

Draft

**Inventory and Evaluation Report of Cultural
Resources for BART Warm Springs Extension,
Alameda County, California**

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July 2002

Jones & Stokes. 2002. Inventory and evaluation report of cultural resources for BART Warm Springs Extension, Alameda County, California. July. (J&S 02-041.) Oakland, CA.
Prepared for San Francisco Bay Area Rapid Transit District.

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INTRODUCTION

This inventory and evaluation report documents Jones & Stokes's efforts to identify historic properties in the proposed San Francisco Bay Area Rapid Transit District (BART) Warm Springs Extension (WSX) project alignment, Alameda County, California. This study provides a summary of information from previous cultural resources investigations as well as updated information since the 1992 EIR was adopted. This investigation was conducted to comply with the California Environmental Quality Act (CEQA) requirements for inventory and evaluation of cultural resources. BART is the lead agency under CEQA. The tasks completed to accomplish the inventory and evaluation included prefield research, consultation with Native Americans and other interested parties, archival research, archaeological and architectural field surveys, supplementary research to evaluate identified cultural resources, and preparation of this report. Fifteen cultural resources were identified and evaluated for significance using the criteria established for the California Register of Historical Resources (CRHR).

PROJECT DESCRIPTION

The BART WSX project (herein referred to as the Proposed Project) is a 5.4-mile extension of the BART system in southern Alameda County, with one proposed station at Warm Springs and one optional station at Irvington. The alignments of the Proposed Project generally parallel portions of the Union Pacific Railroad (UP) alignment (comprising the former nineteenth century Western Pacific [WP] railroad tracks on the west side of the alignment and the former twentieth century WP railroad tracks on the east side of the alignment, both currently owned by UP) and Interstates 680 and 880 in southern Alameda County. The initial segment of the Proposed Project alignment would begin on an embankment at the southern end of the existing Fremont BART Station. The alignment would pass over Walnut Avenue on an aerial structure and descend into a cut-and-cover subway north of Stevenson Boulevard. The alignment would continue southward in the subway structure under Fremont Central Park and the eastern arm of Lake Elizabeth, and surface to at grade between the former nineteenth century WP and the former twentieth century WP alignments north of Paseo Padre Parkway. The Proposed Project alignment would pass over a grade-separated Paseo Padre Parkway on a bridge structure, and then continue southward at grade, passing under a grade-separated Washington Boulevard. From Washington Boulevard, the alignment would occupy the former nineteenth century WP alignment south to a terminal station at Warm Springs and Grimmer Boulevards in the Warm Springs district.

REGULATORY SETTING

California Environmental Quality Act

CEQA requires that public or private projects financed or approved by public agencies assess the effects of the project on historical resources. Historical resources are defined as buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance. CEQA requires that, if the project would result in an effect that may cause a substantial adverse change in the significance of a historical resource, alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed. Therefore, before the development of mitigation measures, the significance of cultural resources must be determined. The steps normally taken in a cultural resources investigation for CEQA compliance are as follows.

1. Identify cultural resources.
2. Evaluate the significance of resources.
3. Evaluate the effects of the project on *all* resources.
4. Develop and implement measures to mitigate the effects of the project on only *significant* resources.

The CEQA Guidelines define a significant historical resource as a resource listed or eligible for listing in the CRHR (Section 15064.5 [a]). A historical resource may be eligible for inclusion in the CRHR if it:

1. is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. is associated with the lives of persons important in our past;
3. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. has yielded, or may be likely to yield, information important in prehistory or history.

The effort to identify cultural resources in the proposed study corridor included a record search and a review of the archaeological, ethnographic, and historical literature; consultation with the Native American Heritage Commission (NAHC) and Native American representatives; examination of historic maps; historical research; and field surveys. Information gathered as a result of these activities permitted identification of cultural resources in the study corridor and

shaped the pedestrian survey strategy. Each of these methods, and their results, are outlined below.

ENVIRONMENTAL SETTING

Prehistoric Setting

The Santa Clara Valley, specifically the Guadalupe River corridor, has been a region of intense human occupation since far back in prehistory, long before the European explorers arrived in the eighteenth century. Few Native inhabitants remained, however, when Kroeber and other researchers began to study the aboriginal culture of the area around 1925. In the early twentieth century, the prehistory of the region was virtually unknown aside from a small amount of ethnographic information and the discovery of a few prehistoric sites at the southern end of the San Francisco Bay.

Since 1972, however, as a result of rapid population growth and the requirements of environmental legislation, numerous prehistoric sites have been discovered within Santa Clara Valley. These sites and corresponding research have led to a much greater understanding of the prehistory of the region. Information discussed in this section was gathered from *A Review of the Prehistory of the Santa Clara Region* (Elsasser:1985), which serves as a thorough overview of the region up to 1985. The most recent and comprehensive reference is the *Historic Properties Treatment Plan for the Upgrade of the Guadalupe Parkway*, prepared for California Department of Transportation (Allen et al.1999).

Between the years 1912 and 1960, researchers from University of California at Berkeley, which included the University of California Archaeological Survey and University of California Museum of Anthropology, recorded 43 sites within the Santa Clara Valley. Both L. Loud and N.C. Nelson conducted excavations at SCL-1, a large shellmound located on the shores of San Francisco Bay. Loud excavated 50 burials at this site, and another 100 burials were excavated in 1931 by a Stanford University anatomy professor (Allen et al. 1999:31).

Advances were made in archaeological dating methods, and in the 1930s researchers applied these new techniques to distinguish temporally and culturally discrete assemblages of shell beads and ornaments. More recently, new techniques were developed for determining obsidian sources and exchange routes among different Native American groups throughout California and beyond. In addition, obsidian hydration and C14 dating have been instrumental in establishing dates of occupation for many of the sites within Santa Clara Valley. Information on human occupation prior to 5000 B.P. is almost non-existent due in part to the depositional environment and dramatic environmental changes that took place at that time.

Results from previous archaeological investigations within the project area and the surrounding region have shown that the San Francisco Bay Area was inhabited by mobile hunter-

gatherers. Over time, their foraging strategies became more focused on the locally obtainable resources, and their lives became increasingly more sedentary. Fredrickson and Bennyhoff developed a taxonomic sequence that defined three basic cultural patterns throughout the San Francisco Bay Area and interior Delta. The three general patterns of resources use have been identified for the period between 2500 B.C. and A.D. 1500 (Moratto 1984).

The Windmill Pattern (2500 B.C. to 1000 B.C.) is thought to be a mixed economy of game procurement and the use of wild plant foods. The archaeological record contains numerous projectile points with a wide range of faunal remains. Hunting was not limited to terrestrial animals. The tools included in the Windmill Pattern are fishing hooks and spears crafted from fish bone (Moratto 1984:201). Plant resources were also used, as indicated from the presence of stone tools such as the milling slabs and handstones. The Windmill Pattern reflects a seasonal adaptation in which habitation sites in the valley were occupied during the winter months, and summer camps were found in the foothills (Moratto 1984:206).

The Windmill Pattern shifted to a more specialized adaptation called the Berkeley Pattern, which spanned from about 1500 B.C. to 500 B.C. A decrease in the presence of milling slabs and handstones and a shift to the mortar and pestle technology is evident in the archaeological record, and indicates an increased dependence on acorns. Large shellmounds are found near water sources, and the presence of projectile points and atlatls suggests that hunting was still an important part of subsistence (Fredrickson 1973:125a–126). Within the southern Bay Area, the Berkeley Pattern is illustrated by a heavy reliance on the Bayshore environment.

The Augustine Pattern followed the Berkeley Pattern around 500 A.D. This adaptation was adopted by the ethnographically known people of the historic period. The Augustine Pattern exhibits an increase in ceremonialism, social organization, and stratification. Trade was an important element of this adaptation and can be seen in the different types of obsidian from other regions, and shell beads. The presence of shaped Gunther Barbed projectile points indicate the use of the bow and arrow. The increase in ceremonialism can be found in the presentation of flexed burials with the association of artifacts, including shellbeads, mortars and pestles, and projectile points. While many elements of these patterns address the archaeology of the Santa Clara Valley and southern Bay Area, some differences have been found.

The prehistoric population created massive shellmounds in which the dominant species of shellfish were hornsnail, oyster, clam, and bay mussel. Sites closer to the Bay demonstrate a subsistence based on tidal marsh resources, while the interior valley sites to the north reveal an emphasis on terrestrial resources (Hylkema 1998:31).

The Emergent Period (AD 1200–1777) in the southern Bay Area is characterized by an elaborate social organization and the formation of small autonomous socio-political groups called tribelets. An economic relationship was maintained among the many small groups, and trade was frequent between the coastal groups and the valley/bayshore groups. Artifacts from this period include well-shaped mortars and pestles, decorated olivella beads, rectangular olivella beads, tubular stone pipes, and many small projectile points that were used with the bow and arrow. *Haliotis* pendants and large amounts of olivella beads are found in association with graves as well. According to ethnographic studies and accounts from European settlers (Fages

1911) and researchers such as Alfred Kroeber (1925), this was the way of life of the Native people in the southern Bay Area upon contact with the European explorers.

