

CULTURAL AND TRIBAL CULTURAL RESOURCES

6A. CULTURAL AND TRIBAL CULTURAL RESOURCES

This chapter describes the existing cultural and tribal cultural resources (TCRs) in the General Plan Planning Area.

6A.1 REGULATORY FRAMEWORK

This section summarizes regulations for cultural resources and TCRs at the federal, State, regional, and City level.

6A.1.1 FEDERAL REGULATIONS

6A.1.1.1 National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 established the National Register of Historic Places (National Register) as the official designation of historical resources, including districts, sites, buildings, structures, and objects. For a property to be eligible for listing in the National Register, it must be significant in American history, architecture, archaeology, engineering, or culture, and must retain integrity in terms of location, design, setting, materials, workmanship, feeling, and association. Resources less than 50 years in age, unless of exceptional importance, are not eligible for the National Register. Though a listing in the National Register does not prohibit demolition or alteration of a property, the California Environmental Quality Act (CEQA) requires the evaluation of a proposed project's effects on properties that are listed in the National Register.

6A.1.2 STATE REGULATIONS

6A.1.2.1 California Environmental Quality Act

Section 15064.5 of the CEQA Guidelines states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. The CEQA Guidelines define four ways that a property can qualify as a historical resource for purposes of CEQA compliance:

- The resource is listed in or determined eligible for listing in the California Register of Historical Resources, as determined by the SHRC.
- The resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code, or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- The lead agency determines the resource to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, as supported by substantial evidence in light of the whole record.

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- The lead agency determines that the resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1 (CEQA Guidelines Section 15064.5) which means, in part, that it may be eligible for the California Register.

In addition, Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines specify lead agency responsibilities in determining whether a project may have a significant effect on archaeological resources. If it can be demonstrated that a project will damage a unique archaeological resource, the lead agency may require reasonable efforts for the resources to be preserved in place or left in an undisturbed state. Preservation in place is the preferred approach to mitigation. The Public Resources Code also details required mitigation if unique archaeological resources are not preserved in place.

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These provisions protect such remains from disturbance, vandalism, and inadvertent destruction by establishing procedures to be implemented if Native American skeletal remains are discovered during construction of a project and establish the Native American Heritage Commission (NAHC) as the authority to identify the most likely descendant (MLD) and mediate any disputes regarding disposition of such remains.

6A.1.2.2 California Register of Historic Resources

The California State Historic Preservation Office (SHPO) maintains the California Register of Historical Resources (CRHR). Historic properties listed, or formally designated for eligibility to be listed, as well as State Landmarks and Points of Interest, are automatically listed on the CRHR. Properties designated under local preservation ordinances or through local historical resource surveys may also be listed.

Eligibility for the CRHR requires that a resource retain sufficient integrity to convey significance and importance. Location, design, setting, materials, workmanship, feeling, and association are key elements in considering a property's integrity. A resource may be important if it is listed on the CRHR or a local register of historical resources. In addition, an important archaeological, historical, or tribal cultural resource is one which meets one or more of the below criteria:

- Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- Is associated with the lives of persons important to local, California, or national history.
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.
- It has yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation.

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The California Historical Building Code (California Code of Regulations, Title 24, Part 8) provides regulations for permitting repairs, alterations, and additions for the preservation, rehabilitation, relocation, reconstruction, change of use, or continued use of historical buildings, structures, and properties determined by any level of government as qualifying as an historical resource. An historical resource is defined in Sections 18950 to 18961 of Division 13, Part 2.7 of the Health and Safety Code and subject to rules and regulations set forth in CCR Title 24, Part 8.

6A.1.2.4 Health and Safety Code Sections 7052 and 7050.5

Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the Coroner must contact the California Native American Heritage Commission (NAHC). Furthermore, Section 7052 legally prohibits the mutilation, disintegration, removal from the place of interment, or act of sexual contact with, any remains known to be human, without authority of law. If remains are discovered during the construction or excavation, activity must be stopped until lawful removal of the remains for reinterment or cremation.

6A.1.2.5 California State Senate Bill 18

Senate Bill 18 (SB 18), signed into law in September 2004, requires that local governments consult with California Native American tribes in order to provide tribes an opportunity to participate in local land use decisions at the early planning stage for the protection or mitigation of impacts to tribal cultural places. The Governor's Office of Planning and Research is required to include the General Plan Guidelines Advice for how to conduct these consultations, which apply to adoption and amendment of general plans and specific plans, as defined in Government Code §65300 and §65450.

