

July 25, 2016

Hayes Shair  
Omaha Fremont LLC  
520 Millcreek Road  
Fremont, CA 94539

**Subject:** Cultural Resources Study for the Omaha Way Homes Subdivision, Fremont, Alameda County, California (LSA Project #OMA1601).

Dear Mr. Shair:

LSA conducted a cultural resources study for the Omaha Way Homes Project (project) in the city of Fremont, Alameda County, California (Figures 1 and 2). The project proposes to construct a 20-unit single-family residential development on an approximately 6.6-acre site. The purpose of the study is to identify cultural resources that (1) may meet the CEQA definition of a historical resource (California Public Resources Code [PRC] §21084.1) or unique archaeological resource (PRC §21083.2) and that may be impacted by the proposed project; and (2) recommend procedures for the mitigation of impacts to such resources. The study consisted of background research and a field survey. LSA Cultural Resources Manager Lora Holland, M.A., Registered Professional Archaeologist #989173, oversaw the study. LSA Cultural Resources Analyst Ryan Gross, M.A., Registered Professional Archaeologist #41587912, conducted the field survey and prepared this letter report.

## **PROJECT AREA**

The 6.6-acre project area lies within unsectioned lands of Township 5 South, Range 1 East of the Mount Diablo Base Line and Meridian, as depicted on the United States Geological Survey (USGS) 1980 *Milpitas, Calif.* 7.5-minute topographic quadrangle. The project area is bounded by Interstate 680 to the east, East Warren Avenue to the north, and the backyards of residential developments along Yucatan Drive and Yucatan Court to the west and south. Lands surrounding the project area have been developed as single-family residential communities. Portions of lands to the east, across Interstate 680, are undeveloped and may be occasionally grazed by livestock.

The project area is in the southern portion of San Francisco Bay area. The surface geology within the project area is composed of Pleistocene deposits transitioning from sandstone shale and gravel deposits in the eastern portion of the project area (QPc) and Pleistocene older alluvium lake deposits (QOa). Soils within the project area consist of Diablo clay.

## **BACKGROUND RESEARCH**

Archival and background research was conducted to identify cultural resources within and in the vicinity of the project area. The background research consisted of a records search at the Northwest Information Center at Sonoma State University (NWIC); a review the Sacred Lands File at the Native American Heritage Commission (NAHC) in Sacramento; a literature review; and a historical and geological map review. The results of these tasks are described and summarized below.

## Records Search

LSA architectural historian Angelique Theriot conducted a records search (File No. 15-1719) for the project site and a 0.5-mile radius on May 23, 2016, at the NWIC of the California Historical Resources Information System. The NWIC, an affiliate of the State of California Office of Historic Preservation, is the official state repository of cultural resource records and reports for Alameda County. The records searches included a review of the following federal and state inventories:

- Directory of Properties in the Historic Property Data File (California Office of Historic Preservation April 5, 2012). The directory includes the listings of the National Register of Historic Places, National Historic Landmarks, the California Register of Historical Resources, California Historical Landmarks, and California Points of Historical Interest;
- *California Historical Landmarks* (California Office of Historic Preservation 1996);
- *California Points of Historical Interest* (California Office of Historic Preservation 1992);
- Five Views: An Ethnic Historic Site Survey for California (California Office of Historic Preservation 1988); and
- *California Inventory of Historic Resources* (California Department of Parks and Recreation 1976).

**Previously Recorded Resources.** The records search did not identify any cultural resources within the project area; however, two historic-period archeological cultural resources (CA-ALA-556H/P-01-000004 and CA-ALA-564H/P-01-000013) and one prehistoric archaeological cultural resource (CA-ALA0576/P-01-002162) were recorded within the half-mile search radius. These resources are summarized in Table A.

**Table A: Previously Recorded Archaeological Cultural Resources**

Resource Identifier	Resource Description	Resource Location
CA-ALA-556H/P-01-000004	This historic-period archaeological site, originally recorded in 1991 and updated in 1994, consists of a historic-period habitation site with rock wall features and a trash scatter comprised of ceramic, metal, and glass artifacts. No National Register of Historic Places (NRHP) Status code (NRS code) has been assigned to this resource, indicating it has not been evaluated for the NRHP or the California Register of Historical Resources (CRHR).	Approximately 2,000 feet east of the project area.
CA-ALA-564H/P-01-000013	This historic-period archaeological site, originally recorded in 1991 and updated in 1994, consists of a historic-period habitation site consisting of depressions and rock/brick features and a trash pit containing pieces of a cast iron stove. No NRS code has been assigned to this resource, indicating it has not been evaluated for the NRHP or the CRHR.	Approximately 2,250 feet southeast of the project area.
CA-ALA-0576/P-01-002162	This prehistoric archaeological site, originally recorded in 1968, consists of extensive midden soils, burials, and associated artifacts and features. Several archaeological excavations have been conducted at the site, which was previously recorded as CA-ALA-342. No NRS code has been assigned to this resource, indicating it has not been evaluated for the NRHP or the CRHR.	Approximately 1,500 feet north of the project area.