Ethnographic Setting

At the time of European contact, the San Francisco Bay Area was occupied by a group of Native Americans whom the ethnographers referred to as the Ohlone or Costanoan. The territory of the Ohlone people extended along the coast from the Golden Gate in the north to just beyond Carmel in the south, and as much as 60 miles inland. This territory encompasses a lengthy coastline as well as several inland valleys. (Levy 1978).

The Ohlone were hunter-gatherers and relied heavily on acorns and seafood. They also exploited a wide range of other foods, including various seeds (the growth of which was promoted by controlled burning), buckeye, berries, roots, land and sea mammals, waterfowl, reptiles, and insects (Bean 1994). When Pedro Fages came to Fremont in 1806, he met with Ohlone Indians at Stivers Lagoon who were hunting geese and presented Fages with several straw-stuffed decoys (Fages 1911:151–153 in Bean 1994:49).

Seven Spanish missions were founded in Ohlone territory between 1777 and 1797. While living within the mission system, the Ohlone commingled with other groups, including Esselen, Yokuts, Miwok, and Patwin. Mission life was devastating to the Ohlone population (Milliken 1995). It has been estimated that in 1770, when the first mission was established in Ohlone territory, the Native American population numbered around 10,000 and rapidly declined to less than 2,000 by 1832 as a result of introduced disease, harsh living conditions, and reduced birth rates. After the secularization of the missions, circa 1830, Native Americans gradually left the missions, and many went to work as wage laborers on the ranchos and mines, and in domestic positions. There was a partial return to aboriginal religious practices and subsistence strategies, but for the most part, the Ohlone culture was greatly diminished. (Levy 1978). Today, descendants of the Ohlone still live in the area, and many are active in maintaining their traditions and advocating for Native American issues.

Previous Archaeological Research

The Proposed Project alignment, in particular, site CA-Ala-343, has been the subject of several previous archaeological investigations. This section presents a summary of the archaeological investigations that have taken place within the Proposed Project area.

History of Research at CA-Ala-343

Thomas King first recorded CA-Ala-343 in 1968. He located the site on the west side of Tule Pond, an extension of Stivers Lagoon. In the site record, he placed the southwestern boundary of the site close to the project area (King 1968).

Leslie Wildensen, an instructor at San Francisco State College, conducted an excavation program at CA-Ala-343 and mapped the western part of the site with her students. Numerous artifacts were recovered, and nine features were also uncovered, including hearths and unassociated human bone. Wildensen's students excavated five human burials and noted many more, particularly in the area of Walnut Avenue (Wildensen 1968).

Miley Holman and David Chavez conducted a survey and subsequent excavation of an area north of Walnut Avenue. The investigation did not result in the recovery of any significant archaeological materials (Chavez and Holman 1974).

Parkman re-recorded CA-Ala-343 in 1980, in response to ongoing development and subsequent damage to the site by the City of Fremont. Parkman placed part of the site at the intersection of Civic Center Drive and Stevenson Boulevard, and includes the south side of Walnut Avenue and the area west of Tule Pond in the site. At that point, the portion of the site to the east of Tule Pond had not yet been recorded (Parkman 1980 in Wiberg 1996).

Archaeological Resource Service conducted a test excavation west of the Tule Pond, south of Walnut Avenue, and east of Civic Center drive. This study essentially established the depth of this portion of the site and proved that cultural materials were all located in the upper 2 meters (m) of soil for almost the entire area (Wiberg 1996).

The Center for Anthropological Research at San Jose University conducted extensive excavations at CA-Ala-343 in 1985. The investigation resulted in the identification of human bone fragments, but no Native American burials and no midden deposits were identified deeper than 100 centimeters (cm) below the surface. Much information was recovered regarding subsistence and religious practices as well as resources acquisition and processing (Hall 1985, Wiberg 1996).

Hall, Jurmain, and Nelson recovered 71 burials from the site in 1987 while monitoring construction activities west of Tule Pond, south of Walnut Avenue, and east of Civic Center Drive. Numerous artifacts associated with the burials were also uncovered (Hall et al. 1987, Wiberg 1996). This investigation confirmed previous suspicions that the site was much larger and more extensive than originally thought.

Holman & Associates conducted a series of investigations between 1989 and 1996, during which a thorough survey of the region around the site was performed and test excavations were carried out. The field investigations resulted in the identification of additional prehistoric archaeological deposits representing an extension of CA-Ala-343 and possibly another site that included nineteenth-century historic remains. The excavations conducted in 1994 helped to establish some dates of occupation spanning from approximately 3370 (+/- 200) through the

Spanish and Mexican periods, to the later nineteenth century. Wiberg also identified information regarding dietary practices and settlement patterns (Wiberg 1996). These studies are important because they identified significant prehistoric resources on the east side of Tule Pond.

In June 2001, Andrew Galvan of Archaeor was involved with the excavation of 311 burials from CA-Ala-343. The report documenting this excavation is still in the production phase and has not been obtained for use in the present study (Galvan pers. comm.).

Historic Setting

Early History

The Proposed Project area is located in southern Alameda County. State officials formed Alameda County in 1853 from the western and southern sections of Contra Costa County and a portion of Santa Clara County. Alvarado served as the original county seat. In 1856, the county seat moved to San Leandro before finally settling in Oakland in 1873 (Kyle 1990:172–174).

As early as 1769, Spanish explorer, José Francisco Ortega led an expedition through present-day Alameda County. Seven years later, Juan Bautista de Anza and Pedro Font traveled through the region. In the early 1800s, Spain established the Misión del Gloriosísimo Patriarca Señor San José, currently referred to as Mission San Jose, 15 miles northeast of the present-day City of San Jose. Under the direction of Father Fermín Lasuen, Mission San Jose prospered as an agricultural and educational center for the surrounding rural area (William Self Associates 2000:6; Mason 1975:156).

After 1822, Mexico gained independence from Spain and began allowing its citizens land grants throughout Alta California. During this period, Mission San Jose was secularized, and Governor Juan Alvarado distributed its property into large land tracts that included Rancho Agua Caliente (Warm Springs area), Rancho Arroyo de la Alameda (Niles/Decoto area), and Rancho Potrero de los Cerritos (Newark/Alvarado area). The land surrounding the ranchos (Mission San Jose/Irvington/Newark) was commonly called Ex-Mission San Jose.

In 1848, the United States defeated Mexico in the Mexican-American War, causing Mexico to surrender its Alta California land through the Treaty of Guadalupe Hidalgo. Around that time, the Gold Rush brought hundreds of emigrants to the region on their way to the gold fields. Attracted by the fertile land and mild climate of southern Alameda County, many emigrants chose to stay to start a new life. The area quickly became one of the leading agricultural hubs of California, with agriculture, dairy farming, and livestock grazing serving as the principal industries of the period.

After Alameda County was formed, local officials created 6 townships: Brooklyn, Oakland, Alameda, Eden (present-day Hayward/San Leandro area), Murray (present-day Pleasanton/Livermore area), and Washington (present-day Fremont, Newark, and Union City).

The settlements comprising Washington Township were Warm Springs, Decoto, Newark, Alvarado, Union City, Vallego Mills (Niles), Centerville, and Washington Corners (Irvington) (David Chavez & Associates: 1991:13).

Washington Corners/Irvington

The Proposed Project area is located in an area that was developed at the crossroad of two major thoroughfares, Washington Street and San Jose Road. The Washington Corners settlement was originally part of the Mission San Jose landholdings and was used for cattle grazing well into the 1840s. Early settlers included John Horner, who, with his brother William Yates Horner and Elias L. Beard, formed a partnership and acquired 30,000 acres in the area to raise vegetables for the gold mining camps in the Sierra Foothills. In 1851, the Horner brothers and Beard established the first steamboat ferry on the San Francisco Bay to move produce to San Francisco. Three years later, the partnership constructed the first steam-driven flourmill in the United States, and, with the purchase of a combined harvester and reaper, the partnership introduced better farming methods and power-driven machinery to the state. Largely because of the financial panic of 1853, the Horners and Beard subdivided and sold off most of their agricultural landholdings in the mid-1850s. Although they no longer operated their agricultural venture, the Horner brothers continued to contribute to the area by establishing schools, such as the Washington College of Science and Industry (located on Driscoll Road), the first institute of higher learning in the county (David Chavez & Associates 1991:13–14; William Self Associates, Inc. 2002:4).