6A.1.2.6 Public Resources Code Section 5097

Section 5097.5(a) of the Public Resources Code specifies that a person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, or archaeological sites, which can include fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

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6A.1.3 LOCAL REGULATIONS

6A.1.3.1 2005 City of Hollister General Plan

The City of Hollister 2005 General Plan goals, policies, and actions relevant to cultural resources and TCRs are found in the Land Use and Community Design Element as shown in Table 6A-1.

TABLE 6A-1 2005 HOLLISTER GENERAL PLAN RELEVANT CULTURAL AND TRIBAL RESOURCES POLICIES

Policy No.	Policy
LU1.2	Historical Preservation Ordinance. Supplement the existing Historical Preservation Ordinance with an inventory and designation of potential sites and structures of architectural, historic, archeological and cultural significance.
LU5.2	Mixed-Use. Encourage mixed-use development types that enhance the viability of Downtown Hollister in order to preserve its social, cultural, historical, and governmental significance.

Source: City of Hollister, *2005 General Plan*.

In addition to the policies listed above, two implementing programs in the Land Use and Community Design Element and the Natural Resources and Conservation Element encourage the City to consider action to list the most significant structures or sites on the California Register of Historical Resources and the National Register of Historic Places, and recognize the ecological, scientific, aesthetic, and cultural values of threatened and endangered species as well as their inherent and legal right to exist without due disturbance.

6A.1.3.2 Hollister Municipal Code

In addition to the General Plan, the Hollister Municipal Code (HMC) includes various directives pertaining to cultural resources and TCRs within the City Limits. The HMC is organized by Title, Chapter, and Section. Provisions related to cultural resources and TCRs are included in Title 15, Buildings and Construction and Title 17, Zoning as follows:

- **Chapter 15.16, *Historic Resources*.** This chapter ensures that the character and history of the city are reflected in its cultural, historical, and architectural heritage, asserting that “these historical and cultural foundations should be preserved as living parts of community life and development to build an understanding of the city’s past so that future generations may have a genuine opportunity to appreciate, enjoy and understand the heritage of the city,” and “...[i]n the face of modernization and urbanization, areas of historical and cultural interest are threatened with demolition.” The Section 15.16.020, Purpose states that the city, pursuant to the provisions of the National Historic Preservation Act of 1966 as amended, will develop preservation programs and activities to maximize preservation efforts of the city’s unique architectural, historical, aesthetic, and cultural heritage.
- **Chapter 17.16, *Performance Standards*.** Section 17.16.030 addresses the incidental disruption of archaeological or historic resources discovered during any construction. This section requires cessation of construction activity, notification to the Planning Department, and examination by a qualified archaeologist or historian for historic resources, so that the extent and location of discovered materials are recorded, subject to the approval of the Director, and disposition of artifacts are in compliance with applicable State and federal laws.

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6A.2 EXISTING CONDITIONS

This section provides an overview of prehistory, history, cultural resources, and tribal cultural resources in the General Plan Planning area.

6A.2.1 PREHISTORY

Hollister is situated within Ohlone territory, which ranges from the Carquinez Strait to the southern border of Monterey Bay, and extends 50 miles inland.¹ Eight Ohlone languages were spoken in the region, with Hollister situated within Ohlone's Mutsun ethnolinguistic group, which extends inland from Monterey Bay. Evidence suggests that the Ausaima Indians, who were part of the Ohlone linguistic group, had dwelt in the vicinity since 5,000 B.C.

Ohlones lived in tribelets, or autonomous territory-dependent political units ranging from 50 to 500 people in size.² Labor was divided between hunting and gathering based on gender, where women found a variety of nuts, seeds, and berries, while men hunted numerous creek, shore, and terrestrial species.³ Men hunted larger mammals with the bow and arrow, and devised communal drives and nets for smaller game.

