

Appendix D:
Cultural Resources Supporting Information

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Phase I Cultural and Paleontological Resource Assessment Vines at Oakley Project City of Oakley, Contra Costa County, California

USGS Brentwood 7.5-minute Quadrangle Map
Section 27, Township 2 North, Range 2 East

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MANAGEMENT SUMMARY

FirstCarbon Solutions (FCS) conducted a Phase I Cultural Resources Assessment of the proposed project site located within the City of Oakley, Contra Costa County, California. The rectangular 9.87-acre project site is located on Oakley Road with Beldin Lane to the east, Live Oak Avenue to the west, and Holly Creek Park to the south. The project site is located on the Brentwood United States Geological Survey (USGS) 7.5-minute topographic quadrangle, Township 2 North, Range 2 East, Section 27.

The purpose of this assessment is to identify the presence or absence of potentially significant cultural resources within the project area and, if impacted by the proposed development, propose recommendations for mitigation. Completion of this investigation fulfills the requirements associated with the California Environmental Quality Act (CEQA). This report follows the California Office of Historic Preservation (OHP) procedures for cultural resource surveys and the OHP's Archaeological Resource Management Report (ARMR) format for archaeological reports.

On January 4, 2019, a records search for the project area and a 0.5-mile radius beyond the project boundaries was conducted at the Northwest Information Center (NWIC) located at California State University, Sonoma. To identify any historic properties or resources, the current inventories of the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), the California Historical Landmarks list, the California Points of Historical Interest list, and the California State Historic Resources Inventory were reviewed to determine the existence of previously documented local historical resources. Results from the NWIC indicate that one resource has been recorded within 0.5 mile of the project area. There are 27 area-specific survey reports on file with the NWIC for the search radius suggesting the project location has been previously surveyed for cultural resources.

On December 20, 2018, FCS sent a letter to the Native American Heritage Commission (NAHC) in an effort to determine whether any sacred sites are listed on its Sacred Lands File for the project area. A response was received on January 8, 2019, indicating that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC included a list of six tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that may be affected by the project are addressed, a letter containing project information and requesting any additional information was sent to each tribal representative on February 21, 2019. No responses have been received to date.

FCS Senior Archaeologist, Dana DePietro, PhD, RPA, surveyed the project site on January 9, 2019. The project area consists of a single parcel of land that contains vineyards and a single residence. The site is bordered by Oakley Road and a residential neighborhood to the north, residential homes along Beldin Lane to the east, Holly Creek Park to the south, and residential homes along Stacy Lane to the west. The project site was surveyed using standard 15-meter transects moving north-south parallel to vine plantings across the site whenever possible. Visible soils consisted of light tan sandy soils interspersed with small water-worn stones (3 to 5 cm) composed of schist, quartz, and basalt.

Overall ground visibility was fair, ranging from 70 to 80 percent across the site. Soils in sections of poor visibility were intermittently inspected using a hand trowel. No prehistoric resources or materials used in the production of said resources (e.g., obsidian, Franciscan chert) were observed during the course of the pedestrian survey. The single residence located in the north of the parcel was found to be over 45 years old and therefore required an assessment of its historic significance and eligibility for listing on the CRHR.

On January 4, 2019, Consulting Paleontologist Dr. Kenneth L. Finger performed a records search on the University of California Museum of Paleontology (UCMP) database for the project site in Contra Costa County. According to the geologic map by Helley and Graymer (1997), the surface of the area of the project site is located entirely on Holocene-Pleistocene dune deposits (Qds). Pleistocene deposits, if found, have the potential to yield significant paleontological resources. There are 9927 specimens (95 species) in the County and they are all assigned to the late Pleistocene Rancholabrean NALMS (North American Land Mammal Stage).

Based on the results of the records searches, Native American correspondence, and pedestrian survey, FCS considers the potential for the project to have an adverse effect on historic or prehistoric cultural resources to be low. Archaeological monitoring of construction activities is not recommended at this time. The paleontological potential of Quaternary (Holocene-Pleistocene) Dune Sand deposits is moderate in view of the fact that Pleistocene deposits have the potential to yield significant specimens. As such, a professional paleontologist should be present in areas where Pleistocene deposits may be disturbed. Should any vertebrate fossils be discovered on the site, all work in the vicinity of the find should be diverted until the monitor or paleontologist has evaluated the find and, if deemed appropriate, salvaged it for deposition in an appropriate repository such as the UCMP.

SECTION 1: INTRODUCTION

1.1 - Project Location and Description

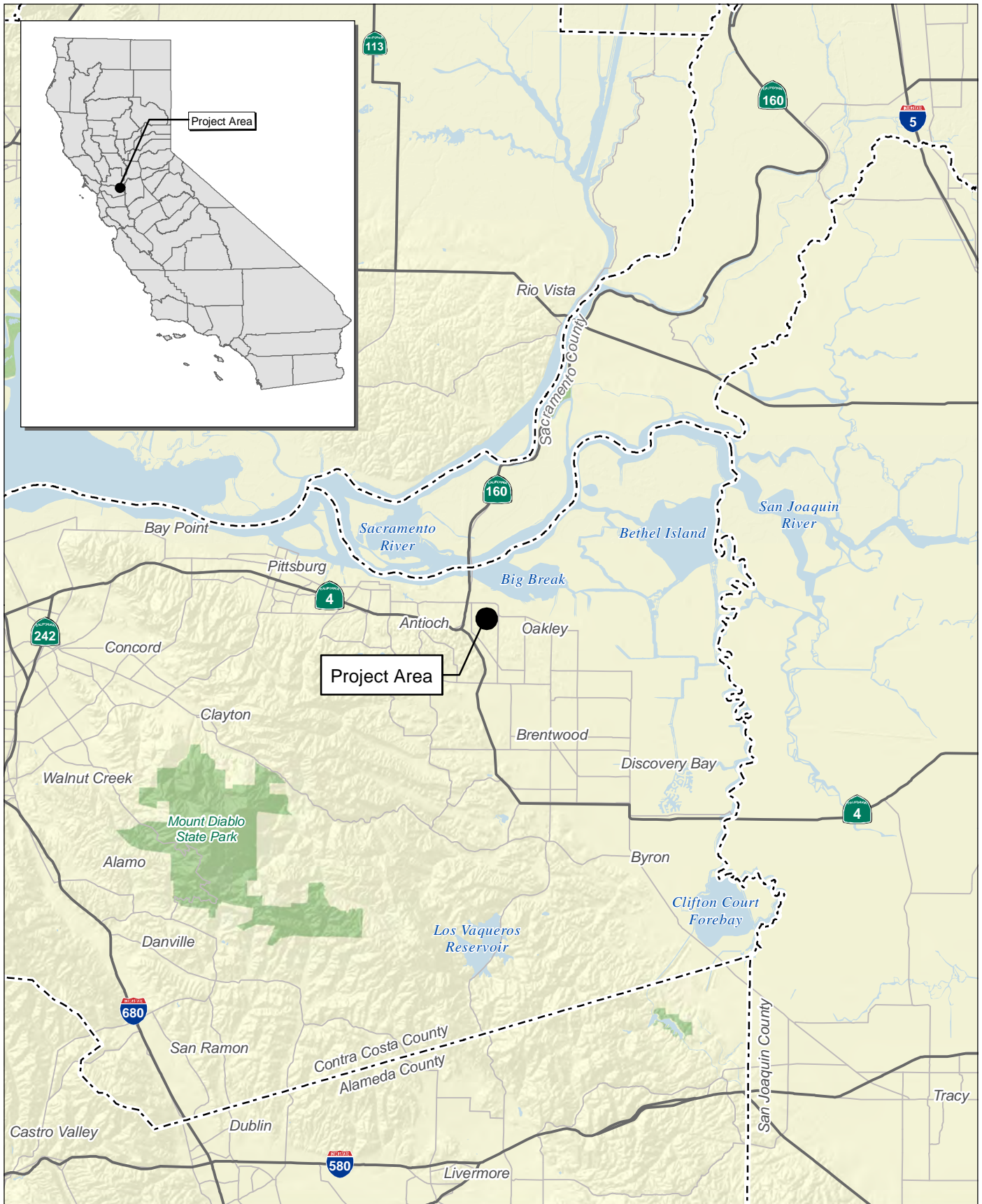
The 9.87-acre project site is located in the City of Oakley, Contra Costa County, California (Exhibit 1). The project site is located on the Brentwood, California USGS 7.5-minute topographic quadrangle, Township 2 North, Range 2 East, Section 27 (Exhibit 2). The rectangular project site is located on Oakley Road with Beldin Lane to the east, Live Oak Avenue to the west, and Holly Creek Park to the south (Exhibit 3).