By the 1860s, Washington Corners served as the shipping and processing center for agricultural goods for the surrounding region. Crops grown in the vicinity included corn, beans, barley, potatoes, apples, plums, pears, peaches, and grain (which was replaced by grapes in the late 1800s). Construction of the San Jose branch of the nineteenth century WP railroad tracks (later owned by SP and then by UP) through town in 1869 was followed by the installation of twentieth century WP company railroad tracks (later owned by UP). These routes created more trade opportunities, and the settlement continued to flourish. In 1884, Washington Corners changed its name to Irvington (William Self Associates 2000:7; David Chavez & Associates 1991:16).

During the twentieth century, Irvington continued to grow at a steady pace. By 1950, it had a population of 2,500. In 1956, Irvington, along with the nearby towns of Warm Springs, Centerville, Niles, and Mission San Jose, incorporated as the City of Fremont. Within 10 years, the new city had a population of 43,700. Development and growth, largely encouraged by the construction of Interstate 880 (I-880) (originally Highway 17), continued. In recent years, Fremont has supported numerous industries, including wineries, nurseries, and automobile and truck manufacturing plants, as well as Silicon Valley businesses (David Chavez & Associates 1991:15)

Western Pacific Railroad

The construction of the Western Pacific Railroad in the 1860s and 1870s (not to be confused with the twentieth century Western Pacific Railroad Company) in Southern Alameda County encouraged development of numerous settlements, including Vallejo Mills (Niles), Newark, Decoto, and Harrisburg Station (later Warm Springs). It also contributed to the growth of Irvington. Over 50 years later when the region was a successful agricultural hub, the twentieth century version of the Western Pacific Railroad (referred to for clarity herein as the twentieth century Western Pacific Railroad Company) constructed an alignment through the project area, which led to greater development of the region. The nineteenth century Western Pacific alignment operated as a branch of the Central Pacific and later as a branch of SP. The twentieth century Western Pacific Railroad operated as an independent line until UP acquired it in the late twentieth century. (Cadera 1953; USGS 1940). UP currently operates both lines.

Nineteenth Century Western Pacific Railroad

In June 1861, Collis P. Huntington, Mark Hopkins, Charles Crocker, and Leland Stanford (known as the Big Four) formed the Central Pacific Railroad and authorized the construction of a rail alignment beginning in Sacramento and traveling east over the Sierra Nevada. In 1869, the alignment ended in Promotory, Utah, where it met the UP, coming from the east, thus creating the first transcontinental railroad in the country. That same year, Central Pacific Railroad constructed another alignment west from Sacramento to Oakland, over the Altamont Pass. This alignment was known as the Western Pacific Railroad and it operated as an independent branch of the Central Pacific Railroad. Central Pacific Railroad constructed additional alignments of their Western Pacific Railroad line from Vallejo to Oakland and toward San Jose. In 1870, the Central Pacific Railroad Company and the Western Pacific Railroad Company officially merged into one corporation under the name of the Central Pacific Railroad.

The Big Four controlled both the Central Pacific Railroad and the Southern Pacific Railroad, and eventually operated both rails as one. By 1900 (after the death of the Big Four members), E. H. Harriman of UP, purchased SP. Shortly thereafter, Harriman divested some lines and sold his SP investments. SP remained in operation in California until September 12, 1996, when UP purchased the lines, including those running through the Proposed Project area (Kalmbach 1999:404). These tracks are the westernmost tracks in the UP alignment running through the Proposed Project area.

Twentieth Century Western Pacific Railroad

The twentieth century Western Pacific Railroad began in the early twentieth century when Walter Bartnett and his associates from the California Safe Deposit & Trust Company conceived a plan to transform their existing Alameda & San Joaquin Railroad into a transcontinental server by extending the line east across the Sierra Nevada and the northern Great Basin to Salt Lake City. The newly formed Western Pacific Railway (WPRy) was incorporated in 1903 in California to build a line from Salt Lake City to Sacramento by way of the Feather River Canyon. Railroad tracks actually constructed included a segment that ran 145 miles through the City and County of San Francisco to Alameda County then on to Carbona; a 100-

mile segment of track in the East Bay, from Oakland through Alameda, Contra Costa, Solano, Yolo, and Sacramento Counties; a line from Stockton north through the Sacramento Valley to Oroville; and finally a line up the Feather River Canyon and through Beckwourth Pass, for a total distance of 290 miles.

The WPRy completed its surveys and acquired the right-of-way for its track between 1903 and 1905. In 1916, WPRy was sold and reorganized as the Western Pacific Railroad. In 1926, Arthur Curtis James, who already had large holding in the Great Northern, Northern Pacific, and Burlington railroads, acquired Western Pacific Railroad and set about linking the line with the Great Northern line in Bieber. The completion of that link in 1931 made Western Pacific Railroad a major north-south carrier in addition to its already established east-west service. The company used their profits to build local network and branch lines. In 1934, Western Pacific Railroad reorganized yet again, this time teaming with the Rio Grande and Burlington railroads to operate the *Exposition Flyer* between Chicago and Oakland. During the Great Depression, the twentieth century Western Pacific Railroad experienced a dramatic decline in freight and passenger service, which caused it to go bankrupt. The increase in wartime freight and passenger traffic led to the Western Pacific Railroad's emergence from bankruptcy in 1945. The line operated successfully for many years after inauguration of its most famous line, the *California Zephyr* in 1949. Western Pacific Railroad managed to fend off attempts at acquisition by SP in the early 1960s, but Union Pacific Railroad (UP) successfully bought out Western Pacific Railroad in early 1980. (Kalmbach 458-460: 1999.) These tracks are the easternmost tracks in the UP alignment running through the Proposed Project area.

The Gallegos Winery

In 1881, Juan Gallegos purchased the former Elias Beard ranch in the vicinity of present-day Washington Boulevard. Gallegos was born in Costa Rica and settled in the United States with his family in 1872. His wife, Donna Julia Montealegre, was the daughter of Dr. José Maria Montealegre, third president of Costa Rica.

Gallegos planted a 600-acre vineyard and constructed a large winery (known as the Gallegos or Palmdale Winery) on his vast Irvington property. A spur of the nearby railroad ran directly to the winery to facilitate distribution of wine throughout the country. The highly profitable winery operated successfully until the early 1900s when it fell victim to a bad wine economy and vine disease. The 1906 earthquake destroyed the winery complex (William Self Associates, Inc 2002:5).

Hetch Hetchy Aqueduct

As early as 1858, a group of investors formed the Spring Valley Water Company to provide water for the City of San Francisco. In short time, the company constructed numerous pipelines and water reservoirs, such as Crystal Springs Reservoir in San Mateo County, to feed water to San Francisco. The Spring Valley Water Company retained sole ownership of water rights in the city for over 50 years, despite the San Francisco Water Commission's attempts to thwart the company's firm hold on the city's water supply (Page & Turnbull, Inc 2000:2)

In 1900, the San Francisco City Charter decreed that there would be municipal ownership of utilities in the city. Over the next few years, city officials actively pursued water sources outside San Francisco to provide an unlimited source of water to the city. The favored choice quickly became the Tuolumne River located in what would become Yosemite National Park because of its ability to supply endless water and electricity to the growing city. After several attempts (and with assistance from the Raker Act of 1913), the City of San Francisco finally purchased the Spring Valley Water Company and its rights to pipelines and water distribution systems throughout the city in 1928 (Page & Turnbull, Inc 2000:3).

Construction on the Hetch Hetchy Aqueduct began in 1914 and lasted until 1934. Built under the direction of San Francisco City Engineer Michael M. O'Shaughnessy, the aqueduct was an engineering marvel of its time because it was fed solely by gravity. A system of downhill gradients and siphons transported water from the source to San Francisco, thereby precluding the need for pumps. The project comprised six segments that were assigned names reflecting geographical locations. The six segments included Lake Eleanor and Hetch Hetchy Mountain, Priest, Moccasin, Foothill, San Joaquin, and Coast Range and Bay Divisions (Page & Turnbull, Inc 2000:4).

In 1934, engineers completed the infrastructure for the Hetch Hetchy Aqueduct in the Washington Township. The Irvington Portal, a critical component of the Hetch Hetchy Aqueduct, is situated in the Fremont hills above Mission Boulevard. The portal is where the Hetch Hetchy waters divide and flow through long pipes, either directly towards San Francisco or in a southerly direction to San Jose and then north to San Mateo County. The pipeline traveling directly to San Francisco (and through the Proposed Project area) was constructed between 1922 and 1934 and is known as the Bay/Peninsula Division of the Hetch Hetchy Aqueduct (Page & Turnbull, Inc. 2000:7-9).

The Hetch Hetchy Aqueduct was officially opened on October 28, 1934, when water flowed from the Sierra Nevada into Crystal Springs Reservoir.

