

March 03, 2023



4020 Civic Center Drive
San Rafael, CA 94903-4173

**Subject: Section 106 review for Trench for 49 Cole Drive Water
Main Break Emergency Repair**

Dear Consulting Parties:

You have previously expressed an interest in consulting on proposed undertakings related to Golden Gate Village (GGV). As you know, GGV is listed in the National Register of Historic Places. It is, therefore, a historic property for the purpose of Section 106 of the National Historic Preservation Act (Section 106).

On June 8th, 2022, Marin Housing Authority (MHA) performed an emergency repair to a broken water main located near one of Golden Gate Village's high-rise buildings at 49 Cole Drive. Multiple sidewalks fronting apartments around the broken water main at 49 Cole Drive experienced flooding which resulted in an immediate health and safety hazard. MHA has concluded that the undertaking did not cause an adverse effect on the historic property. Please see the attached Finding of Effect Memorandum (FOE) for a detailed analysis supporting this conclusion.

With the assistance of its Secretary of the Interior Standards (SOIS)-qualified consultant, MHA has assessed the proposed undertaking at GGV to determine its potential for adverse effect through the application of the Criteria of Adverse Effect (36 CFR 800.5(1)).

This finding is being issued for consulting party comment at this time. We request your written comment within 30 days of posting via email to the following address: ggvpubliccomment@marincounty.org.

Sincerely,



Michael Cutchin
MHA

Enclosures
Finding of Effect Memorandum

Housing Authority of
The County of Marin

415/491-2525

(FAX) 415/472-2186
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www.marinhousing.org



Finding of Effect Memorandum

To:	Molly Kron, CDA; Tammy Taylor, CDA
From:	Mike Cutchin, MHA; Adrian Chorley, MHA
Date:	March 3, 2023
Re:	49 Cole Drive Water Main Break Emergency Repair

Prepared by ICF at the request of Marin Housing Authority in partial fulfillment of Section 106 Review requirements

PROJECT OVERVIEW

Historic Property: Golden Gate Village

Project Name: 49 Cole Drive Water Main Break Emergency Repair

Street Address: 49 Cole Drive, Marin City

Project Applicant: Marin Housing Authority; County of Marin

Lead Agency: County of Marin, on behalf of the Department of Housing and Urban Development

Contact: Michael Cutchin, Marin Housing Authority

ICF is reviewing the undertaking at the above-referenced address under Section 106 of the National Historic Preservation Act (NHPA). On June 8th, 2022, Marin Housing Authority (MHA) performed an emergency repair to a broken water main located near one of Golden Gate Village's high-rise buildings at 49 Cole Drive. Multiple sidewalks fronting apartments in 49 Cole Drive around the broken water main experienced flooding which resulted in an immediate health and safety hazard.

The subject property known as Golden Gate Village (GGV) at 101-429 Drake Avenue & 1-99 Cole Drive in Marin City is a Historic District listed in the National Register of Historic Places (NRHP). Therefore, the property is considered a historic property for the purposes of Section 106 and the undertaking must be evaluated to determine how it will affect the historic property.

MHA's Historic Preservation Consultant is conducting this Section 106 review on behalf of MHA. The purpose of this Finding of Effect (FOE) Memorandum is to determine what effects, if any, the undertaking had on the identified historic property in the Area of Potential Effect.

Project Documents Reviewed:

- 1958 Landscape Planting Plans for the Housing Authority of the County of Marin, Marin City, prepared by Lawrence Halprin, John Carl Warnecke, and Aaron G. Green.
- 2017 National Register of Historic Places Registration Form, prepared by Daniel Ruark.
- 2019 Character-Defining Feature Study, prepared by ICF.

AREA OF POTENTIAL EFFECT

The undertaking included emergency repair of a broken water main found adjacent to 49 Cole Drive, a high-rise building of residential apartments at GGV. The work included excavation of a grassy area southeast of one of the parking lots servicing residents at 49 Cole Drive and the repair of a water main (Figure 1). To fully evaluate direct and indirect effects, the Area of Potential Effect for this undertaking includes the full boundary of the entire historic district because the landscape and the spatial relationships between contributors are character-defining features. However, this analysis focuses on the immediate landscaping and parking area surrounding the broken water main between the two high-rise buildings at 49 and 59 Cole Drive.



Figure 1 Google Maps aerial photo showing 49 Cole Drive. Cole Drive is at the top-left corner. Red shading depicts the immediate work area for this undertaking. Note that excavation was limited to groundcover and did not alter the pentagonal terraces, a character-defining feature of the district. Google Maps 2022 (base map) with shading by ICF 2022.

