

# **FINDING OF EFFECT MEMORANDUM**

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

**January 25, 2021**

## **I. PROJECT OVERVIEW**

**Historic Property:** Golden Gate Village  
**Project Name:** Tree Removal and Replacement  
**Street Address:** 101-429 Drake Avenue & 1-69 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:** Evan Smith, Marin Housing Authority

### **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.
- 1974 Landscape Planting Plans for the Housing Authority of the County of Marin, Marin City, prepared by Crawford & Banning Architects and Richard Julin & Associates Landscape Architects.

ICF is conducting a review of the undertaking at the above-referenced address under Section 106 of the National Historic Preservation Act. In October of this year, Marin Housing Authority (MHA) removed two Chinese elm trees (*Prunus Morabylan*) because they were exhibiting significant decay. These trees were located along the driveway servicing the high-rise buildings located at 69 and 79 Cole Drive. Acting as MHA's Historic Preservation Consultant, ICF is carrying out this Section 106 review.

The subject property known as Golden Gate Village at 101-429 Drake Avenue & 1-99 Cole Drive in Marin City is listed in the National Register of Historic Places. Therefore, the property is considered a historic property for the purposes of Section 106 and the undertaking must be reviewed for conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards).

The purpose of this Finding of Effect Memorandum is to determine what effects, if any, the undertaking had on the identified Historic Property in the Area of Potential Effect.

## **II. AREA OF POTENTIAL EFFECT**

The subject undertaking removed two Chinese elm trees located adjacent to the driveway servicing the high-rise buildings located at 69 and 79 Cole Drive. This type of tree was planted throughout the Golden Gate Village historic district as part of a unified planting plan, and they have been identified as character defining features of the historic district. Thus, the Area of Potential Effect of this undertaking is the boundary of the entire historic district.

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### **III. DESCRIPTION OF HISTORIC PROPERTY**

Golden Gate Village is located at 101–429 Drake Avenue and 1–99 Cole Drive in Marin City, California. The property is historically significant under the areas of social history, community planning and development, architecture, and landscape architecture. The residential complex was designed by architects Aaron Green and John Carl Warnecke and landscape architect Lawrence Halprin in ca. 1955–60. The property was listed in the NRHP on August 3, 2017, as the Marin City Public Housing Historic District. 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.

### **IV. SCOPE OF WORK**

In October of this year, MHA removed two Chinese elm (*Prunus Morabylan*) trees located in front of 69 Cole Drive, adjacent to the building’s parking areas. According to an arborist with BrightView Tree Care Services, the company that performed the tree removal:

Both trees had significant amounts of decay along their trunk. The decay had become so severe, that the structural integrity of the trees had become compromised. Visible cracks in the decayed portions of the trunk were forming. ...Since these trees were located in the parking area for residents, I deemed the trees unsafe and recommended removal (Personal communication between MHA and the arborist).

MHA proposes to plant two 24” Chinese elm trees to replace the removed trees in the same locations. The replacement trees will be planted by a certified arborist and semi-mature trees will be selected to encourage a successful transplanting process. To encourage continued health, MHA staff will hand water the replacement trees as needed until the trees have established themselves. The trees will also be incorporated into the existing irrigation system and placed on a permanent regular watering schedule. MHA staff has landscaping services come by twice a week and they will be instructed to include the replacement trees in their rotation to monitor their health.

Installation of the new trees will require minimal ground disturbance. These areas were re-graded during the construction of Golden Gate Village and no archaeological resources are anticipated to be disturbed as a result of this undertaking. However, in the event of an unanticipated discovery, the contractor will halt work and contact MHA. The area would be protected and avoided until MHA has contacted a qualified professional archaeologist to assess the discovery and provide appropriate recommendations. If the discovery is determined to be potentially significant, the archaeologist would develop a treatment plan which could include site avoidance, capping, or data recovery. If the discovery is associated with Native-American practices or traditions, the treatment plan will be developed in coordination with local tribal representatives.

