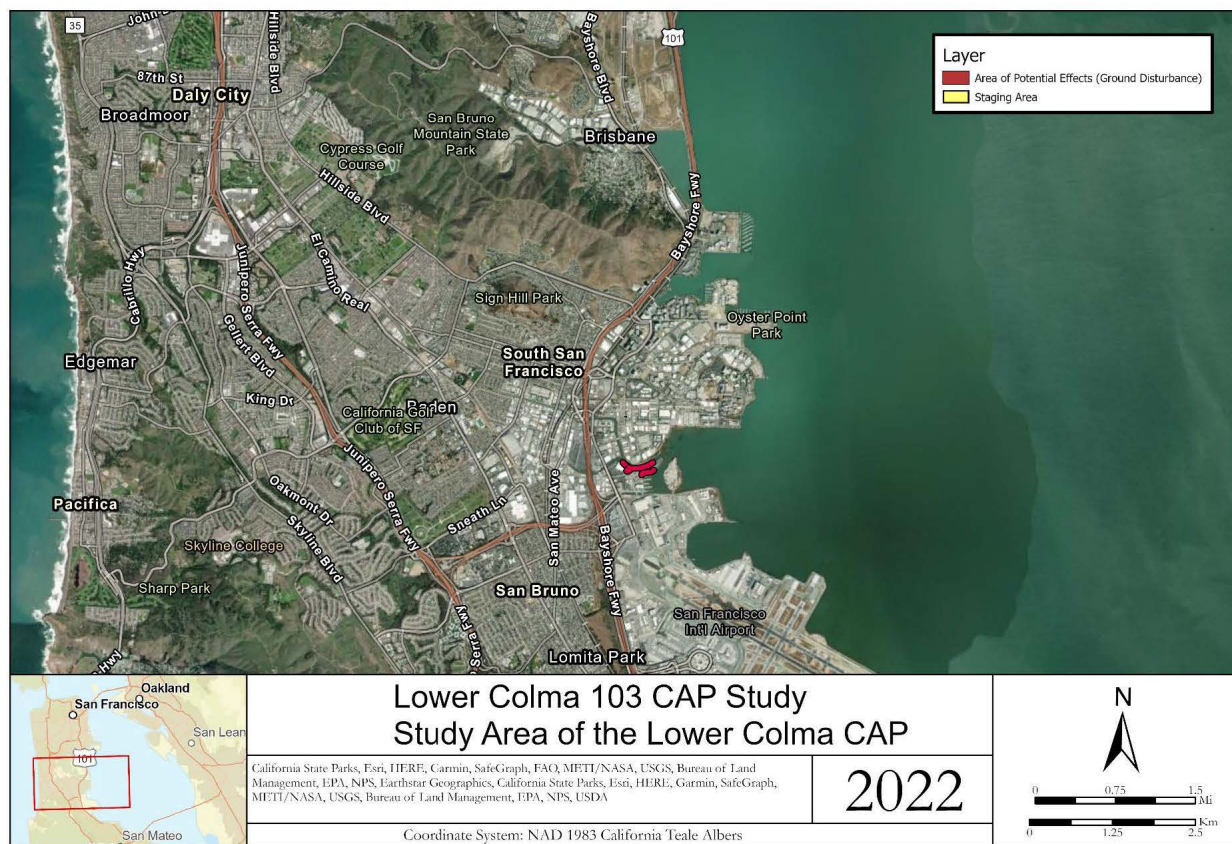


Figure 1. Study Area of the Lower Colma CAP





Figure 2. Area of Potential Effects Map



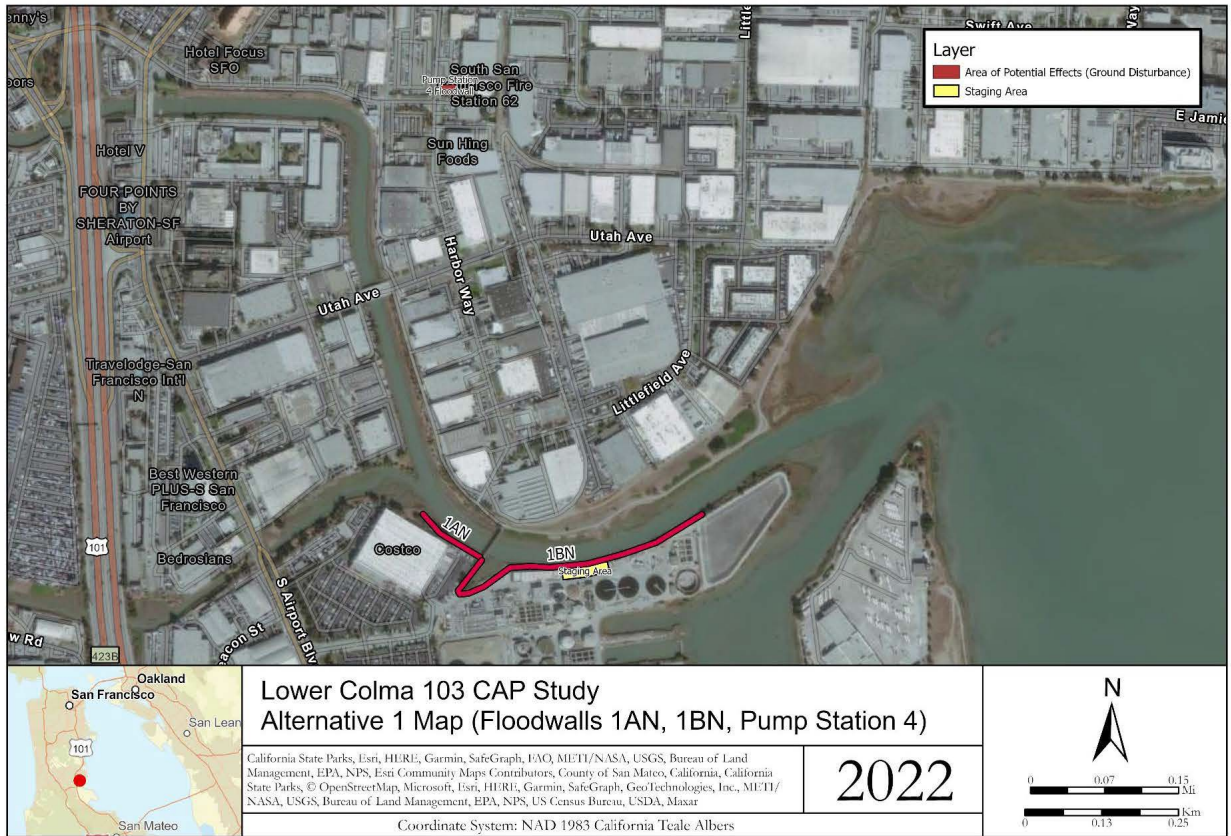