MLC Holdings proposes to subdivide and develop 68 residential lots, a bioretention basin, and 50 parking spaces.

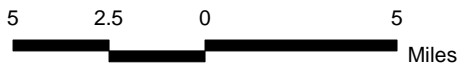
1.2 - Assessment Team

FCS Senior Archaeologist Dana DePietro, PhD, RPA, conducted the pedestrian survey, and FCS Staff Archaeologist, Stefanie Griffin, MA, authored this report. Professional qualifications for Dr. DePietro and Ms. Griffin can be found in Appendix C.

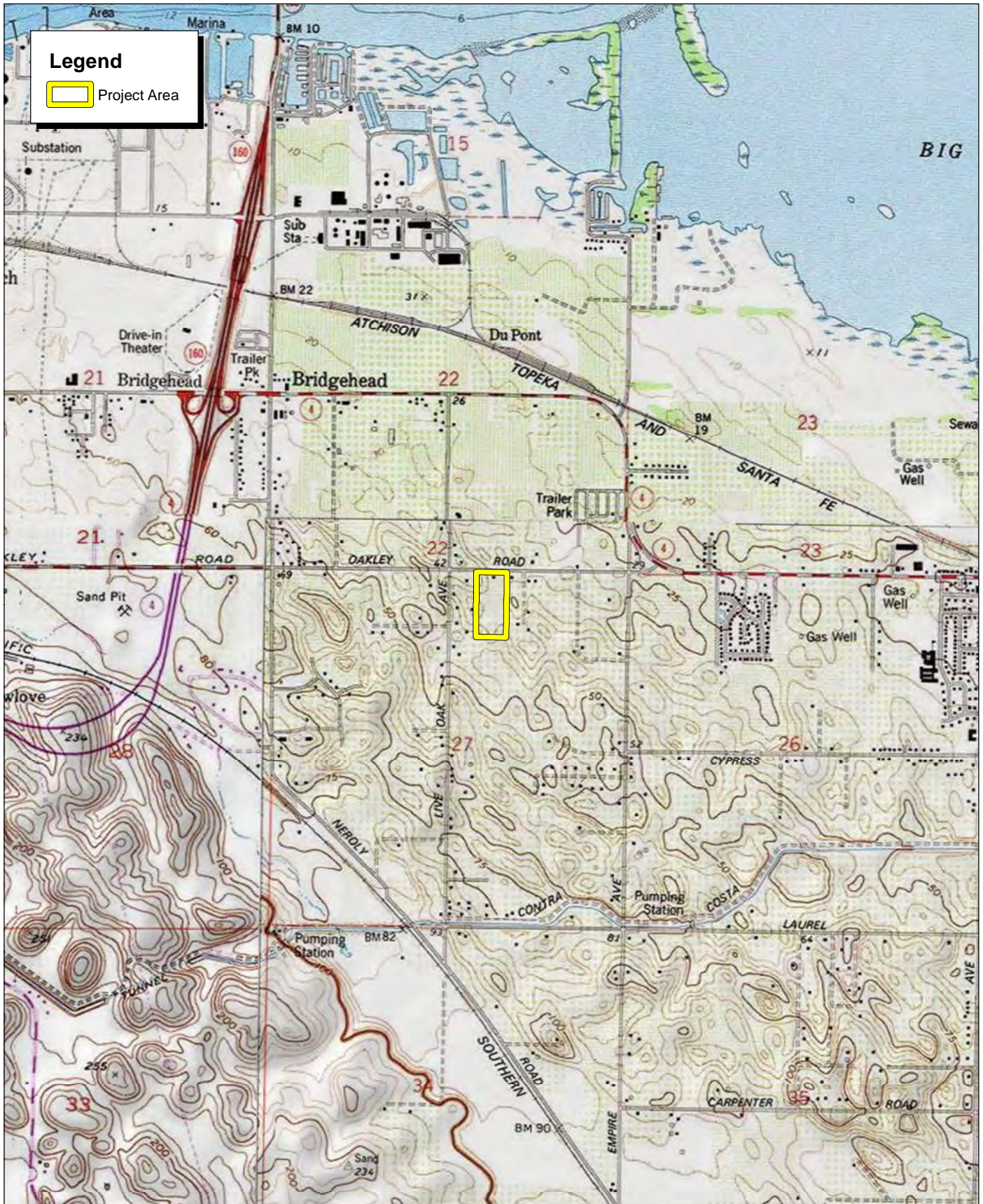
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Source: Census 2000 Data, The CaSIL



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Source: USGS Brentwood (1978) 7.5' Quadrangle / T2N,R2E,sec27

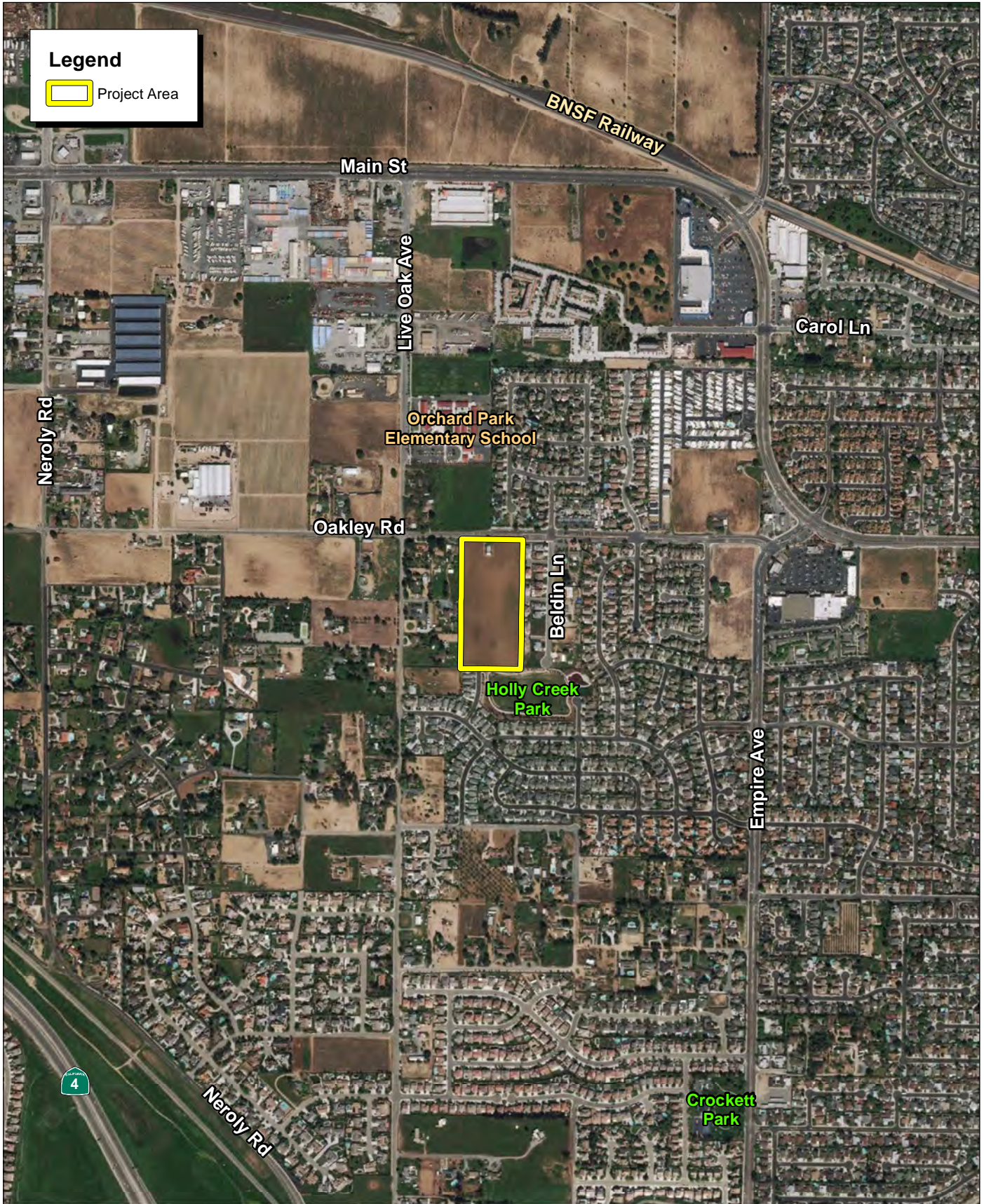
Exhibit 2

FIRSTCARBON
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Local Vicinity Map
Topographic Base

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Source: ESRI Aerial Imagery.