**Previous Cultural Resource Studies.** No previous cultural resources studies have been completed within the project area; however, two studies were completed adjacent to the project area and are summarized below in Table B.

**Table B: Previous Archaeological Studies within the Project Area**

Author--Year	Study Location	Study Type	Resources Identified Adjacent to the Project Area
Caltrans District 4 1999 and 2001	Adjacent to the eastern portion of the project area.	Literature review, field survey, and Extended Phase I and Phase II investigations.	No
Far Western 2013	Adjacent to the eastern portion of the project area.	Records search, literature review, and field survey.	No

**NAHC Results.** LSA requested a review of the NAHC Sacred Lands File on June 2, 2016, for any Native American cultural resources located within the project area. LSA received a response on July 25, 2016, from Ms. Sharaya Souza, NAHC Staff Services Analyst, stating that “A records search of the Sacred Lands File was completed for the area of potential project effect (APE) referenced above with negative results”

**Geoarcheological Sensitivity Review.** A geoarchaeological sensitivity study prepared for Caltrans District 4 identifies the project area as generally sensitive for subsurface archaeological cultural resources due to the presence of Latest Pleistocene to Historic (30,000 B.P. to 150 B.P.) age alluvial sediments (Meyer and Rosenthal 2007). These sediments may contain buried land surfaces that may have been occupied by prehistoric populations. Meyer and Rosenthal state that such soils may contain associated subsurface archaeological cultural resources.

**Archival Map Review.** United States Geological Survey (USGS) topographic maps dating from 1897 to 1983 and aerial photographs from 1948 to 2012 were reviewed (National Environmental Title Research). A 1948 aerial photograph shows a grouping of four buildings adjacent to the north end of the project area and another group of three buildings adjacent to the south end of the project area, with lands immediately to the west of the project area developed as agricultural orchards. By 1968, the structures had been removed due to the construction of housing developments, which gradually replaced the surrounding orchards between 1960 and 1980.

In addition, the *Map of San Francisco Bay Region Showing Distribution of Shell Heaps* (Nelson 1909) was reviewed. No shellmounds were depicted in or adjacent to the project area on the Nelson map.

## FIELD SURVEY

LSA archaeologist Ryan Gross conducted a pedestrian field review of the project area on June 1, 2016. The field review was documented with notes, maps, and photographs. Approximately 90 percent of the project site consists of a 50-foot-tall, sloped sub-grade for Interstate 680, which accommodates an overcrossing above East Warren Avenue just north of the project area. The

remainder of the project area is a narrow strip of flat land along the western project boundary, planned as a future road for the current project.

## STUDY RESULTS AND RECOMMENDATIONS

Background research and field survey did not identify any cultural resources within the project area that qualify as historical resources or unique archaeological resources under CEQA. Historically, the project area has been subjected to major disturbances associated with the construction of Interstate 680 in the 1970s; prior to this, the project area remained undeveloped. However, there is still the potential that in situ archaeological deposits may be encountered during project activities. Please refer to the recommendation below regarding the discovery of archaeological deposits and/or human remains during project activities.

### Archaeological Deposits

Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet should be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant (i.e., eligible for listing in the CRHR), the City of Fremont should be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations should be prepared and submitted to the City of Fremont for review, and the final report should be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials should be submitted to an appropriate curation facility as appropriate and in coordination with a tribal representative.

The City of Fremont should inform its contractor(s) of the sensitivity of the project site for archaeological deposits and should verify that the following directive has been included in the appropriate contract documents/specifications:

*“The subsurface of the construction site may be sensitive for archaeological deposits. If archaeological deposits are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archaeological materials. Archaeological deposits can include shellfish remains; bones; flakes of, and tools made from, obsidian, chert, and basalt; and mortars and pestles.”*

**Human Remains.** If human remains are encountered, these remains should be treated in accordance with California Health and Safety Code §7050.5 and the appropriate procedures described above for archaeological deposits. The City of Fremont should inform its contractor(s) of the appropriate procedures for treatment of human remains by including the following directive in contract documents/specifications:

*“If human remains are encountered during project activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist*

*shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.”*

Upon completion of the assessment, the archaeologist should prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the City of Fremont for review, and the final report should be submitted to the Northwest Information Center.

Please contact me at (510) 236-6810 if you have any questions regarding our study. Thank you for using the services of LSA.

Sincerely,

**LSA ASSOCIATES, INC.**



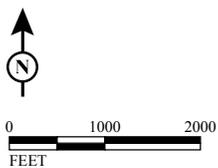
Ryan Gross, M.A., RPA #41587912  
Cultural Resources Analyst