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**Figure 1. This figure depicts the Chinese elm trees prior to their removal by MHA. These trees are denoted by orange “X” marks. Source: ICF, 2019.**

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### **V. PROJECT ANALYSIS**

In 2019, MHA hired ICF to draft a Character-Defining Features 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. The purpose of this study was to supplement the 2017 National Register nomination prepared for Golden Gate Village in order 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 Character-Defining Features Study noted that Lawrence Halprin's original (1958) planting plans for the site "included 19 species of deciduous and coniferous trees and presented a unified program of tree plantings around the property's edges, at entrances, along the roadways and parking areas, and within the residential core of the campus" (MHA 2019:5-29). The study further noted that along the four driveways of the high-rise cluster buildings, "two species of trees were identified on the planting plan to evenly alternate on either side of the driveways, from north to south. This pattern created the feeling of a loose allée and, when standing at the south, high end of the cluster, accentuates the viewshed toward Richardson Bay" (MHA 2019:5-30).

The study further noted that Halprin's 1958 plans for the site did not reflect the immediate as-built condition; in the 1950s and 1960s, only "a minimal number of trees were planted in the high-rise cluster." However, "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). The 1974 plan was designed by Crawford & Banning Architects and Richard Julin & Associates Landscape Architects (Julin plan).

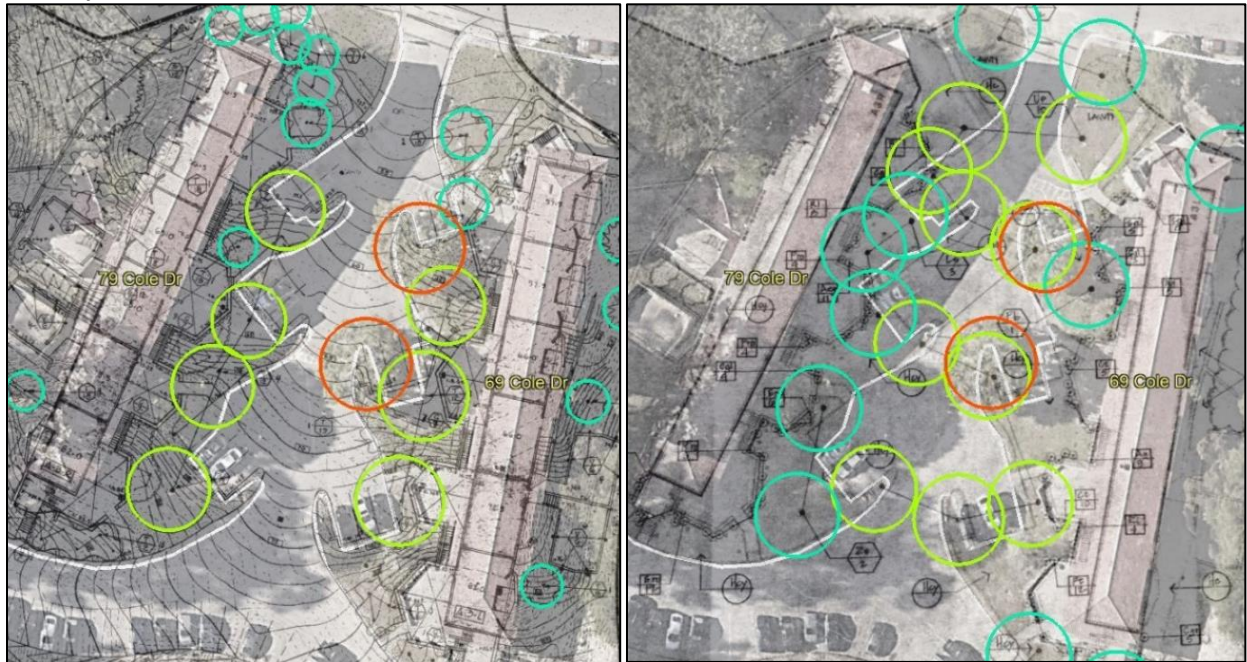
The study noted, however, that the two plans shared some similarities, and that "the 1974 plan implemented Halprin's design for Chinese elm and a plum trees to alternate along the length of the driveways located in the high-rise cluster. The trees are extant" (MHA 2019:5-33). Thus, the study concluded that even though the Chinese elm trees planted as part of Julin's plan post-dated the 1955-1960 period of significance, they met Halprin's original design intent and thus are considered character defining features of the district.