DESCRIPTION OF HISTORIC PROPERTY

Golden Gate Village (GGV) is located at 101–429 Drake Avenue and 1–99 Cole Drive in Marin City, California. The architects Aaron Green and John Carl Warnecke and landscape architect Lawrence Halprin designed the residential complex ca. 1955–60. On August 3, 2017, the property was listed in the NRHP as the Marin City Public Housing Historic District as historically significant in social history, community planning and development, architecture, and landscape architecture. The NRHP nomination is available online at California’s Office of Historic Preservation website. Per the NRHP nomination form, the historic district includes 29 contributing buildings and one contributing site, a historic landscape designed by Halprin that includes vegetation, circulation, topographic, and constructed water features.

SCOPE OF WORK

On June 6-9, 2022, MHA discovered and performed an emergency repair on a subterranean broken water main within a grassy area north of a pentagonal terrace near 49 Cole Drive.

As of this FOE's writing, MHA did not discover any archaeological resources at the excavated location. The area was previously disturbed during the construction of Golden Gate Village and no archaeological resources were anticipated to be disturbed because of this undertaking. In the event of an unanticipated discovery, the contractor would have halted work and contacted MHA. The area would have been protected and avoided until MHA had contacted a qualified professional archaeologist to assess the discovery and provide appropriate recommendations. If the discovery were determined to be potentially significant, the archaeologist would have developed a treatment plan which would include site avoidance, capping, or data recovery. If the discovery were associated with Native-American practices or traditions, the treatment plan would have been developed in coordination with local tribal representatives.



Source: MHA, 2022.

Figure 2. The location of excavation work and emergency repair to the broken water main. 49 Cole Drive in background with concrete stairways and pentagonal terraces. Looking southeast.

PROJECT ANALYSIS

In 2019, MHA hired an SOIS-qualified Historic Preservation Consultant to draft a Character-Defining Feature Study of the historic property at Golden Gate Village to provide additional information about the landscape features of the historic district. The study included a chronology of the physical development of the property and evaluated and categorized the physical features present at the property as contributing or non-contributing features within the historic district. This study supplemented the 2017 National Register nomination prepared for Golden Gate Village to provide the level of detail necessary to conduct Section 106 reviews for undertakings at the property. The study followed best practices in cultural landscape identification and analysis as outlined by the National Park Service.

The 2019 Character-Defining Feature Study identified the property's naturally varying topography, from flat to steeply sloped, as character-defining. This topographical variation is due to the property abutting the Marin Headlands and influenced how the buildings, and the pre-existing infrastructure, developed during planning. In response to this topography, the high-rise cluster is set within the steeper southwest areas of the property and its associated infrastructure, including driveways, pedestrian access, and sidewalks, were placed in a harmonious relationship with the existing topography (MHA 2019:1-14).

Based on the 2019 Character-Defining Feature Study, the 1979 Erosion Control Plan resulted in new groundcover surrounding the high-rise buildings. Originally, Halprin's plans called for Rye Grass along the steeply sloped areas within the high-rise cluster and at the sloped transition areas on the property's southwest and east boundaries. Halprin's 1958 plan also called for ornamental species like ceanothus and firethorn at high-use areas of the high-rise cluster like the pentagonal terraces while lawn grass would fill in wider landscaped areas. Currently, a mixed species groundcover not identified in Lawrence Halprin's 1958 Landscape Planting Plan occupies much of the high-rise landscaping, including the area surrounding the undertaking. The 1984 Site Improvement project focused on demolition and redesign of courtyards, which included removal of grass and tanbark groundcover and installation of red modular paving, while 1974 and 1983/84 landscaping alterations modified the property's irrigation patterns (MHA 2019:5-26, 5-32, 5-34).

The 2019 study notes that Halprin's 1958 plans for the site did not reflect the immediate as-built condition and "a large planting project was undertaken in 1974 that was influenced by Halprin's design in plant selection and plant layout yet differed enough in both aspects that it cannot be said that the 1974 plan was the full manifestation of Halprin's design" (MHA 2019:5-33). Crawford & Banning Architects and Richard Julin & Associates Landscape Architects (Julin plan) designed the 1974 plan.

The 2019 study concludes that while the specific species of lawn groundcover at the high-rise cluster is not a character-defining feature, the "rough character" of the high-rise cluster's groundcover qualifies as a character-defining feature compatible with Halprin's original 1958 plan (MHA 2019:5-36).