METHODS

Prefield Research

On April 22, 2002, a Jones & Stokes archaeologist conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University. The NWIC is an affiliate of the State of California Office of Historic Preservation and serves as the official state repository of archaeological and historical records and reports of an 18 county region of California.

The records search was conducted for a .25 mile radius of the Proposed Project corridor for the purposes of identifying previous cultural resources investigations and known

archaeological and historical resources within and near the project area. The records search also allows an assessment of the level of sensitivity for the presence of cultural resources in the Proposed Project area based on regional distribution of known sites and the environmental setting.

The area studied for the Proposed Project is located on the Niles 7.5' USGS topographic map. California Historical Landmarks (California Department of Parks and Recreation 1996), *Historic Spots in California* (Gudde 1990), and historic maps of the area were also checked.

The records search resulted in a large number of reports on previous archaeological investigations within and adjacent to the Proposed Project area. A summary is provided below under previous archaeological investigations within the project area.

Native American Consultation

On April 22, 2002, Jones & Stokes contacted via letter the Native American Heritage Commission (NAHC). Jones & Stokes requested that the NAHC conduct a search of its sacred lands file and send us a list of Native American individuals and/or groups who might have information regarding Native American resources within or near the Proposed Project area.

The NAHC responded that a search of its sacred lands database did not result in the identification of sacred lands listed within the Proposed Project area. The NAHC also sent us a list of several individuals whom Jones & Stokes then sent information regarding the location and nature of the Proposed Project.

Two responses were received, one from Andrew Galvan and another from Katherine Perez. Both are members of the Ohlone Tribe and are active in the Native American community and Native American issues throughout the Bay Area. A Jones & Stokes archaeologist spoke with Andrew Galvan at length and met with him in person to address concerns regarding the proximity of the Proposed Project area to CA-Ala-343, from which hundreds of Native American remains have been removed over several years of archaeological investigations (Holman and Associates 1996; Galvan 2002). Katherine Perez was also concerned about the potential for disturbance of this site. A Jones & Stokes archaeologist sent her a report of the meeting with Andrew Galvan to communicate the steps being taken to ensure respectful and legal treatment of the issue. Native American consultation is expected to continue throughout the life of the project due to the sensitive nature of the Proposed Project area and the known resources within it.

Historical Research

Jones & Stokes historians conducted archival research at the Alameda County Assessor's and Recorder's Office and the California State Library in Sacramento. In addition, an oral

interview was conducted with the owner (Brian Barlow) of the property located at 3101 Driscoll Road. The purpose of this research was to identify important historic people, events, and architectural trends that may have been associated with the Proposed Project area and that may not have been discussed in the 1992 EIR. A historic context relative to the properties surveyed is provided above in the environmental setting section.

Field Survey

Archaeology

On May 22, 2002, Jones & Stokes archaeologists conducted a survey of the Proposed Project corridor. A field inspection of the corridor was conducted for the purposes of identifying prehistoric and historic archaeological resources. In Alameda County, prehistoric resources are can be indicated by changes in soil color and composition and presence of prehistoric materials such as chipped stone, bone or shell fragments, fire-affected rock, and charcoal deposits. Historic archaeological resources are generally indicated by the presence of historic debris such as historic glass, foundations, or other materials.

Prior to the survey, Jones & Stokes archaeologists consulted the previous reports prepared for the 1992 EIR, in particular the Chavez et al. 1991 report, to ascertain how much of the project area had already been subject to survey. Portions of the project area have been subject to several surveys (Chavez et al. 1988, Chavez and Hupman 1990, Chavez and Associates 1991). The 2002 survey focused on unsurveyed portions of the Proposed Project area and areas where ground surface was actually visible. Aerial maps were examined in order to make an initial determination regarding how much of the Proposed Project area has been subject to development, landscaping, and overall ground disturbance.

The first goal of the field survey was to locate previously identified archaeological resources within the Proposed Project area, including CA-Ala-343. Portions of this site, including burials, some prehistoric artifacts, and a historic component, have also been identified on the east side of Tule Pond (Desmond 1996). In order to get the most accurate and updated information, Jones & Stokes archaeologists met with Andrew Galvan and two of his colleagues with whom he excavated 311 human burials as recently as June 2001, at the documented location of CA-Ala-343 (Galvan pers. comm.).

Galvan and his colleagues were able to show Jones & Stokes archaeologists the areas of highest sensitivity and areas that had been subject to previous archaeological testing. Jones & Stokes archaeologists attempted to determine the general boundaries of the site in relation to Tule Pond and the Proposed Project corridor. No evidence of Ca-Ala-343 was visible at the time of the site visit; however, this in no way diminishes the fact that portions of the site may remain intact below the paved surfaces or within the Proposed Project area.

Jones & Stokes archaeologists also surveyed the area to the south of Tule Pond, where there is a large eucalyptus tree that appears to be an indication of the historic component that Holman and Associates discovered during an archaeological investigation in 1996 (Desmond 1996; 1999). The corridor between the area north of Stevenson Boulevard and south of Tule Pond was surveyed using transects spaced 20 meters apart. According to previous archaeological investigations in the area (Desmond 1996; 1999), it is likely that there are remains of a historic period site at this location. The visibility was good (about 50%) in most areas, except for areas where the grasses had grown waist high. The soils were medium brown compact clay/loam that had been subject to tilling. The area appears to have been subject to considerable disturbance. Jones & Stokes archaeologists did not observe any archaeological materials on the ground surface at the time of survey.

The area surrounding the Gallegos Winery, which is the location of the proposed optional Irvington Station, was also surveyed. While the structural remains of the winery itself have been fenced off for protection, the whole area of the proposed optional Irvington BART station was surveyed in intensive 5-10 meter transects. The soil was medium brown compact clay/loam, and visibility was quite good as grasses were low, sparse, and dry.

During the survey, a number of fragments of brick and ceramic Spanish-style roof tiles were observed scattered throughout the area. These may be an indication that there are subsurface archaeological deposits associated with the winery within the Proposed Project area that may be impacted by the construction of the optional Irvington Station. The historic debris was scattered randomly across the area and has clearly been subject to agricultural disturbance, such as years of repeated tilling. Jones & Stokes archaeologists also identified a portion of a low stonewall, which is described in the William Self & Associates 2002 report as a portion of an old foundation located between the chain-link fence around the winery and Osgood Road.

Jones & Stokes archaeologists also conducted a field inspection at the proposed site of the Warm Springs BART Station. The area was surveyed in 15–20 m transects, and the visibility was moderately good where the dried grasses were low to the ground. The soil appeared to have been subject to agricultural practices, and the area had been tilled numerous times. The soil was a medium-brown compact loam with small angular gravels. No archaeological materials were observed.

All other areas within the Proposed Project area had been completely developed, graded, landscaped, or otherwise disturbed, and no native soils or ground surface were visible. Jones & Stokes archaeologists drove and inspected the entire route for places that might allow for observation of the native ground surface.

Architecture

On May 21 and June 5, 2002, a Jones & Stokes architectural historian conducted a field survey of the Proposed Project area. Jones & Stokes conducted the new field survey because the Proposed Project area had changed and over five years had passed since the completion of the 1992 EIR. Updated information is necessary to adequately evaluate properties for the CRHR.

As part of the field process, buildings and structures 50 years old and older that had not been previously recorded were inspected, photographed, and documented using written notes. In addition, updated photographs and notes were taken for buildings and structures that were discussed in the 1992 EIR. Field crew also documented all buildings and structures at least 50 years old.

RESOURCE DESCRIPTIONS AND EVALUATIONS

This discussion presents summary descriptions of the 15 cultural resources identified as a result of this investigation, as well as evaluations of CRHR eligibility for each resource. The discussion is divided into two sections: archaeological resources and architectural resources.

Archaeological Resources

CA-Ala-343

CA-Ala-343 is a large prehistoric Native American site that has been subject to numerous archaeological investigations since it was first recorded in 1968 (King 1968). While this site is not currently listed on the National Register of Historic Places (NRHP), it clearly meets the eligibility criteria for listing in the NRHP and CRHR for its potential to yield information regarding the prehistory of the Ohlone Indians, the region and California, and for importance to the public interest due to the hundreds of Native American remains and artifacts that have been discovered here.

Based on field investigations, previous archaeological investigations and personal communication with Native American representative Andrew Galvan, who conducted a field investigation at the site in June 2001, it appears that the Proposed Project alignment may not cross directly through the site, as the boundaries are currently defined. However, there is a strong possibility that the construction of the alignment on an embankment through Tule Pond and associated construction activities could impact unidentified portions of the site south of Tule Pond. CA-Ala-343 is an extremely extensive site, and the boundaries may not be completely defined at this point despite the number of field investigations that have taken place. If the site extends south of Tule Pond toward Stevenson Boulevard, then the construction of both the embankment through Tule Pond and the subway for the Proposed Project will severely impact this site.

