

# County of Santa Clara

## Parks and Recreation Department

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September 25, 2025

Ms. Julianne Polanco  
State Historic Preservation Officer  
Office of Historic Preservation, Review and Compliance Unit  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

### **RE: Section 106 Consultation for North Meadow Public Access Project, Coyote Valley Open Space Preserve**

Dear Ms. Polanco:

In 2024 the Santa Clara Valley Open Space Authority ("Authority"), an independent special district, was awarded Federal Community Project Funding for the North Meadow Public Access Project (proposed action) at its Coyote Valley Open Space Preserve, located in unincorporated Santa Clara County. The congressionally appropriated grant funding for the project will be administered by the U.S. Department of Housing and Urban Development (HUD). This action constitutes an undertaking under Section 106 of the National Historic Preservation Act 1966, as amended (54 U.S.C. Section 300101 *et seq.*). The County of Santa Clara ("County") has local land use authority for this jurisdiction, and therefore, HUD regulations designate the County as the responsible entity for the purposes of Section 106.

The County, through consultant Albion Environmental, Inc., is reviewing the proposed action under Section 106 and its implementing regulations, 36 CFR Part 800, for possible impacts on historic properties. Accordingly, we are seeking your concurrence on the proposed finding of "No Adverse Effect" pursuant to 36 CFR Part 800.5(b).

### **Proposed Action**

The North Meadow Public Access Project is located in the Coyote Valley Open Space Preserve ("Preserve"), Santa Clara County. It lies just over 0.5 miles southwest of Santa Teresa Boulevard at the southwestern end of Palm Avenue, and 2.25 miles southwest of Highway 101. The proposed action includes improvements to existing developed areas including the parking lot and trails to meet Americans with Disabilities Act and Architectural Barriers Act accessibility standards and guidelines. Improvements are proposed for the preserve's entry trails and benches and interpretive signage would be installed along the trail. Project elements include the construction of a parking lot shade structure, re-grading of the parking area, trail resurfacing, boulder placement, vegetative remediation, and the installation of gate posts, interpretive signs, fencing, bike parking, benches, and picnic tables.



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County Executive: James R. Williams

## **Area of Potential Effect Description**

The area of potential effect (APE) involves all areas that may be directly or indirectly affected by project implementation resulting in changes to the character or use of historic properties. Within the APE, an area of direct impact (ADI) is identified for areas likely to involve ground disturbance during proposed action implementation. The APE for this project directly surrounds the ADI and is undeveloped and surrounded by open space. The horizontal APE/ADI begins at the Preserve staging area and trailhead and extends approximately 1,288 feet (0.25 miles) along the Heart's Delight Trail for a total of 4.24 acres. The APE/ADI map is enclosed as Attachment A. The maximum depth of disturbance with the APE/ADI is 4.5 feet below the current surface. Subsurface impacts and depth of impact for the above elements are listed in Table 1 below:

Table 1: Subsurface Impacts (Provided by the Authority)

<b>Subsurface Impacts</b>	<b>Depths of Impact</b>
Shade Structure posts and foundation	3-4.5 feet
Parking lot fencing	1 foot
Parking lot grading	6 inches- 1 foot
Trail removal and resurfacing	6 inches- 1 foot
Boulder Placement	6 inches- 1 foot
Vegetative remediation	6 inches- 1 foot
ADA benches	1 foot
Bike Parking	1 foot
Gate posts	3-4.5 feet
Picnic tables	1 foot
Restoration fence	2 feet

## **Historic Property Identification Efforts**

### **CHRIS Search**

The Northwest Information Center records search revealed two precontact resources (CA-SCL-106/P-43-000120 and CA-SCL-356/P-43-000362) immediately adjacent to the APE and five previously known sites located within a 0.5-mile radius. According to the California OHP Archaeological Determination of Eligibility for Santa Clara County, both CA-SCL-106/P-43-000120 and CA-SCL-356/P-43-000362 have previously been determined eligible for listing in the NRHP as contributors to a district determined eligible for the National Register by the NRHP Keeper.