FIRSTCARBON
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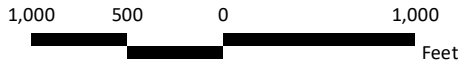


Exhibit 3
Local Vicinity Map
Aerial Base

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SECTION 2: CULTURAL SETTING

The following is a brief overview of the prehistoric and historic background of the general area, which provides context to understand the relevance of resources found in the general project area. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview.

Further details of the San Francisco Bay Area can be found in the ethnographic studies, mission records, and major published sources, including Bennyhoff (1950), Beardsley (1948), Kroeber (1925), Moratto (1984), Chartkoff (1984), and Jones and Klar (2007).

2.1 - Prehistoric Background

In general, archaeological research in the greater San Francisco Bay area has focused on coastal areas, where large shellmounds were relatively easily identified on the landscape. This research and its chronological framework, however, are relevant to and have a bearing on our understanding of prehistory in areas adjacent to the San Francisco Bay, including modern Contra Costa County.

The San Francisco Bay Area supported a dense population of hunter-gatherers over thousands of years, leaving a rich a varied archaeological record. The Bay Area was a place of incredible language diversity, with seven languages spoken at the time of Spanish settlement in 1776. The diverse ecosystem of the bay and surrounding lands supported an average of three to five persons per square mile, but reached 11 persons per square mile in the North Bay. At the time of Spanish contact, the people of the Bay Area were organized into local tribelets that defended fixed territories under independent leaders. Typically, individual Bay Area tribelets included 200 to 400 people distributed among three to five semi-permanent villages, within territories measuring approximately 10 to 12 miles in diameter (Milliken et al. 2007).

Native American occupation and use of the greater Bay Area including the regions comprising Concord and Oakley, extends over 5000-7000 years and may be longer. Early archaeological investigations in central California were conducted at sites located in the Sacramento-San Joaquin Delta region. The first published account documents investigations in the Lodi and Stockton area. The initial archaeological reports typically contained descriptive narratives with more systematic approaches sponsored by Sacramento Junior College in the 1930s. At the same time, University of California at Berkeley excavated several sites in the lower Sacramento Valley and Delta region, which resulted in recognizing archaeological site patterns based on a variation of intersite assemblages. Research during the 1930s identified temporal periods in central California prehistory and provided an initial chronological sequence. In 1939, researcher Jeremiah Lillard of Sacramento Junior College noted that each cultural period led directly to the next and that influences spread from the Delta region to their regions in central California (Lillard and Purves 1936). In the late 1940s and early 1950s, researcher Richard Beardsley of the University of California Berkeley documented similarities in artifacts among sites in the San Francisco Bay region and the Delta and refined his findings into a cultural model that ultimately became known as the Central California Taxonomic System (CCTS). This system proposed a uniform, linear sequence of cultural succession (Beardsley 1948).

To address some of the flaws in the CCTS system, D.A. Fredrickson (1973) introduced a revision that incorporated a system of spatial and cultural integrative units. Fredrickson separated cultural, temporal, and spatial units from each other and assigned them to six chronological periods: Paleo-Indian (10000 to 6000 before Common Era [BCE]; Lower, Middle and Upper Archaic (6000 BCE to 500 Common Era [CE]), and Emergent (Upper and Lower, 500 CE to 1800). The suggested temporal ranges are similar to earlier horizons, which are broad cultural units that can be arranged in a temporal sequence (Fredrickson 1973). In addition, Fredrickson defined several patterns—a general way of life shared within a specific geographical region. These patterns include:

- Windmill Pattern or Early Horizon (3000 to 1000 BCE)
- Berkeley Pattern or Middle Horizon (1000 BCE to 500 CE)
- Augustine Pattern or Late Horizon (500 CE to historic period)

Brief descriptions of these temporal ranges and their unique characteristics follow.

2.1.1 - Windmill Pattern or Early Horizon (3000 to 1000 BCE)

Characterized by the Windmill Pattern, the Early Horizon was centered in the Cosumnes district of the Delta and emphasized hunting rather than gathering, as evidenced by the abundance of projectile points in relation to plant processing tools. Additionally, atlatl, dart, and spear technologies typically included stemmed projectile points of slate and chert but minimal obsidian. The large variety of projectile point types and faunal remains suggests exploitation of numerous types of terrestrial and aquatic species (Bennyhoff 1950). Burials occurred in cemeteries and intra-village graves. These burials typically were ventrally extended, although some dorsal extensions are known with a westerly orientation and a high number of grave goods. Trade networks focused on acquisition of ornamental and ceremonial objects in finished form rather than on raw material. The presence of artifacts made of exotic materials such as quartz, obsidian, and shell indicates an extensive trade network that may represent the arrival of Utian populations into Central California. Also indicative of this period are rectangular *Haliotis* and *Olivella* shell beads, and charmstones that usually were perforated (Ragir 1972).

2.1.2 - Berkeley Pattern or Middle Horizon (1000 BCE to 500 CE)

The Middle Horizon is characterized by the Berkeley Pattern, which displays considerable changes from the Early Horizon. This period exhibited a strong milling technology represented by minimally shaped cobble mortars and pestles, although metates and manos were still used. Dart and atlatl technologies during this period were characterized by non-stemmed projectile points made primarily of obsidian. Fredrickson (1973) suggests that the Berkeley Pattern marked the eastward expansion of Miwok groups from the San Francisco Bay Area. Compared with the Early Horizon, there is a higher proportion of grinding implements at this time, implying an emphasis on plant resources rather than on hunting. Typical burials occurred within the village with flexed positions, variable cardinal orientation, and some cremations. As noted by Lillard, Heizer, and Fenenga, the practice of spreading ground ochre over the burial was common at this time. Grave goods during this period are generally sparse and typically include only utilitarian items and a few ornamental objects. However, objects such as charmstones, quartz crystals, and bone whistles occasionally were present, which suggest the religious or ceremonial significance of the individual (Lillard et al. 1939). During this period, larger populations are suggested

by the number and depth of sites compared with the Windmill Pattern. According to Fredrickson (1973), the Berkeley Pattern reflects gradual expansion or assimilation of different populations rather than sudden population replacement and a gradual shift in economic emphasis.

2.1.3 - Augustine Pattern or Late Horizon (500 CE to Historic Period)

The Late Horizon is characterized by the Augustine Pattern, which represents a shift in the general subsistence pattern. Changes include the introduction of bow and arrow technology; and most importantly, acorns became the predominant food resource. Trade systems expanded to include raw resources as well as finished products. There are more baked clay artifacts and extensive use of Haliotis ornaments of many elaborate shapes and forms. According to Moratto (1984), burial patterns retained the use of flexed burials with variable orientation, but there was a reduction in the use of ochre and widespread evidence of cremation. Judging from the number and types of grave goods associated with the two types of burials, cremation seems to have been reserved for individuals of higher status, whereas other individuals were buried in flexed positions. Johnson (1976) suggests that the Augustine Pattern represents expansion of the Wintuan population from the north, which resulted in combining new traits with those established during the Berkeley Pattern.

Central California research has expanded from an emphasis on defining chronological and cultural units to a more comprehensive look at settlement and subsistence systems. This shift is illustrated by the early use of burials to identify mortuary assemblages and more recent research using osteological data to determine the health of prehistoric populations. Although debate continues over a single model or sequence for Central California, the general framework consisting of three temporal/cultural units is generally accepted, although the identification of regional and local variation is a major goal of current archaeological research.

2.2 - Native American Background

Researchers differ on which Native American group or groups called the area comprising modern Oakley home. The project site may have been within the ethnographic and historic boundaries of a Native American group known as the *Karkin* (*Karquines* or *Tarquines*) of the Ohlone family or possibly the Bay Miwok, part of the Eastern Miwok, who extended to include present-day Walnut Creek.

The eastern Miwok belonged to five separate linguistic and cultural groups, each having a distinctive language and culture. The foremost political unit of the Miwok was the tribelet; an independent and sovereign nation with defined boundaries and control over the natural resources within the boundaries. As noted by Levy (1978), villages are described as headquarters of a localized patrilineage, and this social organization was further prescribed by individual lineage memberships in a moiety. With the notable exceptions of tobacco and dogs, the Eastern Miwok lacked cultivated plants and domesticated animals.