Gallegos Winery

No prehistoric resources are known to exist within the vicinity of the Gallegos Winery. However, the Gallegos Winery and associated historic landscape features (palm trees) is considered a significant historical resource, which appears to meet the criteria for eligibility for

listing in the CRHR and the NRHP (William Self Associates, Inc. 2002). The winery is associated with both people of importance to local history and with events of importance. In addition, the remains of the winery retain a sufficient degree of integrity of design, workmanship, setting, and feeling for listing in the CRHR and NRHP, despite their debilitated state (William Self Associates, Inc. 2002). There is a very high potential for the presence of subsurface features associated with the winery that cannot be easily observed on the ground surface. Subsurface features, such as foundations, remains of the pool, and trash deposits, have the potential to yield additional data to address important research questions. Also, the historic landscape of the winery, such as the large palms trees, remains fairly intact despite the destruction of several architectural components (William Self Associates, Inc. 2002).

Architectural Resources

The following sections describe all architectural structures in the construction corridor.

Hetch Hetchy Aqueduct Bay/Peninsula Division Pipeline Nos. 1 and 2

A segment of the Bay/Peninsula Pipeline Nos. 1 and 2 (of the Hetch Hetchy Aqueduct) is located immediately north of Paseo Padre Parkway and just south of the Irvington Pumping Station. The two large pipelines are directly parallel to each other and travel 21 miles from east to west toward San Francisco. Each pipe is constructed of riveted steel and is approximately 4 feet wide. Two small feeder pipes, approximately 2 feet wide, travel from the pipelines to the Irvington Pumping Station.

Bay/Peninsula Pipelines Nos. 1 and 2 were built between 1922 and 1934 to transport water from the Irvington Portal of the Hetch Hetchy (in present-day Fremont) to the Crystal Springs Reservoir just south of San Francisco. The segment of Bay/Peninsula Pipelines Nos. 1 and 2 located in the Proposed Project area retains integrity and appears to be eligible for listing in the CRHR because of its association with the Hetch Hetchy Aqueduct and early water development in the Bay Area and California. In addition, as a component of the Hetch Hetchy Aqueduct, the Bay/Division Pipeline Nos. 1 and 2 segment appears eligible for listing because of its association with San Francisco engineer Michael M. O'Shaughnessy and because the segment embodies a distinctive type and method of construction. The construction of the Bay/Peninsula Pipelines Nos. 1 and 2 support a use that is still significant today.

The Hetch Hetchy Aqueduct was built to address the ongoing water shortage problem in San Francisco. By providing a steady and reliable source of water to the booming San Francisco region, the Hetch Hetchy Aqueduct enabled the San Francisco Bay Area to prosper and grow into the thriving metropolis it is today. Construction on the Hetch Hetchy Aqueduct began in 1914 and lasted until 1934. The period of significance for the Bay/Peninsula Pipeline Nos. 1 and 2 is 1934 to the present. The first date represents the period the pipes were in place, while the second date signifies the ongoing use of the Hetch Hetchy system.

In 1934, engineers completed the infrastructure for the Hetch Hetchy Aqueduct in the Washington Township. The Irvington Portal, a critical component of the Hetch Hetchy Aqueduct, is situated in the Fremont hills above Mission Boulevard. The portal is where the Hetch Hetchy waters divide and flow through long pipes either directly towards San Francisco (Bay/Division Pipeline Nos. 1 and 2) or in a southerly direction towards San Jose and then north towards San Mateo County (Page & Turnbull, Inc 2000:7-9). As part of the still active Hetch Hetchy system, the Bay/Division Pipeline Nos. 1 and 2 play a vital role in the transportation of water from the Hetch Hetchy Reservoir to San Francisco. Because of its association with the Hetch Hetchy Aqueduct and water use of the state in general, the Bay/Division Pipeline Nos. 1 and 2 segment appears to meet Criterion 1 of the CRHR.

As part of the Hetch Hetchy Aqueduct system, the segment of Bay/Division Pipelines Nos. 1 and 2 appears to meet Criterion 2 of the CRHR for its association with Michael M. O'Shaughnessy, City of San Francisco engineer responsible for the Hetch Hetchy Aqueduct. As engineer of the Hetch Hetchy project, O'Shaughnessy supervised the successful planning and construction of several dams, powerhouses, 160 miles of transmission towers, pipelines, and tunnels to create what is widely considered one of the greatest engineering projects of the twentieth century. In addition to this monumental feat, O'Shaughnessy was heavily involved in several key San Francisco engineering projects, including construction of San Francisco's Seashore Wall, the Stockton Street and Twin Peaks tunnels, the San Francisco Municipal Railway, as well as planning of several major San Francisco roadways, including the Great Highway and Alemany Boulevard. O'Shaughnessy was also instrumental in planning of the Golden Gate Bridge project.

As part of the Hetch Hetchy Aqueduct system, the segment of Bay/Division Pipeline Nos. 1 and 2 appears eligible under Criterion 3 because it embodies a distinctive type and method of construction. The Hetch Hetchy Aqueduct was an engineering marvel of its time because it was fed solely by gravity. A unique system of downhill gradients and siphons transported water from the source to San Francisco, thereby precluding the need for pumps, which were commonly used in other major water projects such as the Columbia Basin Irrigation System in Washington. The pipes continue to function without the need for pumps.

In addition, the segment of Bay/Division Pipeline Nos. 1 and 2 retains integrity of design, materials, and workmanship to its period of construction. The pipeline traveling through the Proposed Project area is the original, unaltered conduit constructed in the 1920s and 1930s.

William Y. Horner House (3101 Driscoll Road)

A single-family residence, (the William Y. Horner House), garage, and multi-family residence are located at 3101 Driscoll Road. The William Y. Horner House was recommended as eligible for the CRHR in 1992 (Chavez et al. 1991) and recommended as eligible for the NRHP in 2000 (William Self Associates 2000). Since the previous CRHR evaluation was completed more than 5 years ago, the property was reevaluated for CRHR eligibility as part of this report, and Department of Parks and Recreation (DPR) 523 forms were updated (see Appendix 1).

The Horner House is a two-and-one-half story, wood-frame building constructed in a style resembling Greek Revival. Features include lapped siding, a cross-gabled roof, and tall, wood-frame 1/1 double-hung windows. Early period additions are located at the rear elevation. The multi-family residence is a rectangular wood-frame building with stucco siding and a gabled roof. The garage is a wood-frame building constructed in recent years. Mature vegetation, including palm trees, pepper trees, and an oak tree, is located at the front and rear of the Horner House. (For a more detailed description of this property, please see corresponding DPR 523 form in Appendix 1).

William Y. Horner, an early settler in the Fremont area, constructed the Horner House in the mid-1850s (Barlow pers. comm.). The period of significance for the Horner House is circa 1850s–1879. The first year represents the period William Horner constructed the residence, and the second year represents the year William Horner left the Fremont area to settle in Hawaii. The William Y. Horner House appears to be eligible for the CRHR because of its association with William Horner, an important early settler in the region.

The William Y. Horner House does not appear to be directly associated with important events in the history of Southern Alameda County and therefore does not appear to meet Criterion 1 of the CRHR.

The Horner House appears to meet Criterion 2 of the CRHR because of its association with William Y. Horner. William Horner settled in the Fremont area in the early 1850s and constructed the building at 3101 Driscoll Road as his residence. Soon after arriving in the Bay Area, William Horner and his brother, John Horner, formed a partnership with Elias Beard and the three quickly became among the most profitable farmers in the Bay Area. The Horners made several significant contributions to the area during this period. In 1851, the partnership established the first steamboat ferry on the San Francisco Bay to move produce to San Francisco. The Horners also developed several innovative farming techniques that contributed to the advancement of agriculture throughout California and the United States. The brothers introduced the first serious irrigation techniques, constructed the first steam-driven flourmill in the United States, and introduced better farming methods and power-driven machinery to the state with the purchase of a combined harvester and reaper. In addition, the Horners founded several towns in the area, including Union City and Centerville. After losing much of their agricultural landholdings during the financial panic of 1853, the Horner brothers focused on education by establishing schools in the community, such as the Washington College of Science and Industry, the first institute of higher learning in the county. (David Chavez & Associates 1991:13–14; William Self Associates, Inc. 2002:4).

The buildings at 3101 Driscoll Road, including the Horner House, do not appear to be architecturally significant under Criterion 3 of the CRHR. None of the three buildings on the property embody distinctive characteristics of a type, period, or method of construction nor are they the work of a master. Although the Horner House displays elements of Greek Revival style, these elements cannot be said to be outstanding expressions of the form.