### **Cultural Resource Inventory**

Based on the October 23 and December 4, 2020 surveys and the identification of landscape features and isolated artifacts, Albion extended the boundaries of CA-SCL-106 to the southeast and CA-SCL-356 to the northeast (Attachment B, Figure 13). As a result, CA-SCL-106/P-43-000120 overlaps with the ADI and is therefore a historic property for the purposes of Section 106 analysis. Consequently, Albion recommended that a Phase II evaluation of CA-SCL-106 be conducted to (1) determine if archaeological deposits extend into the ADI, (2) investigate potential archaeological deposit integrity, and (3) assess project impacts on the resource. Albion did not conduct a Phase II evaluation of CA-SCL-356 because the expanded boundary would not overlap with the ADI.



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During the week of December 5, 2022, Albion staff archaeologists conducted a targeted Phase II subsurface investigation within the ADI to evaluate whether CA-SCL-106 extends into the ADI and to assess potential effects of the proposed action to the site. The investigation involved the placement of nine shovel test probes, two surface transect units, and one column sample within the areas of impact related to footing and foundation construction, trail removal and paving, and restoration fencing (Attachment C, Figure 12). Albion assessed the portion of CA-SCL-106 within the ADI for NRHP eligibility. Based on NRHP criteria, Albion recommended that CA-SCL-106, as it manifests within the ADI, be considered not eligible, and that the effects of the proposed action on that resource are not considered adverse nor does the resource need to be considered further in the Section 106 process.

#### Native American Outreach

NAHC provided the positive results of a Sacred Lands File database search on September 16, 2020. Albion sent letters via USPS certified mail to the individuals indicated by the NAHC. The letters contained a brief project description and maps of the APE. Albion followed up between October 1 and December 15, 2020. Albion's outreach effort documented concerns about cultural resources within and immediately adjacent to the APE to the local tribal community (Attachment B).

Although there are no federally recognized tribes in Santa Clara County, the Authority did consult with the Tamien Nation pursuant to Assembly Bill (AB) 52 (2014) during its review of the project under CEQA. The Authority integrated recommendations from the Tribe that were received during AB 52 consultation into the project. Additionally, a tribal archaeological monitor from the Tamien Nation was present during the Phase II subsurface investigation (Attachment C).

#### Finding of Effect

Based on the analysis by Albion attached here, a finding of "No Adverse Effect" pursuant to 36 CFR Part 800.5(b) is appropriate for the proposed undertaking. Albion's analysis identified CA-SCL-106 as a historic property within the APE/ADI; however, application of the *Criteria for Adverse Effect* found at 36 CFR Part 800.5(a)(1) revealed that the proposed undertaking would not alter, indirectly or directly, the characteristics that (1) qualify them for listing on or (2) for which they were listed on the NRHP. No adverse effects will be further ensured by the following method(s):

*Avoidance* - For purposes of the proposed undertaking, Albion recommends temporary fencing/demarcation during construction to delineate an Environmentally Sensitive Area (ESA) as a designated avoidance area in an effort to ensure construction activities do not cross outside the APE/ADI into the nearby archaeological site boundaries (Attachment D).

Albion also recommended that a qualified archaeologist and Native American representative monitor all initial ground-disturbing activities associated with the Project that are within or in close proximity to the ADI, and the Authority accepted this recommendation.

Pursuant to 36 CFR 800.4(d)(1), the County seeks concurrence by your office with this finding. Please contact me at 408-355-2200 if you have any questions regarding this notification.



Board of Supervisors: Sylvia Arenas, Betty Duong, Otto Lee, Susan Ellenberg, Margaret Abe-Koga  
County Executive: James R. Williams

Sincerely,

DocuSigned by:  
*Jeremy Farr*  
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Jeremy Farr  
Principal Planner  
Santa Clara County Parks and Recreation

cc: Elizabeth Vissers, Office of the County Counsel  
Nicole Collins, Office of the County Counsel  
Lucas Shellhammer, Open Space Authority  
Thea Yang, Open Space Authority

Attachments:

Attachment A: APE Map  
Attachment B: Phase I Cultural Resource Inventory: North Meadow Public Access Project,  
Coyote Valley Open Space Preserve  
Attachment C: Phase II Cultural Resource Evaluation of the North Meadow Public Access  
Project, Coyote Valley Open Space Preserve  
Attachment D: Environmental Sensitive Area (ESA) and ADI



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