Resources were distributed via trade networks, but Ohlone groups imported relatively few goods: pinyon nuts and obsidian. In exchange for these goods, Ohlone exported mussels, salt, Olivella shells, abalone, and bows to the Sierra Miwok and Yokuts tribes.¹

6A.2.2 HISTORIC OVERVIEW

Spanish explorers came to settle in the Bay Area and on Central Coast by the late 1700s, which upended Ohlone culture. Spanish settlers moved north from present-day Mexico to establish the mission system and set up Mission San Juan Bautista east of Hollister in 1797. Many Ohlones were exposed to diseases and subsequently died. In 1834, the mission system secularized, and many Ohlone continued on to work as manual laborers and house servants on ranchos.¹

In 1868, 50 farmers established the San Justo Homestead Association (SJHA) and used their joint power to purchase 21,000 acres of land from Colonel William Hollister, a sheep rancher. The SJHA subdivided the land into homesteads, setting aside 100 acres for a town site. The City was incorporated that same year, named after Colonel Hollister. Settlement ramped up when the Southern Pacific Railroad line was extended through the community in 1870.⁴ By 1874, Hollister had been designated as San Benito County's government seat. The city became the economic and social hub of the County. Surrounded by fertile soils

¹ Levy, Richard. 1978. "Costanoan." In *California*, edited by Robert F. Heizer, 485-495. *Handbook of the North American Indians*, vol. 8, William C. Sturtevant, general editor. Washington, DC: Smithsonian Institution.

² Kroeber, Alfred L. 1925. *Handbook of the Indians of California*. Bureau of American Ethnology Bulletin 78. Washington, DC: Smithsonian Institution. Reprinted 1976 by Dover Publications, New York.

³ Milliken, Randall. 1995. *A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769–1910*. Menlo Park, CA: Ballena Press Publication.

⁴ City of Hollister, 2005, *General Plan Final Program EIR*, Page 4.6-1.

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of the upper San Benito Valley, Hollister benefited from agricultural success and grain trading. Some of California's best wheat and hay was farmed in the region, and Hollister became known as "Hay City". By 1890, Hollister was exporting high volumes of hay for the whole region.⁴

6A.2.3 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

6A.2.3.1 Definitions

Cultural resources include archaeological and built environment resources. The SHPO defines cultural resources under the following categories:⁵

- a. **Archeological resources** are defined as sites. These resources are subsurface human cultural remains that are over 50 years old. Archaeological resources in the region are generally divided into two temporal categories: prehistoric (12,000 years ago-1541) and historic period (1542-50 years ago). A **site** is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.
- b. **Built environment resources** are defined as buildings, structure, objects, and districts.
 - i. A **building**, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. A building may also refer to a historically or functionally related unit such as a courthouse and jail, or a house and barn.
 - ii. The term **structure** is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.
 - iii. The term **object** is used to distinguish from buildings and structures. These constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.
 - iv. A **district** possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.
- c. **Tribal cultural resources** are defined in the California Environmental Quality Act (CEQA) as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe, which may include non-unique archaeological resources previously subject to limited review under CEQA.

⁵ Office of Historic Preservation, March 1995. *Instructions for Recording Historical Resources*, <http://scic.org/docs/OHP/manual95.pdf>, accessed on May 6, 2020.

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Despite its small size, Hollister had developed a substantial downtown by the early 20th century. Many historically significant buildings in downtown Hollister were destroyed in the San Francisco Earthquake of 1906 and the Loma Prieta Earthquake of 1989, which has diminished the historical relevance of Downtown. The surge of the suburbs starting in the 1960's has further obscured the community's historical context.⁶ Nonetheless, Hollister still harbors a large number of recognized cultural resources.

Prehistoric and historic resources in the General Plan Planning Area are recorded in the California Built Environment Resources Directory (BERD) files which keep a log of all non-archaeological cultural resources in the Office of Historic Preservation's (OHP) inventory in the State. The California BERD contains documentation in the General Plan Planning Area which consists of 363 non-archaeological cultural resources.⁷ There are two National Register of Historic Places districts and a number of sites and structures within the General Plan Planning Area listed in the State Office of Historic Preservation Historic Property Directory. Properties included in this directory are structures 45 years or older that may be of historical value. Other cultural resources have been identified in previously prepared project-specific environmental review in Hollister. Two unrecorded cultural resources noted in the General Plan Planning Area, include a historic farm complex settled in the late 1860's and a historic building, dating from the early 1900's.⁴

There has been no comprehensive historic resources inventory for either the City of Hollister or the surrounding General Plan Planning Area, and there is a high probability of additional unrecorded historic properties. The City does not have a formal review process to evaluate proposed demolition or alteration of historic buildings.

6A.2.3.3 Historic Districts

There are two recognized historic districts in Hollister as described below and shown in Figure 6A-1.