The William Y. Horner House also retains integrity to its period of construction. Few alterations have been made since the building was constructed, and many of the alterations such

as windows and the removal of the front porch have been replaced with materials of like kind. In addition, the historic landscape (two pepper trees, two palm trees, and an oak tree) immediately adjacent to the residence adds to the integrity of the property. A secondary residence (3073 Driscoll) is located at the rear of the parcel. This building lacks integrity and therefore, does not appear to meet CRHR eligibility. The garage was constructed within the past 50 years and is not exceptionally important.

In summary, the William Y. Horner House appears to meet the CRHR criteria because of its association with William Y. Horner, an important pioneer in the region, and because it retains integrity to its period of construction.

Dr. J. H Durham House (42539 Osgood Road)

The J. H. Durham House is located at 42539 Osgood Road. The property was previously recorded and evaluated for the NRHP in 2000 (William Self Associates 2000). The previous evaluation recommended that the property did not appear to meet NRHP criteria. The property was reevaluated for the CRHR as part of this report.

The J. H. Durham House is a single-family residence designed in the Prairie Style with Spanish Colonial Revival style elements. The two-story building features a low-pitched gable roof and stucco-sided walls. A flat-roofed entrance porch with round-arched openings is at the front elevation. Historic landscape features, including palm trees, are located in close proximity to the residence. (For a more detailed description of this property please see corresponding DPR 523 form in Appendix 1).

The 1921 house with its surrounding landscape retains integrity and appears to be eligible for listing in the CRHR because of its association with Bay Area architect, Charles M. McCall. In addition, the residence is one of a few examples of Prairie Style architecture built during the early twentieth century in Fremont.

The period of significance for the Durham House is 1921, the year the house was constructed. The Durham House does not appear to be eligible for the CRHR under Criterion 1 because it is not associated with any person or persons important to Fremont or Southern Alameda County overall. The Durham House appears eligible for the CRHR under Criterion 2 because of its association with Bay Area architect Charles M. McCall. McCall, a prominent East Bay architect in the early part of the twentieth century, designed a number of buildings, including the First National Bank of Hayward, the Robert Dollar Building in San Francisco, and the Lake Merritt Lodge, as well as commercial buildings throughout Oakland. McCall was known for combining elements of Spanish Renaissance with Craftsman or Prairie House styles, as evidenced by the Durham House. His work concentrated on apartments, hotels, and residences in Oakland and Piedmont. Under Criterion 3, the house is an excellent example of Charles McCall's work and is a unique example of an early twentieth century Prairie Style house in the Fremont area.

In addition, with the exception of a possible addition at the rear, the residence retains a high degree of integrity to its construction date. Mature palm, grapefruit, and pepper trees also appear to date from the construction period of the house and add to the integrity of the property.

Historic Landscape Features

Two large eucalyptus trees are located in the Proposed Project area near Tule Pond. One tree is located just south of Walnut Avenue, and the second tree is north of Stevenson Boulevard. Modern subdivisions are located in close vicinity to the trees.

The towering eucalyptus trees appear to be at least a century old. In the late 1800s and early 1900s, the fast growing eucalyptus trees were commonly planted throughout California to function both as windbreaks and sources of firewood. While the trees proved a relatively poor source of burning material, their tall shape and long branches made them useful for blocking the wind over agricultural fields.

The two trees located in the Proposed Project area were likely planted as a windbreak or shade trees for a nearby residence or structure. At the time the trees were planted, the Irvington area was mostly an agricultural community consisting of vast land holdings with scattered residences and farm buildings. As early as 1874, Earl Marshall owned over 600 acres in the area, including the land where the two trees are located. By 1889, the Stiver family assumed ownership of the land containing the trees. At the turn of the century, the Fehbush family acquired the property, which covered only 66 acres at that time. The property remained in the Fehbush family for a number of years. By the 1920s, the property and surrounding areas were subdivided into small parcels for development.

Research could not determine the historic use of the property where the trees are located. The trees, as a historic landscape, are not known to be associated with a significant person or events in the region and therefore do not appear to meet Criteria 1 or 2 of the CRHR. Under Criterion 3, the trees are not unique nor do they appear to have any artistic value. Eucalyptus trees are commonly located throughout the area. In summary, the eucalyptus trees in the Proposed Project area do not appear to meet the CRHR criteria.

Former Nineteenth Century Western Pacific Railroad Alignment

A railroad alignment formerly belonging to WP (later SP) travels through the Proposed Project area. An associated trestle is located immediately north of Paseo Padre Parkway, and the alignment also contains a railroad bridge over Grimmer Road. The railroad alignment is typical of a well-maintained rail line. It travels through a well-maintained, symmetrical earthen depression where vegetation is minimal, indicating regular clearing. The ties and track rest on fresh basalt rock ballast. The ties are uniform and exhibit little wear or weathering. A trestle carries the bridge over the Hetch Hetchy Aqueduct by Paseo Padre Boulevard. The trestle is

composed of irregularly spaced timber beams. Wood planks comprise the deck. The bridge over Grimmer Road is a concrete structure supported by concrete posts with a steel deck and rails.

The former nineteenth century WP alignment was originally constructed in 1869 by the Big Four (Collis P. Huntington, Mark Hopkins, Charles Crocker, and Leland Stanford) as a Western Pacific Railroad branch of the Central Pacific Railroad, and later became part of Southern Pacific Railroad. In recent years, the Union Pacific Railroad acquired the alignment.

The segment of the former nineteenth century WP alignment that travels through the Proposed Project area does not appear to meet the criteria for listing in the CRHR primarily because it lacks integrity to its period of significance. The period of significance for this railroad alignment is 1869 to circa 1900, or the period of initial construction to the date of SP's purchase of the line. The railroad line does not appear to have an association with a person or persons significant to our past nor does it appear to embody characteristics of a type, period, or method of construction and therefore does not appear to meet Criterion 1, 2, or 3 of the CRHR.

An argument for significance under Criterion 1 could be made because the construction of the nineteenth century WP line through Southern Alameda County created more trade opportunities for the region and encouraged the development of numerous settlements such as Niles, Newark, Decoto, and Warm Springs, and Irvington. However, even though an argument for historical significance might be made under Criterion 1, the railroad segment in the project area does not appear to be eligible for listing because it lacks integrity of design, materials, workmanship, setting, and feeling to its period of significance. A sufficient loss of integrity to a resource will render it ineligible for listing in the CRHR. The segment of the former nineteenth century WP alignment that crosses the Proposed Project area is typical of a well-maintained railroad line in that it does not appear to retain any of the engineering features or materials from the period of significance, 1869 to 1952. The alignment runs through an earthen depression that is well maintained, with even geometry and indication of machined maintenance. The ties are uniform and exhibit little wear. The bridge that carries the railroad across Grimmer Road is of modern construction. The crossing over Paseo Padre Parkway is concrete and was also constructed in recent years. In addition, the trestle adjacent to Paseo Parkway Boulevard is an example of Southern Pacific Chief of Engineers Common Standard 039 type. In other words, the trestle was built according to a standardized set of plans developed by the Southern Pacific Chief of Engineers in 1929. Thousands of this type of trestle still exist within the old SP system and are regularly maintained by the current owner, UP. In essence, the former nineteenth century WP alignment traveling through the Proposed Project area is a modern railroad track that happens to follow a historic alignment. Furthermore, the sense of time and place is diminished by the introduction of large, modern industrial warehouses and commercial buildings as well as modern housing subdivisions. Because it lacks integrity of design, materials, workmanship, setting, and feeling, the segment of the former SP does not appear to meet the criteria for listing in the CRHR.

Former Twentieth Century Western Pacific Railroad Alignment

A railroad alignment formerly belonging to twentieth century WP railroad company (a separate entity from the nineteenth century WP railroad,) travels through the Proposed Project area. The former twentieth century WP alignment is located directly east of the former nineteenth century WP alignment and parallels it. An associated railroad bridge travels over Grimmer Road. The railroad alignment is typical of a well-maintained rail line. It travels through a well-maintained, symmetrical earthen depression where vegetation is minimal, indicating regular clearing. The ties and track rest on fresh basalt rock ballast. The ties are uniform and exhibit little wear or weathering. The bridge over Grimmer Road is a concrete structure supported by concrete posts with a steel deck and rails.

The alignment was originally constructed in the early twentieth century as part of the twentieth century version of Western Pacific. The line served the burgeoning Southern Alameda County region for many decades before UP acquired it in the late twentieth century.

The segment of the former twentieth century WP line that travels through the Proposed Project area does not appear to meet the criteria for listing in the CRHR primarily because it lacks integrity to its period of significance. The period of significance of this railroad alignment is 1903–1905, the period of initial construction. The railroad line does not appear to have an association with a person or persons significant to the history of the region nor does it appear to embody characteristics of a type, period, or method of construction and therefore does not appear to meet Criterion 1, 2, or 3 of the CRHR.