Research performed for this memo confirmed that Halprin's 1958 plans had called for Chinese elm trees to be planted along the driveway servicing 69 and 79 Cole Drive and that these trees were planted later as part of Julin's 1974 planting plan. Although the placement of these trees differs slightly from Halprin's original plan, this difference is minor considering the overall scale of the Golden Gate Village historic district. The two plans are illustrated in Figure 2.



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**Figure 2. This figure compares Lawrence Halprin's 1958 plan (left) with that of Richard Julin & Associates plan from 1974. The planned locations of Chinese elm trees are represented by bright green circles, locations of the trees removed by MHA are indicated by orange circles. The locations of other tree species are represented by teal circles. Source: Google Earth (base aerial), MHA (Halprin and Julin Plans overlay), with illustrations by ICF.**

Available historical aerials suggest that only a handful of the trees called for by the 1974 planting plan were ever planted along the drive servicing 69 and 79 Cole Drive and that Chinese elm trees at this location were only planted on the east side of the drive. In total, at least four were planted, however these were gradually removed in the decades since 1974. A Chinese elm tree located near the driveway's intersection with Cole Drive was removed in 2016, and another that was located near the southwest corner of 69 Cole Drive was removed in ca. 2007-2008 (NETR 1987; 1993; Google Earth 2007; 2016). These removals are illustrated in the Figure 3.



**Figure 3.** This 2007 historical aerial photograph depicts the location and removal dates of Chinese elm trees adjacent 69 Cole Drive. Source: Google Earth, annotated by ICF.

With the removal of the two remaining Chinese elm in October 2020, the partial allée that once existed along the driveway has been lost.

## **VI. PROJECT CONFORMANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES**

ICF has completed its review of the applicable project documents for the undertaking to determine conformance of the undertaking with the Secretary of the Interior's Standards for the Treatment of Historic Properties. As described above, the scope of work involved the removal of two Chinese elm trees located along the driveway servicing the high-rise buildings located at 69 and 79 Cole Drive. MHA proposes to plant two 24" Chinese elm trees to replace those removed.

The framework for assessing adverse effects from an undertaking on a historic property is provided in Section 106 of the National Historic Preservation Act, 36 CFR 800.5. An adverse effect on historic properties occurs if the project impairs the characteristics that qualify that property for inclusion in the NRHP. In order for the property to convey its historical significance, it must retain aspects of historic integrity including, location, design, materials, workmanship, feeling, setting, and association. Adverse effects can be avoided, minimized, or mitigated through project conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Secretary's Standards). In the following section, each standard is listed along with a brief analysis of whether or not the subject undertaking is compliant with that standard.

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**Analysis Of The Undertaking Under The Secretary's Standards For Rehabilitation**

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

**Comment:** The undertaking did not result in a change of use to the historic property. Therefore, the undertaking is compliant with Standard 1.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

**Comment:** The undertaking removed two Chinese elm trees, which were identified in 2019 as character defining features of the Golden Gate Village historic district. Although not planted during the district's period of significance, these trees expressed Halprin's original design intent in selected tree species and locations for the site. Due to the removal of other trees once located along the drive, including two Chinese elm trees that were removed between 2007 and 2016, there are no remaining Chinese elm trees located adjacent to the driveway servicing 69 and 79 Cole Drive. MHA proposes to plant two 24" Chinese elm trees as in-kind replacements for the trees that were removed. According to National Park Service guidance on cultural landscapes:

*Trees in cultural landscapes are living resources that have determinate life spans. Similar to other living organisms, trees progress through juvenile, mature and senescent stages. Eventually, even with the best of care, they will inevitably deteriorate and die. Field conservation techniques can extend the lifespan of individual trees, but ultimately specimens will need to be removed from the landscape (National Parks Service N.D.)*

Standard compliant replacement trees should consider the original species, character, and locations of deteriorated trees to ensure that the overall character and spatial relationships of the feature are maintained. MHA's proposal to replace the two Chinese elms with younger trees of the same species in the same locations is an appropriate in-kind replacement, thus retaining and preserving the historic character of the property and avoiding the alteration or removal of distinctive materials. Thus, the undertaking is compliant with Standard 2.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

**Comment:** The undertaking did not involve any changes or conjectural elements that could result in a false sense of historical development. Therefore, the undertaking is compliant with Standard 3.