Figure 3. Alternative 1 Map

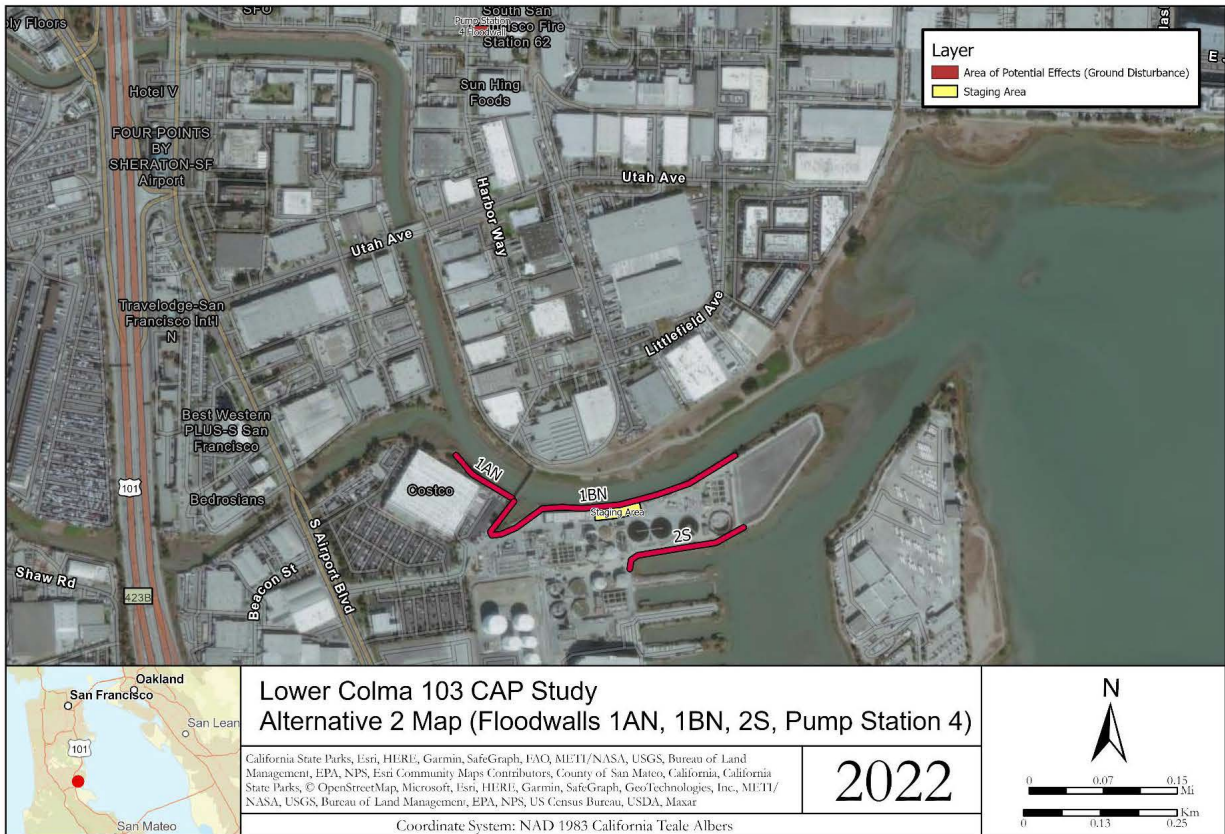


Figure 4. Alternative 2 Map

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