An argument for significance under Criterion 1 could be made because the alignment made significant contribution to the patterns of history in Southern Alameda County in the area of transportation and land development. However, the potential under Criterion 1 is of little consequence because the railroad segment lacks integrity of design, materials, setting, feeling, and workmanship to its period of historical significance. A sufficient loss of integrity to a resource will render it ineligible for listing in the CRHR, irrespective of significance. Although the former twentieth century WP railroad line follows its historic alignment, the segment from an engineering standpoint bears little resemblance to the route from the period of significance. In essence, it is a modern railroad track that happens to follow a historic alignment. The alignment travels through a depression that is well maintained, with even geometry and indication of machined maintenance. The ties are uniform and exhibit little wear. The rails bear date stamps from various years within the past 50 years, indicating they were recycled from elsewhere. The crossing over Paseo Padre Parkway is concrete and was constructed in recent years. In addition, the setting for the railroad has been compromised by the construction of new buildings (industrial and commercial warehouses as well as modern housing subdivisions) paralleling the tracks. In summary, the segment of the former twentieth century WP line that travels through the Proposed Project area does not appear to meet the criteria for listing in the CRHR because it lacks integrity of design, materials, workmanship, setting, and feeling

Irvington Pump Station Complex

The Irvington Pump Station complex is located directly north of Paseo Padre Parkway between the former nineteenth century WP and the former twentieth century WP railroad tracks. The property was previously recorded and evaluated for the NRHP in 2000 (Page & Turnbull 2000). The previous evaluation recommended that the Irvington pumping station complex does not appear to meet NRHP criteria. The property was evaluated for CRHR eligibility as part of this report

The Irvington Pump Station complex consists of four buildings, including a pumphouse, garage, storage building, and chlorinator building, as well as a surge. Pipes running through the parcel include Bay Division Pipelines Nos. 1 and 2, which are located south of the pump house, two feeder pipes traveling from the building to the aqueduct, and a pipe located east of the pump house that originally delivered water from the aqueduct to the Hetch Hetchy Reservoir. (For a more detailed description of this property, please see corresponding DPR 523 form in Appendix 1).

The Irvington Pumping Station was constructed in 1947–48 to pump water from the Sunol Aqueduct to the Hetch Hetchy Aqueduct. Although associated with the Hetch Hetchy Aqueduct, the Irvington Station does not appear to meet Criterion 1 of the CRHR because as an ancillary pumping station, it is not an integral part of the Hetch Hetchy Aqueduct, which was designed to function without pumps. In addition, the station was constructed as an improvement to the Hetch Hetchy system more than 13 years after the aqueduct was in place.

The Irvington Pumping Station does not appear to be associated with significant persons in Fremont or California overall and therefore does not appear to meet Criterion 2. Under Criterion 3, the station's utilitarian structures are modest buildings that display design and building characteristics common to pumping stations constructed throughout California during the mid-twentieth century. For these reasons, the Irvington Pumping Station does not appear to meet Criterion 3 of the CRHR.

In summary, as a later addition to the Hetch Hetchy water system (which was in place by 1934), the Irvington Pumping Station complex does not appear to meet the criteria for listing in the CRHR.

41075 Railroad Avenue

A large, rectangular, wood-frame warehouse is located at 41075 Railroad Avenue. The flat-roofed building is covered with corrugated metal sheets. A flat-roofed addition with corrugated metal siding is located at the rear elevation, and a stuccoed addition is on the southeast elevation. Wood-shingled awnings shelter sets of doors and windows along the front of the building. The windows are large, metal-framed units, and the doors are single entry or garage style. The majority of the windows have been painted over and others have been replaced with anodized sliders. Lettering reading "K & B Drywall" is located on the southeast wall.

According to building records, the warehouse at 41075 Railroad Avenue was constructed in 1938. Since its construction, the structure has undergone substantial alterations, including the replacement of windows and siding. Furthermore, the wood shingles were added to the awnings at the front elevation. A large addition at the rear has also changed the original appearance of the building.

The property located at 41075 Railroad Avenue does not appear to meet the criteria for listing in the CRHR. Although this property played a role in the growth of the area, it is not known to be directly associated with events that have made significant contributions to the history of Southern Alameda or California overall; therefore, it does not appear to meet Criterion 1 of the CRHR. The property does not appear to meet Criterion 2 of the CRHR for association with people who have played a significant role in the history of the region. Architecturally, the warehouse is a modest example of an industrial warehouse built in the early twentieth century and therefore does not meet Criterion 3 of the CRHR. In addition, stucco siding, shingled awnings, replacement windows, and the rear addition have altered the original appearance of the building. Overall, the property located at 41075 Railroad Avenue does not appear to meet any of the criteria for listing in the CRHR.

41655 Osgood Road

A warehouse housing United Rentals is located at 41655 Osgood Road. The property was previously recorded and evaluated for the NRHP in 2000, and it was recommended that the building did not appear to meet NRHP criteria (William Self Associates 2000). The property was reevaluated for CRHR eligibility as part of this report.

41655 Osgood Road does not appear to meet the criteria for listing in the CRHR. The Alameda County Assessor's Office indicates conflicting construction dates of 1949 and 1954 for the building. The warehouse was built during the post-World War II period when Southern Alameda County, like the rest of the country, was experiencing rapid growth and suburbanization. By 1956, several communities in the county would incorporate into the City of Fremont. The warehouse was most likely constructed to store goods moved by rail for the growing Bay Area population. Individually, the warehouse does not appear to have made a significant contribution to the history of the East Bay area; therefore, it does not appear to qualify for listing under Criterion 1 of the CRHR. It does not appear to qualify under Criterion 2 of the CRHR because the building does not have any known associations with significant persons. As a utilitarian structure, the warehouse does not possess architectural significance and does not embody the distinctive characteristics of a type, period, or method of construction; therefore, it is not eligible for listing under Criterion 3 of the CRHR. The building was altered substantially when it was remodeled in recent years, and the siding, windows, and doors were replaced. For these reasons, the building located at 41655 Osgood Road does not appear to meet the criteria for listing in the CRHR.

41753 Osgood Road (Ford House)

Two conflicting evaluations were completed for the property at 41753 Osgood Road. The cultural resources technical report from the 1992 EIR found that the property did not appear to meet CRHR eligibility (Chavez et al. 1991), whereas a 2000 report recommended that the property appeared eligible for the NRHP (William Self Associates 2000). No documentation could be located indicating a review of this resource by the State Historic Preservation Office (SHPO). Since the previous CRHR evaluation was completed more than 5 years ago, the property was reevaluated for CRHR eligibility as part of this report.

A single-family residence, shed, and office building are located at 41753 Osgood Road. The residence at 41753 Osgood (Ford House) was constructed in 1890. The wood-frame house, built in the Queen Anne style, features a gabled roof and wide channel-rustic wood siding. Windows are tall narrow, wood-frame double-hung style. A hip-roofed porch shelters the front elevation. Decorative wood ornament is located throughout the building, including the gables, porch posts, widow hoods, and eaves. (For a more detailed description of this property, please see corresponding DPR 523 form in Appendix 1).

The Ford House, shed, and office building do not appear to meet the criteria for the CRHR. Although the residence serves a useful purpose, it does not appear to have made a significant contribution to the history of the region overall; therefore, it does not appear to qualify for listing under Criterion 1 of the CRHR. The building is associated with Philip Holmes Ford, a dentist and druggist in the area during the early 1900s. While Ford provided an important service to the community, he is not a significant person in the area overall; therefore, the Ford House does not appear to qualify under Criterion 2 of the CRHR. Under Criterion 3, the residence displays distinctive characteristics of the Queen Anne style, as stated in the 2000 NRHP evaluation. The 2000 evaluation also states that the Ford House is a rare example of the Queen Anne style in Fremont (William Self Associates 2000). While this may be true, Queen Anne style homes are commonly found throughout the East Bay and Bay Area in general. As a common architectural style to the region, the Ford House does not appear to meet Criterion 3 of the CRHR. The two additional buildings on the property, the shed and office building, appear to have been constructed within the past 50 years, and they are not exceptionally important. For this reason they do not appear to meet the CRHR criteria. Under consideration of all criteria, the property at 41753 Osgood Road does not appear to meet the criteria for listing in the CRHR.

43033 Osgood Road

The property at 43303 Osgood Road was previously recorded and evaluated for the NRHP in 2000 (William Self Associates 2000). The previous evaluation recommended that the property did not appear to meet NRHP criteria. The property was reevaluated for CRHR eligibility as part of this report.

A single-family residence and detached garage are located at 43303 Osgood Road. The house is a one-story building with a gabled roof. Wood shingles and brick veneer cover the walls. Fenestration consists of wood-frame, 1/1 double-hung and fixed style windows.