All plant foods were naturally occurring and gathered by hand, the most important of which were the seven varieties of acorn used by the Eastern Miwok people. Acorns were usually allowed to ripen and fall off the tree on their own where they would then be collected in large numbers in burden baskets. The acorns were then shelled, placed on an acorn anvil, and struck with a hammer stone to expose the meats within. These meats were ground into a fine meal using a bedrock mortar and

cobblestone pestle. The meal was then sifted into a tightly coiled basket, and several applications of water were run through the basket to leach the bitter tannin from the meal. Once dry, the meal could be used in the preparation of acorn soup, mush, biscuits, and bread. For this reason, access to acorns, clean moving water, and exposed bedrock was particularly important to the Eastern Miwok. These resources were available in the general project area.

The proposed project site is located to the south of the San Joaquin River and watercourses were often a focus of prehistoric occupation in Central California with Native American groups exploiting a variety of ecological niches. While this area was within an environmentally advantageous area for Native Americans located between the resources of the San Francisco Bay margin and the foothills and nearby creeks, no known ethnographic settlements are known to have been located within or adjacent to the project site.

2.3 - Historical Background

2.3.1 - Spanish Period

The Eastern Miwok were first contacted by the Spanish exploring expeditions of the Sacramento-San Joaquin Valley in the second part of the 18th century. The first Spanish expeditions through the study area were led by Captain Pedro Fages and Father Juan Crespi in 1772. Juan Bautista de Anza also led an expedition in 1776. Expedition campsites have been mapped in the vicinity of Interstate 680, State Route 242, and Willow Pass Road. According to Hart (1987), Spanish colonial policy from 1769-1821 was directed at the founding of presidios, missions, and secular towns, with the land held by the Crown. The depletion of the coastal populations resulted in Spanish missionaries shifting to conversion of the interior peoples. The Bay Miwok were the first of the Eastern Miwok to be missionized, and were generally not willing converts. Mission baptismal records show that Native Americans went to Mission San Francisco de Assisi, founded in 1776, and Mission San Jose, founded in 1797. Their traditional lifeways apparently disappeared by 1810 due to disruption by Euro American diseases, a declining birth rate, and the impact of the mission system. For the most part, the former hunters-gatherers were transformed into agricultural laborers and worked with former neighboring groups such as the Esselen, Yokuts, and Miwok. After secularization of the missions between 1834 and 1836, some Native Americans returned to traditional religious and subsistence practices while others labored on Mexican ranchos. Thus, multi-ethnic Indian communities grew up in and around the area and provided informant testimony to ethnologists from 1878 to 1933 (Hart 1987).

2.3.2 - Mexican Period

The Mexican Period, 1821 to 1848, was marked by secularization and division of mission lands among the *Californios* as land grants, termed ranchos. During this period, Mariano G. Vallejo assumed authority of Sonoma Mission and established a rapport with the Native Americans who were living there. In particular, Vallejo worked closely with Chief Solano, a Patwin who served as Vallejo's spokesperson when problems with Native American tribes arose. The large rancho lands often were worked by Native Americans who were used as forced labor.

Shoup and Milliken state that mission secularization removed the social protection and support on which Native Americans had come to rely. It exposed them to further exploitation by outside interests, often forcing them into a marginal existence as laborers for large ranchos (Shoup and Milliken 1999). Following mission secularization, the Mexican population grew as the Native American population continued to decline. Euro-American settlers began to arrive in California during this period and often married into Mexican families, becoming Mexican citizens, which made them eligible to receive land grants. In 1846, on the eve of the U.S.-Mexican War (1846 to 1848), the estimated population of California was 8,000 non-natives and 10,000 Native Americans. However, these estimates have been debated. Cook suggests the Native American population was 100,000 in 1850; the U.S. Census of 1880 reports the Native American population as 20,385 (Cook 1976).

2.3.3 - American Settlement Period (1848 to 1885)

In 1848, James W. Marshall discovered gold at Coloma in modern-day El Dorado County, which started the gold rush into the region that forever altered the course of California's history. The arrival of thousands of gold seekers in the territory contributed to the exploration and settlement of the entire state. By late 1848, approximately four out of five men in California were gold miners. The gold rush originated along the reaches of the American River and other tributaries to the Sacramento River, and Hangtown, present-day Placerville, became the closest town offering mining supplies and other necessities for the miners in El Dorado County. Gold subsequently was found in the tributaries to the San Joaquin River, which flowed north to join the Sacramento River in the great delta east of San Francisco Bay (Robinson 1948).

By 1864, California's gold rush had essentially ended. The rich surface and river placers were largely exhausted and the miners either returned to their homelands or stayed to start new lives in California. After the gold rush, people in towns such as Jackson, Placerville, and Sonora turned to other means of commerce, such as ranching, agriculture, and timber production. With the decline of gold mining, agriculture and ranching came to the forefront in the State's economy. California's natural resources and moderate climate proved well suited for cultivation of a variety of fruits, nuts, vegetables, and grains (Beck and Haase 1974).

2.3.4 - History of Contra Costa County and the City of Oakley

The east side of San Francisco Bay, directly across from the City of San Francisco, became known as the "opposite coast" (or *contra costa*) by the Spanish. The county was formed in December of 1849 and is one of the original 27 California counties, with the county seat at Martinez (Hoover et al. 2002). Contra Costa County, like much of California, was seen as a land of economic opportunity, not just for its mining resources but also for its productive land where farmers could cultivate a variety of crops. Agriculture became important in the California economy in the late 1850s, and through to the 1860s, homesteading became a means by which people could own and operate a family farm. The decidedly agricultural focus also underpins the historical significance of the Spanish colonial and Mexican era of land grants. As early as 1882, special interests advertised the County's virtues as a place to cultivate. Early settlers began to speak of beneficial soils that support a range of crops—pears, prunes, peaches, almonds, walnuts and grapes flourished—with seasonal rainfall, and favorable climates. In addition, Contra Costa County is strategically located at crossing of trade routes with a waterfront location and relative closeness to the San Francisco metropolis. Large-scale

commercial operations began to capitalize on mechanical innovations just as irrigation developed in the early 1880s. Consequently, competing economic interests caused land prices to increase and make family farming a less profitable enterprise.

During the 1960s and 1970s, the community of Oakley evolved from an agricultural based community to a suburban residential community east of San Francisco. The establishment of large population centers fostered the development of equally large shopping centers. To meet demand on infrastructure, the State modernized highways and roadways, and with the establishment of the Bay Area Rapid Transit (BART) system (west of the project site), cities like Oakley continued to grow at an exponential rate. Today, the City continues to expand and planned developments intended to provide housing and services for the ever-growing Bay Area tech economy.

SECTION 3: RESULTS

3.1 - Record Search

3.1.1 - Information Center Search

On January 4, 2019, a records search for the project area and a 0.5-mile radius beyond the project boundaries was conducted at the NWIC. To identify any historic properties or resources, the current inventories of the NRHP, the CRHR, the California Historical Landmarks list, the California Points of Historical Interest list, and the California State Historic Resources Inventory were reviewed to determine the existence of previously documented local historical resources. Results from the NWIC indicate that one resource has been recorded within 0.5 mile of the project area (Table 1). In addition, 27 area-specific survey reports are on file with the NWIC for the search radius suggesting the project location has been previously surveyed for cultural resources (Table 2).