Attachments: Figure 1: Regional Location  
Figure 2: Project Area  
NAHC Results



**LSA**

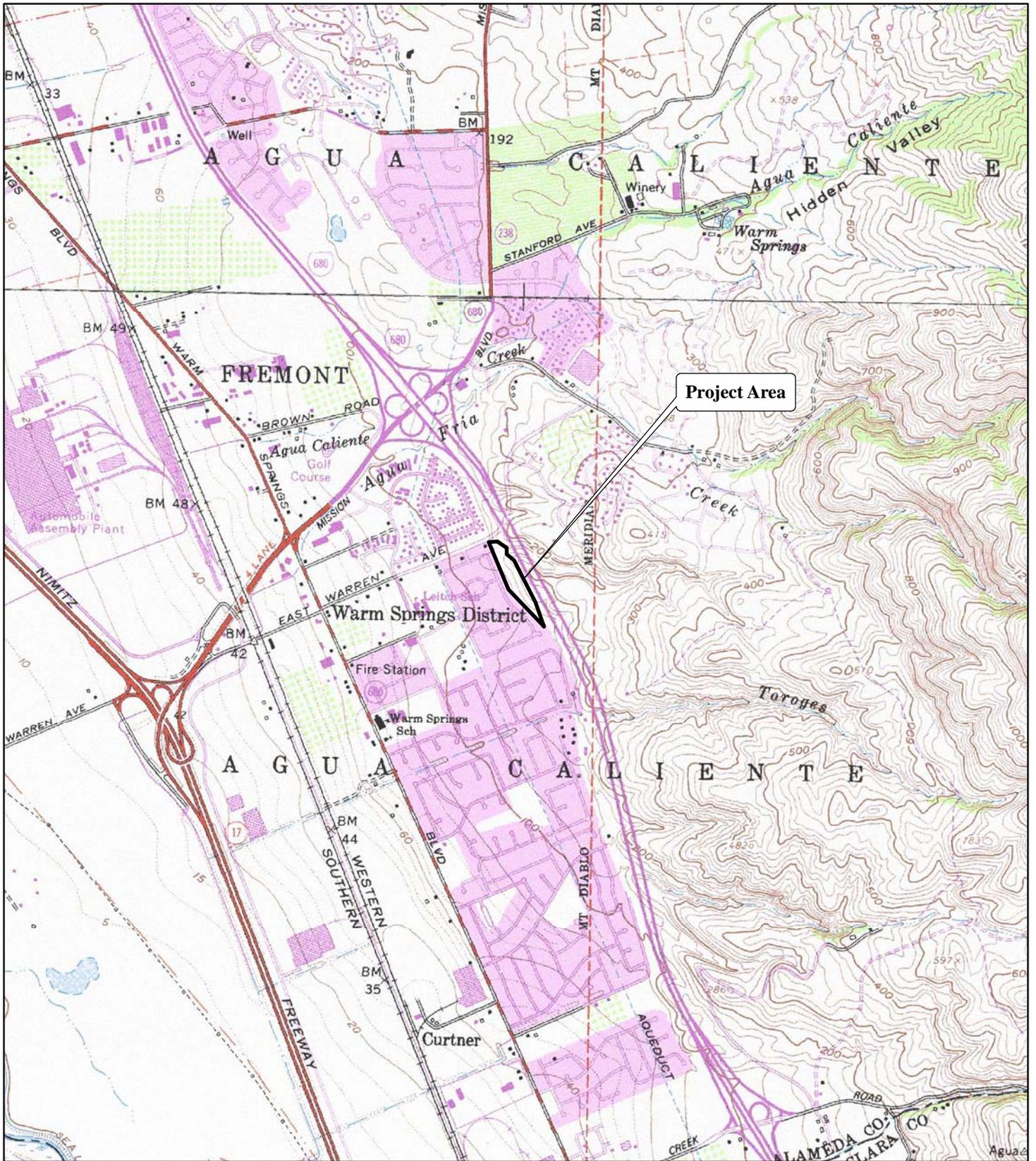
FIGURE 1



SOURCE: ESRI StreetMap North America (2012).

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*Omaha Way  
Fremont, Alameda County, California  
Regional Location*



LSA

LEGEND

 Project Area



0 1000 2000  
FEET

SOURCE: 7.5-minute Quads: Niles, Calif. (1980) and Milpitas, Calif. (1980).

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FIGURE 2

Omaha Way  
Fremont, Alameda County, California  
Project Area

**NATIVE AMERICAN HERITAGE COMMISSION**

1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
(916) 373-3710  
Fax (916) 373-5471



July 25, 2016

Ryan Gross  
LSA

Sent by Email: ryan.gross@lsa.net  
Number of Pages: 2

RE: Omaha Way Homes Subdivision, Alameda County

Dear Mr. Gross:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.souza@nahc.ca.gov.

Sincerely,

Sharaya Souza  
Staff Services Analyst

**Native American Contacts  
Alameda County  
July 22, 2016**

Amah Mutsun Tribal Band of Mission San Juan Bautista  
Irene Zwielerin, Chairperson  
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Ohlone/Costanoan  
Bay Miwok  
Plains Miwok  
Patwin

Coastanoan Rumsen Carmel Tribe  
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rumsen@aol.com  
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(909) 629-6081

Indian Canyon Mutsun Band of Costanoan  
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Muwekma Ohlone Indian Tribe of the SF Bay Area  
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(510) 581-5194

North Valley Yokuts Tribe  
Katherine Erolinda Perez, Chairperson  
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(209) 887-3415

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Omaha Way Homes Subdivision, Alameda County.