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4. *Changes to a property that have acquired historic significance in their own right shall be retained and preserved.*

**Comment:** The undertaking removed two Chinese elm which post-date the period of significance but are character-defining features of the historic district because they were planted in conformance with Halprin’s original design intent for the site. The undertaking will replace the trees in-kind. Thus, the undertaking maintains the species and locations of these trees such that they will continue be understood as character-defining features that are consistent with the materials and planting plan of the Halprin design. As such, the undertaking is compliant with Standard 4.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

**Comment:** The undertaking resulted in the loss of two Chinese elm trees, which are considered character defining features of the Golden Gate Village historic district. However, MHA proposes to plant two 24” Chinese elm trees to replace those removed. Doing so would preserve the trees as character-defining features of the district, and avoid the removal of distinctive materials and features that characterize the property. Thus the undertaking is compliant with Standard 5.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

**Comment:** The undertaking removed two Chinese elm trees, that, according to the arborist that removed them, featured significant amounts of decay along their trunks and were considered a safety hazard. MHA proposes to plant two 24” Chinese elm trees to replace those removed. The in-kind replacement of the trees with new trees of the same species in the same locations is consistent with the Standards, which allow for the replacement of character-defining features when deterioration or damage is extensive enough to preclude rehabilitation or repair. The replacement trees will be of the same species as those that were removed and thus “will match the old in design, color, texture and ... materials”. Thus, the undertaking is compliant with Standard 6.

7. *Chemical or physical treatment, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

**Comment:** The undertaking did not use chemical or physical treatments on historic materials. Therefore, Standard 7 does not apply.



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8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

**Comment:** Due to past disturbance in the area, no archeological resources are anticipated to be uncovered or disturbed as a result of the proposed undertaking. However, in the event of unanticipated discovery work will be halted and appropriate mitigation measures will be identified in a treatment plan. Therefore, the undertaking is compliant with Standard 8.

9. *New addition, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

**Comment:** The undertaking did not involve any new additions, exterior alterations, or related new construction. Therefore, Standard 9 does not apply.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

**Comment:** The undertaking did not involve any new additions or related new construction. Therefore Standard 10 does not apply.

As described above, the undertaking is compliant with Secretary of Interior's Standards for Rehabilitation.

## **VI. FINDING OF EFFECT**

ICF has determined that the undertaking would conform to the Secretary of the Interior's Standards for Rehabilitation. The undertaking resulted in the removal of the two remaining Chinese elm trees along the driveway servicing 69 and 79 Cole Drive due to deterioration and safety concerns. These Chinese Elm trees are considered character defining features of the Golden Gate Village historic district. Their removal has resulted in the erasure of the partial allée that once existed along this drive and the loss of this allée feature has diminished the integrity of the historic district's aspects of feeling and association. However, the undertaking also includes in-kind replacement of the trees in the same locations with healthy trees of the same species and in the historic locations. The in-kind replacement of the two Chinese elm trees is consistent with the original planting plan for the property in this location. As such, the trees can continue to convey the significance of the national register historic district as character-defining features. Therefore, the undertaking is compliant with the Secretary of Interior's Standards for Rehabilitation.

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**V. REFERENCES**

Google Earth

2007 Historical aerial photograph. Available: <https://www.google.com/earth/versions/>. Accessed: Nov. 5, 2020.

2016 Historical aerial photograph. Available: <https://www.google.com/earth/versions/>. Accessed: Nov. 5, 2020.

Marin Housing Authority (MHA)

2019 *Character-Defining Features 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.

Nationwide Environmental Title Research, LLC (NETR).

1987 Historical aerial photographs. Available: <https://www.historicaerials.com/>. Accessed: Nov. 5, 2020.

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