Table 1: Recorded Cultural Resources within a 0.50-mile Radius of the Project Area

Site Number	Resource Name/Description	Date Recorded
P-07-002697	5471 Live Oak Avenue; Other—Map No. 7 HP16	2004

Table 2: Previous Investigations within a 0.50-mile Radius of the Project Area

Report Number	Author/Date	Report Title/Description
S-010040	1988: Allan Bramlette, Mary Praetzellis, Adrian Praetzellis, and David A. Fredrickson	Archaeological and Historical Resources Within the Los Vaqueros/Kellogg Study Area, Contra Costa and Alameda Counties, California
S-010040a	1991: Allan G. Bramlette, Mary Praetzellis, Adrian Praetzellis, Katherine M. Dowdall, Patrick Brunmeier, and David A. Fredrickson	Archaeological Resources Inventory for Los Vaqueros Water Conveyance Alignments, Contra Costa County, California
S-010770	1989: Robert M. Harmon, Donna M. Garaventa, and Angela M. Banet	Cultural Resources Assessment of the Bedford Estates Subdivision #7090, Oakley, Contra Costa County, California
S-011385	1990: Suzanne Baker and Michael Smith	Archaeological Reconnaissance of the Highway 4 Widening Project Near Oakley, Contra Costa County, California
S-011826	1980: Dorothea J. Theodoratus, Mary Pyle Peters, Clinton M. Blount, Pamela J. McGuire, Richard D. Ambro, Michael Crist, Billy J. Peck, and Myrna Saxe	Montezuma I and II Cultural Resources

Table 2 (cont.): Previous Investigations within a 0.50-mile Radius of the Project Area

Report Number	Author/Date	Report Title/Description
S-018440	1996: G. James West and Patrick Welch	Class II Archaeological Survey of the Contra Costa Canal, Contra Costa County, California
S-019352	1997: Ronald D. Hunt	Confidential Archaeological Addendum for Timber Operations on Non-Federal Lands in California, Scotia Pacific C7 THP (California Department of Forestry)
S-022307	1999: Suzanne Baker	Archaeological Reconnaissance of the NWC Highway 4 Project, Oakley, California
S-023674	1994: Michael J. Moratto, Richard M. Pettigrew, Barry A. Price, Lester A. Ross, Randall F. Schalk, Rick Atwell, Andrew Bailey, Gary Bowyer, Robert U. Bryson, Tim Canaday, Dianne Gardner, William Hildebrandt, Kurt T. Katsura, Clayton G. Lebow, Pat Mikkelsen, Scott Mumma, Lynda Sekora, Nancy D. Sharp, Craig Skinner, Lou Ann Speulda, Sharon Waechter, and Judith A. Willig	Archaeological Investigations, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California: Volume 1 Project Overview, Research Design and Archaeological Inventory
S-023674a	1995: William R. Hildebrandt, Patrica J. Mikkelsen, Amy G. Gilreath, Sharon A. Waechter, John E. Berg, Paul D. Bouey, C. Kristina Roper, Randall T. Milliken, Ricky G. Atwell, Andrew J. Bailey, Kelly McGuire, Clayton G. Lebow, Kurt T. Katsura, and Jill Onken	Volume IIC, Book 1 and 2 Summary Reports: Prehistoric Sites, California
S-023674b	1995: Gary C. Bowyer, Lou Ann Speulda, Lynda J. Sekora, Lester A. Ross, Andrew J. Bailey, David Conca, Fred Crisson, David De Vries, Charles M. Hodges, Michael Ostrogorsky, Nancy Renk, and David G. Weatherby	Volume III Summary Reports: Historic Sites, Archaeological Investigations, PGT—PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California
S-023674c	1995: Ricky G. Atwell, William R. Hildebrandt, Clayton G. Lebow, Patricia Mikkelsen, Michael J. Moratto, Richard M. Pettigrew, Lester A. Ross, Randall F. Schalk, Lynda J. Sekora, Lou Ann Speulda, Gary C. Bowyer, Charles M. Hodges, Deborah Jones, Michael Ostrogorsky, and Nancy D. Sharp	Volume IV Synthesis of Findings: Archaeological Investigations, PGT—PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California
S-023674d	1995: Robert U. Bryson, Craig E. Skinner, Richard M. Pettigrew, Kenneth R. Bethard, Gary C. Bowyer, Catherine S. Fowler, Amy J. Gilreath, Douglas R. Harro, Williams R. Hildebrandt, Sally Ishikawa, Patricia Mikkelsen, Janet M. Mitchell, Michael J. Moratto, Scott Mumma, Margaret Newman, Kathryn Puseman, Matthen J. Root, Linda Scott-Cummings, Nancy D. Sharp, Nancy A.	Volume V Technical Studies: Archaeological Investigations, PGT-P&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California

Table 2 (cont.): Previous Investigations within a 0.50-mile Radius of the Project Area

Report Number	Author/Date	Report Title/Description
	Stenholm, Gerald Upshaw, Philip R. Watson, and Eric Wohlgemuth	
S-023674e	1995: Richard M. Pettigrew, Sandra Barnes, Janet M. Mitchell, Patricia Mikkelsen, and William Hildebrandt	Volume V Technical Studies Appendices Book 1-3: Archaeological Investigations, PGT—PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California
S-023674f	1994: Sharon Waechter, Jill Onken, Amy Gilreath, Paul D. Bouey, Eric Wohlgemuth, and Nancy D. Sharp	37.0 Site CA-CCO-368
S-023674g	1992: C. Kristina Roper and Barry A. Price	36.0 Site CA-SOL-348
S-030624	2005: Barbra Siskin	Historical Resources Compliance Report, State Route 4/Main Street between SR 160 and Big Break Road in Oakley, 04-CC-4, KP 50.1/50.2, PM 31.1/32.3, 04-275-2A17000
S-030624a	2005: Madeline R. Bowen	Historical Resources Evaluation Report Main Street (State Route 4) Widening from State Route 160 to Big Break City of Oakley, California Caltrans District 4, Contra Costa County
S-034083	2007: Scott Billat	New Tower (“NT”) Submission Packet, FCC Form 620, Horizon Sand Blaster, SF-17030B
S-034660	2007: Sarah Farley and Carolyn Losee	New Tower (“NT”) Submission Packet, FCC Form 620, Horizon Tower, LLC, Oakley, CA-2009/EBI #61071610
S-034660a	2007: Carolyn Losee	Cultural Resources Analysis for Horizon Tower, LLC Site #CA-2009: Live Oak Avenue and Main Street, Oakley, CA (letter)
S-036213	2009: Carolyn Losee	Cultural Resources Investigation for AT&T Wireless Site #CN4777-B, “Oakley Road” 2535 Main Street, Oakley, Contra Costa County, California 94561
S-046889	2011: Sean Dexter and Armando A Cuellar	Pacific Gas and Electric Lines 114 and 191 Replacement Project, Archaeological Survey Report, Contra Costa County, California
S-046889a	2014: Stephanie Cimino, Kim Carpenter, and Jack Meyer	Supplemental Cultural Resources Inventory, Pacific Gas & Electric Company, Line 114 and 191 Pipeline Replacement Project, Contra Costa County, California
S-046889B	2014: Carol Roland-Nawi and Anastasia T. Leigh	BUR_2014_0827_001; PG&E Line 114 Safety Enhancement Project, Contra Costa County, CA (14-SCAO-189); PG&E Order #30897880

Table 2 (cont.): Previous Investigations within a 0.50-mile Radius of the Project Area

Report Number	Author/Date	Report Title/Description
S-049306	2016	Historic and Cultural Resources Evaluation-Historic Resources Evaluation for Section 106 Review, Oak Creek Apartments
S-049306a	2016: Marisa D.C. Fogal and Julianne Polanco	HUD_2016_0919_001, Construction of Multifamily Housing of 51 Carol Lane, Oakley
Source: NWIC Record Search, January 4, 2019		

3.1.2 - Historic Aerials

A review of 13 historic aerials depicting the project site from 1949 until 2014 indicate that from the earliest aerial in 1949 until 1993 the project site, as well as the surrounding general land area, has been used for agricultural purposes. Additionally, the 1949 image depicts one residential structure (2371 Oakley Road) in the northern portion of the project site. It is known that the residential property and the associated land belonged to the Gonsalves family. Sometime between 1979 and 1993 the area became more urbanized and residential development was prevalent throughout the area surrounding the project site. Aerials from 1993 to 2014 exhibit the progressive development of the area.

3.1.3 - Paleontological Record Search

On January 4, 2019, Consulting Paleontologist Dr. Kenneth L. Finger performed a records search on the UCMP database for the project site in Contra Costa County. According to the geologic map by Helley and Graymer (1997), the surface of the area of the project site is located entirely on Holocene-Pleistocene dune deposits (Qds). Pleistocene deposits, if found, have the potential to yield significant paleontological resources. The UCMP database concentrated on the Pleistocene of Contra Costa County. As a result, there are 63 localities of the Riverbank Formation and 114 vertebrate specimens, of which there are 14 in the Montezuma Formation and one in the Rodeo Formation. There are no plant localities and the other 48 localities are not assigned to a geologic unit. The locality V87047 Big Break, contains two specimens of pronghorn (*Antilocapra*) is northeast and 1 mile past the search radius of the project area. There are 9,927 specimens (95 species) in the County and they are all assigned to the late Pleistocene Rancholabrean NALMS. The 95 species identified comprises of jackrabbit (*Lepus*), alligator lizard (*Elgaria*), arboreal salamander (*Aneides lugubris*), and pintail duck (*Anas acuta*). A copy of Dr. Finger's report can be found in Appendix D.