Downtown Hollister Historic District

Information about the Downtown Hollister Historic District is based on a review of the National Register Nomination completed for the district in February 1992. This nomination form is on file with the City of Hollister and provides a brief description of each building within the district.

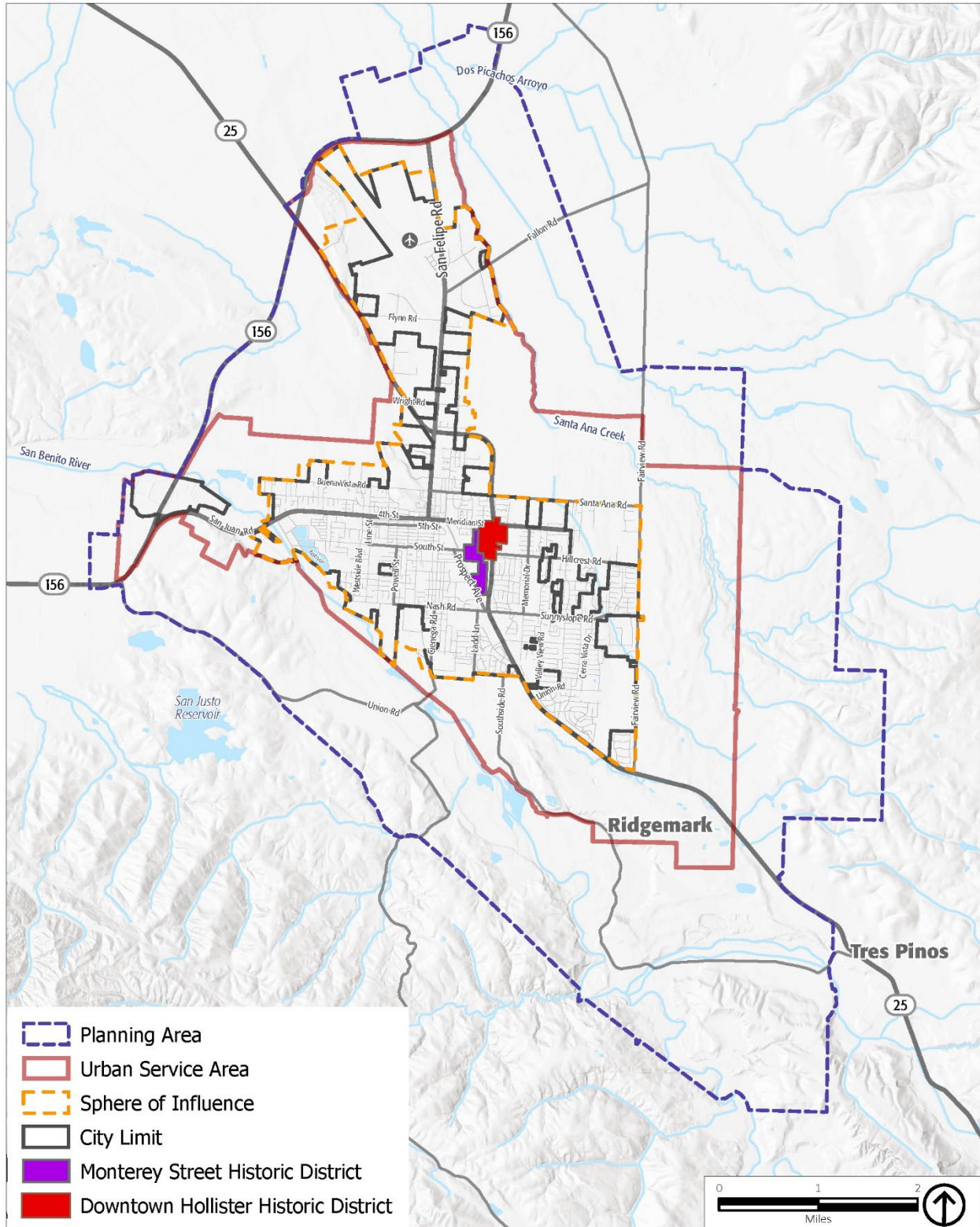
The Downtown Hollister Historic District is concentrated along San Benito Street and intersecting streets between 4th and South Streets. It became listed on the National Register of Historic Places in January 1993. The district is representative of the character of Hollister's Downtown prior to World War II and has a period of significance that spans the years from 1880 to 1942. At the time of district nomination to the

⁶ City of Hollister, 2005, General Plan Final Program EIR, Pages 4.6-2 and 4.9-2. Most of the text in this section come directly from the EIR with little alteration.