According to county assessor's records, the residence at 43303 Osgood Road was constructed in 1950. Although the property played an important role in the community of Fremont, it does not appear to be associated with events or people significant to the region. For that reason, it does not appear to qualify for listing under Criteria 1 or 2 of the CRHR. As a ranch-style building, the residence is an ordinary example of a style common during its period of construction. The garage is a utilitarian structure and does not display distinctive or significant characteristics of a type, period, or method of construction. Therefore, the property does not appear to meet Criterion 3 of the CRHR. Lacking historical and architectural significance, the property at 43303 Osgood Road does not appear to meet the criteria for listing in the CRHR.

43055 Osgood Road

A wood-frame barn and modern industrial building are located at 43055 Osgood Road. The barn features a gabled roof with shed roof extensions. Walls are covered with vertical plank-board siding. A large bay with a wood door is located on the north elevation.

The property at 43055 Osgood Road does not appear to meet the criteria for listing in the CRHR. The barn most likely was constructed in the early twentieth century when the surrounding area was still largely being used for agricultural purposes. The barn is not known to be associated with important persons or events in the area overall, and therefore does not appear to meet Criterion 1 of the CRHR. The barn is a utilitarian structure that does not display distinctive characteristics of a type, period, or method of construction, and therefore does not appear to meet Criterion 3 of the CRHR. In addition, the setting of the property has been changed with the construction of the modern industrial building in the vicinity. Under consideration of all criteria, the property at 43055 Osgood Road does not appear to meet the criteria for listing in the NRHP or the CRHR.

44960 Old Warm Springs Road

A complex, including three single-family residences, a barn, and a shed, is located at 44960 Old Warm Springs Road. A large field is located directly south of the complex. Alameda County Assessor's records indicate that one of the three residences was constructed in 1962, but lists no construction date for the other two residences, garage, or barn. Based on building materials used, the barn, garage, and one residence most likely were constructed by the 1940s. The third residence appears to have been constructed in recent years. A row of historic palm trees fronts the 1962 residence, which sits northwest of the other buildings. James W. Lopes currently owns the property (Alameda County Assessor's Office 2002). (For a more detailed description of this property, please see corresponding DPR 523 form in Appendix 1.)

The property at 44960 Old Warm Springs Road does not appear to meet the criteria for listing in the CRHR. Although the property at 44960 Old Warm Springs Road played a general role in the growth of the area, it is not known to be directly associated with events that have made a significant contribution to the history of Fremont; therefore, it does not appear to meet Criterion 1 of the CRHR. The residence and barn are not known to be associated with persons

important to the community or Southern Alameda County overall; therefore, the property does not meet Criterion 2 of the CRHR. The historic structures (1940s residence, garage, barn, and shed) do not display distinctive characteristics of a type, period, or method of construction and therefore do not appear to meet Criterion 3 of the CRHR. Under consideration of all criteria, the property at 44960 Old Warm Springs Road does not appear to meet the criteria for listing in the CRHR. In addition, the historic palms are not known to be historically significant and therefore do not appear to meet the CRHR criteria.

The remaining two residences also do not appear to be eligible for the CRHR because they do not meet the exceptional significance criteria established for recently constructed properties.

CONCLUSIONS AND RECOMMENDATIONS

Archaeological Resources

Two archaeological resources appear to be eligible for listing in the CRHR and NRHP: CA-Ala-343 and the Gallegos Winery. The proposed project may have an effect on unidentified portions of the large extensive prehistoric CA-Ala-343 site to the south of Tule Pond and north of Stevenson Boulevard. In addition, the construction of the optional Irvington BART Station and the associated parking facilities would likely have an adverse effect on the Gallegos Winery, both to the historic setting of the existing remains of the former winery structure and a direct effect on unidentified subsurface archaeological deposits in the area of proposed construction.

Recommendations for CA-Ala-343

A focused subsurface testing program should be designed and implemented in the areas south of Tule Pond and north of Stevenson Boulevard, specifically in areas that have not been subject to subsurface archaeological investigations. The site boundary in the corridor remains undefined, and testing procedures should be designed to establish the presence or absence of archaeological deposits related to CA-Ala-343 as well as the depositional integrity and complexity according to CEQA guidelines. The archaeological investigation should be conducted by qualified archaeologists within the context of a clearly defined and developed research context. The archaeological investigation should result in a technical document that details the methods and results of the investigation, defines the project's impacts (if any), and presents specific recommendations to mitigate any impacts.

The archaeological investigation should result in clearly defined site boundaries and sufficient data from any existing archaeological deposits to warrant the loss of information or destruction of any portion of the site, thereby mitigating the impacts to a less-than-significant level. If any human remains are encountered during the archaeological excavation, the

disposition of those remains should be determined in consultation with the NAHC and the Most Likely Descendant (who will be identified by the NAHC).

Due to the sensitive nature of the area near the existing boundaries of CA-Ala-343, there should be a Native American and archaeological monitor onsite at all times that ground-disturbing activities are taking place. If an archaeological monitor is not present and archaeological remains or suspected archaeological remains are discovered, the contractor should cease earthmoving activity in that area and within 100 feet of the discovery. The contractor should notify the lead agency, which in turn should retain a qualified archaeologist to assess the nature, extent, and significance of the find and, if necessary, develop appropriate treatment measures in consultation with BART and other interested or knowledgeable parties.

If, following identification and evaluation efforts by a qualified archaeologist, an archaeological site is determined to meet the criteria for inclusion in the NRHP or the CRHR and avoidance or redesign of the project is not feasible, then research and fieldwork to recover and analyze the data contained in that site should be conducted. This may involve additional archival and historical research; excavation; analysis of the artifacts, features, and other data discovered; presentation of the results in a technical report; and curation of the recovered artifacts and accompanying data. Consultation with the Advisory Council on Historic Preservation (ACHP), SHPO, and other interested or knowledgeable parties may also be required or appropriate

Recommendations for the Gallegos Winery

The conclusions and recommendations for the Gallegos Winery are based on the *Cultural Resource Assessment Report*, prepared by William Self & Associates in March 2002 for the City of Fremont grade separations project. This information has been used to update the impacts and mitigation measures discussed in the 1992 EIR.

The construction of the proposed optional Irvington Station and associated parking facilities may result in the destruction of historical archaeological resources and the alteration of historical setting. It is recommended that a qualified archaeologist, one who meets the Secretary of the Interior's Standards for Archaeology, conduct a subsurface testing program for the purpose of establishing the extent and significance of potentially buried archaeological deposits within the Proposed Project area. It is also recommended that an additional 50-foot buffer around the project area be included. A research design should be prepared to provide a historical context and research questions upon which the archaeological investigation would be based. Excavation methods may include both hand excavation and mechanical excavation using a backhoe. Testing should be designed to both define and recover evidences of the land uses and activities that are associated with the Gallegos Winery. Features such as trash deposits, foundations, privies, and structural remains should be the focus of the excavation. The depth of information that results from the archaeological excavation should be sufficient to warrant the loss and destruction of the resources, in order to reduce the impact to a less-than-significant level.

Stop Work if Buried Archaeological Deposits Are Discovered

If buried cultural resources, such as chipped stone or groundstone (groundstone artifacts are the tools used in the processing of plant materials such as milling slabs, handstones, bowl mortars, and pestles), historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, work should stop in that area and within a 100-foot radius of the find until a qualified archaeologist can assess the significance of the find.

Discovery of Native American Remains

If human skeletal remains are encountered, the county coroner should be contacted immediately. If the county coroner determines that the remains are Native American, the coroner is required to contact the NAHC (pursuant to Section 7050.5 (c) of the California Health and Safety Code) and the County Coordinator of Indian Affairs. A qualified archaeologist will also be contacted immediately. If any human remains are discovered in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until

- the county coroner has been informed and has determined that no investigation of the cause of death is required; and
- if the remains are of Native American origin,
 - the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
 - the NAHC was unable to identify a descendent or the descendent failed to make a recommendation within 24 hours after being notified by the commission.

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the 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 NAHC.

Architectural Resources

Of the thirteen architectural resources documented in this report, it appears that the following three properties meet the criteria for listing in the CRHR: the Hetch Hetchy Aqueduct Bay/Peninsula Division Pipeline Nos. 1 and 2, the William Y. Horner House (3101 Driscoll Road), and the Dr. J. H Durham House (42539 Osgood Road).

Based on the current project description and as stated in the resource descriptions and evaluations, the proposed project would not result in adverse effects or significant impacts on the Hetch Hetchy Aqueduct Bay/Peninsula Division Pipeline Nos. 1 and 2, the William Y. Horner House (3101 Driscoll Road), or the Dr. J. H Durham House (42539 Osgood Road); therefore, no further investigation of these resources is recommended. Also, no further treatment of ineligible cultural resources is recommended. DPR 523 forms for all architectural resources are provided in Appendix 1.

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Appendix 1
DPR 523 Forms