The 2017 Nomination form calls out the Campus Landscape as a "contributing site" to the district. This includes the "open quality of the campus" with variable sized open spaces and lush plantings contributing to a non-institutional character to the property. The form notes that much of the

landscape plantings, particularly shrubs and ground cover, as originally designed and selected in Lawrence Halprin's 1958 Landscape Planting Plan, have been altered over time. The form notes that the landscape planting, particularly trees originally called for in Halprin's 1958 plan, have all grown to maturity and provide a green shaded canopy and texture alongside the generous green open spaces. Besides a general reference to Lawrence Halprin's original 1958 Landscape Planting Plan, the Nomination form does not define specific species of groundcover as character-defining features for the Campus Landscape between 49 and 59 Cole Drive. The 2017 Nomination form does make note of the property's variable topography and how the complex's original design incorporated this variability but does not mention specific topographic elements as character-defining features that convey its historic significance.

To avoid an adverse effect, restoration of the post-excavation groundcover should be in-kind with the rough character of the mixed species groundcover that existed prior to the undertaking to maintain the integrity of this character-defining feature. In addition, also to avoid an adverse effect, the topography surrounding the emergency repair should stay true to the existing steep slopes and be replaced in-kind with its pre-undertaking condition to sustain the integrity of this character-defining feature.



Source: MHA. 2022.

Figure 3. A close-up of the broken water main and the excavated area near 49 Cole Drive. Pentagonal terrace behind the concrete wall and concrete staircases at left behind the plywood and concrete wall. Looking southeast.

APPLICATION OF THE CRITERIA OF ADVERSE EFFECT

The framework for assessing adverse effects from an undertaking on a historic property is provided in Section 106 of the NHPA, 36 CFR 800.5 and the Criteria of Adverse Effect are identified in 36 CFR 800.5(1). An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified after the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.

In addition to the Criteria of Adverse Effect, 36 CFR 800.5(2) includes a series of examples of adverse effects. Examples of adverse effects on historic properties in the regulations include, but are not limited to:

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

The undertaking was evaluated against the Criteria of Adverse Effect and examples of adverse effects. The emergency repair to a broken water main, and its required excavation to initiate the repair, located near one of Golden Gate Village's high-rise buildings, did not destroy or damage any of the property's character-defining features identified in the 2019 study or the 2017 nomination form. The naturally steep sloped topography surrounding the high-rise buildings was identified as character-defining in 2019. This topography, as well as the existing mixed species groundcover,

were disturbed but repaired and replaced in-kind and stays true to the area's steep topography with groundcover maintaining the "rough character" called for in Halprin's 1958 landscape planting plan (example i) (Figure 4). The undertaking does not constitute an alteration to the property. The undertaking is better characterized under example i above, damage or destruction to the property. The scope of work does not call for any rehabilitation of the property so conformance with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) is not applicable to this undertaking (example ii). The historic property would not be moved from its location (example iii). The undertaking would not cause a change of the setting within the historic district boundaries as the character-defining topography was repaired in-kind and the groundcover's "rough character" replaced with in-kind materials (example iv). The historic property will maintain its current use (example iv). The property would not be neglected as part of the undertaking (example vi) nor would it be sold, transferred, or leased out of federal ownership or control (example vii).



Source: ICF. 2023.

Figure 4. The location of the broken water main and the excavated area near 49 Cole Drive after work completed as of February 1, 2023. Looking southeast.

In conclusion, the emergency repair to the water main as described in the scope of work would not adversely affect the historic property.

FINDING OF EFFECT

In evaluating this undertaking and assessing potential adverse effects using the Criteria of Adverse Effect identified in 36 C.F.R. 800.5(1), the repair of the water main and its required excavation has not resulted in the erasing or diminishing of any character-defining features that compromise the integrity of the historic district or impact its ability to convey its significance. Therefore, the undertaking does not adversely affect the historic property.

REFERENCES

Google Earth

2022 Historical aerial photograph. Available: <https://www.google.com/earth/versions/>.
Accessed: October 24, 2022.

Marin Housing Authority (MHA)

2019 *Character-Defining Feature Study for Golden Gate Village, Marin City, CA*. Final.
September. San Rafael, CA. Prepared by ICF, San Francisco, CA.

N.D. Construction documents located in MHA's onsite archives, including 1958 and 1974
landscape plans.

Ruark, Daniel

2017 National Register Nomination for Golden Gate Village. U.S. Department of the Interior,
National Park Service. Draft. March.