⁷ Office of Historic Preservation, March 2020. *Built Environment Resource Directory (BERD)*, <https://ohp.parks.ca.gov/pages/1068/files/San%20Benito.csv>, accessed on May 6, 2020.

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Figure 6A-1 Historic Districts in Hollister



Source: ESRI, 2020; PlaceWorks, 2020; San Benito County, 2020; USGS, 2019

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National Register it contained 83 buildings constructed over the course of the past 120 years; however, in June 1993 some of the contributing buildings in the 400 block of Monterey Street were damaged by fire. The district is comprised of 54 buildings (65 percent of total) that contribute to the historic character of downtown and 29 non-contributing buildings. The integrity of the district is high due to the concentration of historic resources. San Benito Street forms the spine of the district, extending north and south for more than four blocks. About half of the district's buildings front San Benito Street. All but a few of the remaining buildings face the five crossing streets, the most important of which is Fifth Street.

Buildings within the district are primarily in retail use; others include civic and religious buildings, auxiliary structures such as garages-and warehouses, a few residential units and one office building. The design of buildings within the district is utilitarian. However, a range of architectural styles is represented including Italianate, Late Gothic Revival, Greek Revival, Neo-Classical Revival, and Mediterranean Revival. All of the contributing buildings within the district retain original materials and design elements above the first floor. These include original cornice treatments, ornamentation, and windows. Although only a few of the retail buildings have unaltered storefronts, many of the contributors not in retail use have first stories without substantial alteration.⁶

Monterey Street Historic District

Information about the Monterey Historic District is based on a review of the National Register nomination completed in 1992. This nomination form is on file with the City of Hollister and provides a brief description of each building within the district.

The Monterey Street Historic District became listed on the National Register of Historic Places in December 1992. The district reflects the architectural development of Hollister more clearly than any other group of buildings in the city. Monterey Street, an element of Hollister's original street grid, forms the spine of the district. It extends north and south for six blocks and is comprised primarily of single-family residences constructed between 1875 and 1941. The district reflects the state of architectural development in Hollister at the beginning of World War II. In particular, it depicts changes and continuities in residential architecture from the founding of the city to the end of the Great Depression.

The district contains 252 buildings of which 188 (75 percent) contribute to its historic character. Major contributing structures mark each intersection. The district's integrity is high due to the concentration of resources and the large proportion of contributors, as well as the arrangement of the streets and the placement of buildings on their lots.

Representative architectural styles include Queen Anne, Gothic Revival, Italianate, Craftsman, Prairie and Gable-Front-and-Wing. Many of the houses were not designed to represent an architectural style. Some were purely functional and had no ornament or stylistic pretension. Other buildings reflect style popular at different times during the district's period of significance. Many display very sophisticated designs rendered with care and craftsmanship.⁸

⁸ City of Hollister, 2005, *General Plan Final Program EIR*, Page 4.6-5. Most of the text in this section comes directly from the EIR with little alteration.

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Generally, the buildings within the Monterey Street Historic District have suffered only minor alterations over the years. Typical alterations include additions, porch modifications, re-siding and window replacement. However, many buildings appear virtually unaltered since the time of construction, and many of the rest have alterations that date from the period of significance. Only about half-dozen have lost their architectural integrity in the last 15 years. All of the district's contributing buildings retain important materials and design elements from the close of the period of significance. These include siding, roof shape and sizes, door and window openings and surrounds, porch location, and ornamentation. In almost all cases, the elements are original rather than pre-1942 alterations.⁶

6A.2.4 NATIVE AMERICAN CONSULTATION

Pursuant to SB 18 and AB 52, requests were sent to the NAHC for a search of the Sacred Lands File and a Tribal Consultation List. In May 2020, the City sent letters to representatives for the Federated Indians of Graton Rancheria, which is the only tribe listed on the NAHC Native American Contacts list. As of September 2020, the tribe had not responded to the request for consultation.

6A.3 IMPLICATIONS FOR THE GENERAL PLAN UPDATE

Based on information contained in this chapter, the General Plan Update process should address the following issues:

- Continue to attempt to consult with Native American tribes throughout the General Plan Update process.
- Add policy direction to develop the City's inventory of cultural and historic resources.
- Consider creating a formal review process to evaluate proposed demolition or alteration of historic buildings.