3.1.4 - Native American Heritage Commission Record Search

On December 20, 2018, FCS sent a letter to the NAHC in an effort to determine whether any sacred sites are listed on its Sacred Lands File for the project area. A response was received on January 8, 2019, indicating that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC included a list of six tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential

TCRs that may be affected by the project are addressed, a letter containing project information and requesting any additional information was sent to each tribal representative on February 21, 2019. No responses have been received to date.

3.2 - Pedestrian Survey

FCS Senior Archaeologist, Dana DePietro, PhD, RPA, surveyed the project site on January 9, 2019. The project area consists of a single parcel of land that contains vineyards and a single residence. The site is bordered by Oakley Road and a residential neighborhood to the north, residential homes along Beldin Lane to the east, Holly Creek Park to the south, and residential homes along Stacy Lane to the west. The project site was surveyed using standard 15-meter transects moving north-south parallel to vine plantings across the site whenever possible. Visible soils consisted of light tan sandy soils interspersed with small water-worn stones (3 to 5 cm) composed of schist, quartz, and basalt. Overall ground visibility was fair, ranging from 70 to 80 percent across the site. Soils in sections of poor visibility were intermittently inspected using a hand trowel.

No prehistoric resources or materials used in the production of said resources (e.g., obsidian, Franciscan chert) were observed during the course of the pedestrian survey. The single residence located in the north of the parcel was found to be over 45 years old and therefore required an assessment of its historic significance and eligibility for listing on the CRHR.

3.2.1 - The Residence at 2371 Oakley Road

The residence located at 2371 Oakley Road lies within the project area, is over 45 years old, and has not previously been evaluated for historic significance. The building was evaluated relative to the four CRHR eligibility criteria:

- Criterion 1: Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- Criterion 2: Associated with the lives of persons important to local, California, or national history.
- Criterion 3: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.
- Criterion 4: Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

In brief, the residence does not appear to qualify for the CRHR under any of the above criteria. Therefore, the building should not be considered historic resource under CEQA, or eligible for any local listings.

Building Description and CRHR Evaluation

The subject property is a circa 1949, 1-story, symmetrical, rectangular-shaped, contemporary-style, single-family residence located in a rural residential neighborhood in the City of Oakley. The building, which appears to be in good condition, is accessed by a double-doored main entrance set on the northern facing façade of the residence. The western façade contains a second entrance flanked by

two small single-lite double-hung windows, along with three very large and distinctive aluminum framed 16-lite windows that run the length of the façade. A fourth 16-lite window is set into the north-facing façade of the building. The building appears to have a concrete foundation, cream painted exterior with dark red trim, and a low-pitched gabled roof with small eaves that wrap around the entire structure. The roof beams are exposed and wall cladding uses a combination of stucco and brick, consistent with the gabled sub-type of the contemporary style that was a common architectural style from 1940–1980. Additional windows on the building vary in size, shape, and placement, but are primarily aluminum framed, rectangular-shaped, and double-hung. The roof is clad in grey asphalt shingling, and a large brick chimney is set into the home's eastern-facing façade.

A detached garage clad in aluminum siding and topped with an aluminum roof is to the immediate south of the building and appears to be a recent addition. The property has limited landscaping in the form of a small front lawn with a concrete walkway, and an earthen driveway that runs along the western side of the residence and garage. Some of the original windows appear to have been replaced; however, no other major exterior alterations were noted aside from the addition of the garage (Appendix A: Photograph 6).

CRHR and Local Listing Eligibility Evaluation

The residence at 2371 Oakley Road is part of the overall agricultural development and increased urbanization of the area immediately following World War II. This was due in part to satisfy the enormous postwar demand for new housing, and the continuing development of Oakley's viticulture industry that began in the late 1800s. The subject property is therefore part of that process of postwar transition and growth in the area, but does not meet Criterion 1: Event, as it is one of many unremarkable examples of small-scale, residential buildings from the period.

The building is associated with Marion and Manuel Gonsalves, who immigrated to Oakley from the Madira Islands in 1938. The property is also associated with Ruth and Steven Gonsalves, and Marianne and Steven Harder. These individuals were thoroughly researched at the Contra Costa Records Office, archives at the Contra Costa Historical Society, and through a search of the California Digital Newspaper Collection. The relative absence of these individuals from published accounts of the history of the City of Oakley indicates that they did not achieve a level of historic importance for the property to be considered eligible under Criterion 2: Person.

The residence, built by unknown architects, displays many features of the gabled contemporary style: a low-pitched roof, close-cropped eaves with exposed rafters, modern elements such as the large 16-lite windows, and a combination of brick and stucco cladding (McAlester and McAlester 2004). The residence is a standard, undistinguished example of common construction design and techniques from the immediate postwar period, and appears to have been renovated in recent years with some minor modifications made to the original design including the addition of a garage. As such, the building does not appear to be eligible for listing on the CRHR under Criteria 3: Architecture.

Criterion 4: Information Potential, is most often used to evaluate archaeological sites or buildings that employ unusual building techniques. There is no evidence that the building in question exhibits any unusual construction features, or has the ability to contribute significant information to the overall history of Oakley.

Therefore, the residence at 2371 Oakley Road does not appear to meet any of the criteria for historic and/or architectural significance required for listing on the CRHR. As such, it should not be considered a historical resource under CEQA. The building also does not appear to possess sufficient artistic merit or historical association to meet a local standard for historical importance. No analysis of integrity is required where the property fails to meet all four criteria. California Department of Parks and Recreation (DPR) recordation forms were prepared for the residence and can be found in Appendix E.

SECTION 4: SUMMARY AND RECOMMENDATIONS

4.1 - Summary

In accordance with CEQA regulations, FCS assessed the effects of development for the proposed project site. Results from the NWIC indicate that one resource is on file for the search radius. In addition, 27 area-specific survey reports are on file with the NWIC for the search radius suggesting the project area has largely been previously surveyed for cultural resources. The results of the subsequent field survey were negative for additional cultural resources, as were the results of the NAHC Sacred Lands File search and subsequent correspondence with Native American representatives regarding potential TRCs that may be adversely affected by the proposed project.

The paleontological report identified the site as consisting entirely of Holocene-Pleistocene dune deposits (Qds). Pleistocene deposits, if found, have the potential to yield significant paleontological resources. The UCMP database records Pleistocene vertebrate localities in Contra Costa County: 63 localities of the Riverbank Formation and 114 vertebrate specimens, of which there are 14 in the Montezuma Formation and one in the Rodeo Formation, and 95 species and 9,927 specimens are assigned to the Late Pleistocene RanchoLabrean NALMS.

4.2 - Recommendations

4.2.1 - Cultural and Paleontological Resource Recommendations

Based on the results of the records searches, Native American correspondence, and pedestrian survey, FCS considers the potential for the project to have an adverse effect on historic or prehistoric cultural resources to be low. One recorded historic-era resource has been recorded within a 0.5-mile radius of the project site, and one potentially eligible historic resource was observed within the site boundaries over the course of the pedestrian survey. However, the residential property did not meet the CRHR criteria and was determined ineligible for the listing at the State or local level. As a result, the site is considered to have low sensitivity for undiscovered cultural resources. Full-time archaeological monitoring is not recommended at this time.

The paleontological potential of Quaternary (Holocene-Pleistocene) Dune Sand deposits is moderate in view of the fact that Pleistocene deposits have the potential to yield significant specimens. A walkover survey is not recommended at this time due to surface being disturbed; Paleontological monitoring is recommended during project excavation in the event that Pleistocene or older deposits may be present in the subsurface of the project area. These deposits most commonly yield late Pleistocene vertebrates. Should any vertebrate fossils be discovered on the site, all work in the vicinity of the find should be diverted until the monitor or paleontologist has evaluated the find and, if deemed appropriate, salvage it for deposition in an appropriate repository such as the UCMP.

Additional procedures for the inadvertent discoveries of human remains and cultural resources are provided below.

4.3 - Inadvertent Discovery Procedures

4.3.1 - Accidental Discovery of Cultural Resources

It is always possible that ground-disturbing activities during construction may uncover previously unknown, buried cultural resources. In the event that buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist and shall make recommendations to the lead agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate DPR forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the lead agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the lead agency where they would be afforded long-term preservation to allow future scientific study.

In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project Site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Oakley, the Northwest Information Center, and the State Historic Preservation Office, as required.

4.3.2 - Accidental Discovery of Human Remains

In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94, and Section 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the Contra Costa County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, 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.
2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:
 - The NAHC is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission.
 - The descendant identified fails to make a recommendation.
 - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

- When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

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SECTION 5: REFERENCES

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Appendix A:
Pedestrian Survey Photographs

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Photograph 1: View of the project site from the southeast corner; facing northwest.



Photograph 2: View of the project site from the southwest corner; facing northeast.



Photograph 3: View of the project area from the northwest corner; facing southeast.



Photograph 4: View of the project area from the northeast corner; facing southwest.



Photograph 5: View of soil composition and visibility within the project area.



Photograph 6: View of 2371 Oakley Road; facing south.

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Appendix B:
NWIC Record Search Results

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Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
S-010040	Voided - S-13256	1988	Allan Bramlette, Mary Praetzellis, Adrian Praetzellis, and David A. Fredrickson	Archaeological and Historical Resources Within the Los Vaqueros/Kellogg Study Area, Contra Costa and Alameda Counties, California	Anthropological Studies Center, Sonoma State University	01-000218, 07-000090, 07-000212, 07-000219, 07-000227, 07-000314, 07-000315, 07-000317, 07-000324, 07-000325, 07-000326, 07-000327, 07-000328, 07-000329, 07-000330, 07-000331, 07-000332, 07-000333, 07-000334, 07-000335, 07-000336, 07-000337, 07-000338, 07-000339, 07-000385, 07-000386, 07-000387, 07-000388, 07-000389, 07-000390, 07-000391, 07-000392, 07-000393, 07-000394, 07-000395, 07-000396, 07-000397, 07-002914
S-010040a		1991	Allan G. Bramlette, Mary Praetzellis, Adrian Praetzellis, Katherine M. Dowdall, Patrick Brunmeier, and David A. Fredrickson	Archaeological Resources Inventory for Los Vaqueros Water Conveyance Alignments, Contra Costa County, California	Anthropological Studies Center, Sonoma State University	
S-010770		1989	Robert M. Harmon, Donna M. Garaventa, and Angela M. Banet	Cultural Resources Assessment of the Bedford Estates Subdivision #7090, Oakley, Contra Costa County, California		
S-011385		1990	Suzanne Baker and Michael Smith	Archaeological Reconnaissance of the Highway 4 Widening Project Near Oakley, Contra Costa County, California	Archaeological/Historical Consultants	
S-011826		1980	Dorothea J. Theodoratus, Mary Pyle Peters, Clinton M. Blount, Pamela J. McGuire, Richard D. Ambro, Michael Crist, Billy J. Peck, and Myrna Saxe	Montezuma I and II Cultural Resources	Theodoratus Cultural Research; Archaeological and Environmental Services	48-000041, 48-000042, 48-000123, 48-000124, 48-000125, 48-000126, 48-000127, 48-000128, 48-000129, 48-000130, 48-000131, 48-000132, 48-000133, 48-000134, 48-000135, 48-000136, 48-000137, 48-000138, 48-000139, 48-000140, 48-000141, 48-000142, 48-000199
S-018440		1996	G. James West and Patrick Welch	Class II Archaeological Survey of the Contra Costa Canal, Contra Costa County, California	U.S. Bureau of Reclamation, Mid-Pacific Region	07-002695
S-019352		1997	Ronald D. Hunt	Confidential Archaeological Addendum for Timber Operations on Non-Federal Lands in California, Scotia Pacific C7 THP (California Department of Forestry)	Hunt Surveying and Forestry	12-002127
S-022307		1999	Suzanne Baker	Archaeological Reconnaissance of the NWC Highway 4 Project, Oakley, California	Archaeological/Historical Consultants	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
S-023674		1994	Michael J. Moratto, Richard M. Pettigrew, Barry A. Price, Lester A. Ross, Randall F. Schalk, Rick Atwell, Andrew Bailey, Gary Bowyer, Robert U. Bryson, Tim Canaday, Dianne Gardner, William Hildebrandt, Kurt T. Katsura, Clayton G. Lebow, Pat Mikkelsen, Scott Mumma, Lynda Sekora, Nancy D. Sharp, Craig Skinner, Lou Ann Speulda, Sharon Waechter, and Judith A. Willig	Archaeological Investigations, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California: Volume 1 Project Overview, Research Design and Archaeological Inventory	INFOTEC Research, Inc., Far Western Anthropological Research Group, Inc.	06-000183, 06-000184, 06-000228, 06-000229, 06-000242, 07-000080, 07-000383, 07-000412, 07-000413, 07-000721, 48-000402, 57-000130, 57-000192, 57-000193
S-023674a		1995	William R. Hildebrandt, Patrica J. Mikkelsen, Amy G. Gilreath, Sharon A. Waechter, John E. Berg, Paul D. Bouey, C. Kristina Roper, Randall T. Milliken, Ricky G. Atwell, Andrew J. Bailey, Kelly McGuire, Clayton G. Lebow, Kurt T. Katsura, and Jill Onken	Volume IIC, Book 1 and 2 Summary Reports: Prehistoric Sites, California	INFOTEC Research Inc. and Far Western Anthropological Research Group Inc.	
S-023674b		1995	Gary C. Bowyer, Lou Ann Speulda, Lynda J. Sekora, Lester A. Ross, Andrew J. Bailey, David Conca, Fred Crisson, David De Vries, Charles M. Hodges, Michael Ostrogorsky, Nancy Renk, and David G. Weatherby	Volume III Summary Reports: Historic Sites, Archaeological Investigations, PGT- PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California	INFOTEC Research Inc.	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
S-023674c		1995	Ricky G. Atwell, William R. Hildebrant, Clayton G. Lebow, Patricia Mikkelsen, Michael J. Moratto, Richard M. Pettigrew, Lester A. Ross, Randall F. Schalk, Lynda J. Sekora, Lou Ann Speulda, Gary C. Bowyer, Charles M. Hodges, Deborah Jones, Michael Ostrogorsky, and Nancy D. Sharp	Volume IV Synthesis of Findings: Archaeological Investigations, PGT- PG&E Pipeline Expansion Project, Idaho, Washington, Orgeon, and California	INFOTEC Research Inc. and Far western Anthropolical Research Group Inc.	
S-023674d		1995	Robert U. Bryson, Craig E. Skinner, Richard M. Pettigrew, Kenneth R. Bethard, Gary C. Bowyer, Catherine S. Fowler, Amy J. Gilreath, Douglas R. Harro, Williams R. Hildebrandt, Sally Ishikawa, Patricia Mikkelsen, Janet M. Mitchell, Michael J. Moratto, Scott Mumma, Margaret Newman, Kathryn Puseman, Matthen J. Root, Linda Scott-Cummings, Nancy D. Sharp, Nancy A. Stenholm, Gerald Upshaw, Philip R. Watson, and Eric Wohlgemuth	Volume V Technical Studies: Archaeological Investigations, PGT-P&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California	INFOTEC Research Inc. and Far Western Anthropological Research Group Inc.	
S-023674e		1995	Richard M. Pettigrew, Sandra Barnes, Janet M. Mitchell, Patricia Mikkelsen, and William Hildebrandt	Volume V Technical Studies Appendices Book 1-3: Archaeological Investigations, PGT- PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California	INFOTEC Research Inc. and Far Western Anthropological Research Group	
S-023674f		1994	Sharon Waechter*, Jill Onken**, Amy Gilreath*, Paul D. Bouey*, Eric Wohlgemuth*, and Nancy D. Sharp**	37.0 Site CA-CCO-368	*Far Western Anthropological Research Group, Inc.; **INFOTEC Research, Inc.	

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Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
S-023674g		1992	C.Kristina Roper and Barry A. Price	36.0 Site CA-SOL-348	INFOTEC Research, Inc	
S-030624	Caltrans - 04-275-2A17000	2005	Barbra Siskin	Historical Resources Compliance Report, State Route 4/Main Street between SR 160 and Big Break Road in Oakley, 04-CC-4, KP 50.1/50.2, PM 31.1/32.3, 04-275-2A17000	Jones & Stokes	07-002697, 07-002698, 07-002699, 07-002700, 07-002701, 07-002702, 07-002703
S-030624a		2005	Madeline R. Bowen	Historical Resources Evaluation Report Main Street (State Route 4) Widening from State Route 160 to Big Break City of Oakley, California Caltrans District 4, Contra Costa County	Jones & Stokes	
S-034083	Other - SF-17030B	2007	Scott Billat	New Tower ("NT") Submission Packet, FCC Form 620, Horizon Sand Blaster, SF-17030B	Earth Touch, Inc.	
S-034660		2007	Sarah Farley and Carolyn Losee	New Tower ("NT") Submission Packet, FCC Form 620, Horizon Tower, LLC, Oakley, CA-2009 / EBI #61071610	EBI Consulting; Archaeological Resources Technology	
S-034660a		2007	Carolyn Losee	Cultural Resources Analysis for Horizon Tower, LLC Site #CA-2009: Live Oak Avenue and Main Street, Oakley, CA (letter	Archaeological Resources Technology	
S-036213		2009	Carolyn Losee	Cultural Resources Investigation for AT&T Wireless Site #CN4777-B, "Oakley Road", 2535 Main Street, Oakley, Contra Costa County, California 94561	Archaeological Resources Technology	
S-046889	OHP PRN - BUR_2014_0827_001	2011	Sean Dexter and Armando A Cuellar	Pacific Gas and Electric Lines 114 and 191 Replacement Project, Archaeological Survey Report, Contra Costa County, California	Condor Country Consulting, Inc.	07-000806, 07-000813, 07-002614, 07-002695, 07-002789, 07-002914
S-046889a		2014	Stephanie Cimino, Kim Carpenter, and Jack Meyer	Supplemental Cultural Resources Inventory, Pacific Gas & Electric Company, Line 114 and 191 Pipeline Replacement Project, Contra Costa County, California	PG&E	
S-046889B		2014	Carol Roland-Nawi and Anastasia T. Leigh	BUR_2014_0827_001; PG&E Line 114 Safety Enhancement Project, Contra Costa County, CA (14-SCAO-189); PG&E Order #30897880	Office of Historic Preservation; Bureau of Reclamation	
S-049306	OTIS Report Number - HUD_2016_0919_001	2016		Historic and Cultural Resources Evaluation-Historic Resources Evaluation for Section 106 Review, Oak Creek Apartments	AEM Consulting	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
S-049306a		2016	Marisa D.C. Fogal and Julianne Polanco	HUD_2016_0919_001, Consturction of Multifamily Housing of 51 Carol Lane, Oakley	California Housing Finance Agency; Office of Historic Preservation	

Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-07-002697		Resource Name - 5471 Live Oak Avenue; Other - Map #7	Building	Historic	HP16	2004 (M. Bowen, Jones & Stokes)	S-030624

Appendix C:
NAHC and Native American Correspondence

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**C.1 - Native American Heritage Commission
Sacred Lands File Search**

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NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: (916) 373-3710
Website: <http://www.nahc.ca.gov>



January 8, 2019

Dana DePietro
FCS Intl.

Sent by Email: ddepietro@fcs-intl.com

RE: Oakley II Gonsalves Project, Brentwood, Contra Costa County

Dear Mr. DePietro:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. **The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area.** Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. **By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe.** If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information. If you have any questions or need additional information, please contact me at my email address: Sharaya.Souza@NAHC.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharaya Souza'.

Sharaya Souza
Analyst

Attachment

**Native American Heritage Commission
Native American Contacts List
1/7/2019**

Amah Mutsun Tribal Band of Mission San Juan Bautista Irene Zwieler, Chairperson 789 Canada Road Woodside, CA 94062 amahmutsuntribal@gmail.com (650) 851-7489 Cell (650) 332-1526 Fax	Ohlone/Costanoan	Wilton Rancheria Raymond Hitchcock, Chairperson 9728 Kent Street Elk Grove, CA 95624 rhitchcock@wiltonrancheria-nsn.gov (916) 683-6000 Office (916) 683-6015 Fax	Miwok
--	------------------	--	-------

Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister, CA 95024 ams@indiancanyon.org (831) 637-4238	Ohlone/Costanoan
---	------------------

Muwekma Ohlone Indian Tribe of the SF Bay Area Charlene Nijmeh, Chairperson 20885 Redwood Road, Suite 232 Castro Valley, CA 94546 cnihmeh@muwekma.org (408) 464-2892 (408) 205-9714	Ohlone / Costanoan
---	--------------------

North Valley Yokuts Tribe Katherine Erolinda Perez, Chairperson P.O. Box 717 Linden, CA 95236 canutes@verizon.net (209) 887-3415	Ohlone/Costanoan Northern Valley Yokuts Bay Miwok
---	---

The Ohlone Indian Tribe Andrew Galvan P.O. Box 3388 Fremont, CA 94539 chochenyo@AOL.com (510) 882-0527 Cell (510) 687-9393 Fax	Ohlone/Costanoan Bay Miwok Plains Miwok Patwin
--	---

This list is current 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 Resources Code, or Section 5097.98 of the Public Resources Code.

**This list is only applicable for contacting local Native American Tribes for the proposed:
Oakley II Gonsalves Project, Brentwood, Contra Costa County.**

C.2 - Native American Information Request Letters

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February 21, 2019

Irenne Zwierlein, Chairperson
Amah Mutsun Tribal Band of Mission San Juan Bautista
789 Canada Road
Woodside, CA 94062

Subject: Proposed 2371 Oakley Road Project

Dear Irenne Zwierlein:

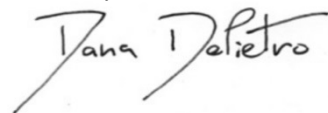
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As part of the cultural resources assessment, FCS conducted a Sacred Lands File search and a California Historical Resources Information System (CHRIS) search, neither of which produced results. FCS contacted the Native American Heritage Commission (NAHC), and they suggested you might be able to provide further information. If you have any additional information regarding potential historic or cultural resources in proximity or relation to the proposed project area, we would greatly appreciate your input.

Please note that this letter is a request for information pertaining to a cultural resources assessment and is not notification of a project under Senate Bill (SB) 18, Assembly Bill (AB) 52 or Section 106 of the National Historic Preservation Act. Project notification and consultation requirements are being handled by designated lead agencies under CEQA and NEPA. Please feel free to contact me at 925.357.2562 or via email at ddepietro@fcs-intl.com and thank you for your valuable assistance.

Sincerely,



Dana Douglas DePietro, Ph.D.
Senior Scientist, Archaeology
FirstCarbon Solutions

UNITED STATES

Irvine
250 Commerce, Suite 250
Irvine, CA 92602

Pasadena
16 N. Marengo Avenue, Suite 303
Pasadena, CA 91101

Bay Area
1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

Central Valley
7265 N First Street, Suite 101
Fresno, CA 93720

Inland Empire
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San Bernardino, CA 92408

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AFRICA

Kenya
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ADEC Kenya Services EPZ Ltd.
Nairobi, Kenya

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Fax: +63 (2) 775.0632 local 8050
26th Floor, Philippine AXA Life Centre,
Sen. Gil Puyat Avenue,
Makati City, Metro Manila

Malaysia
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72A Jalan Universiti
46200 Petaling Jaya

1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

Enc: Attachment A: Project location map for the 2371 Oakley Road Project

February 21, 2019

Ann Marie Sayers, Chairperson
Indian Canyon Mutsun Band of Costanoan
P.O. Box 28
Hollister, CA 95024

Subject: Proposed 2371 Oakley Road Project

Dear Ann Marie Sayers:

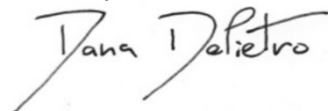
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Please note that this letter is a request for information pertaining to a cultural resources assessment and is not notification of a project under Senate Bill (SB) 18, Assembly Bill (AB) 52 or Section 106 of the National Historic Preservation Act. Project notification and consultation requirements are being handled by designated lead agencies under CEQA and NEPA. Please feel free to contact me at 925.357.2562 or via email at ddepietro@fcs-intl.com and thank you for your valuable assistance.

Sincerely,



Dana Douglas DePietro, Ph.D.
Senior Scientist, Archaeology
FirstCarbon Solutions

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1350 Treat Boulevard, Suite 380
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Enc: Attachment A: Project location map for the 2371 Oakley Road Project

February 21, 2019

Charlene Nijmeh, Chairperson
Muwekma Ohlone Indian Tribe of the SF Bay Area
20885 Redwood Road, Suite 232
Castro Valley, CA 94546

Subject: Proposed 2371 Oakley Road Project

Dear Charlene Nijmeh:

FirstCarbon Solutions (FCS) is preparing a Phase I Cultural Resource Assessment for the proposed Oakley Project on behalf of the City of Oakley. As part of the environmental review process, we are conducting a cultural analysis.

The project applicant is proposing to develop a 68-unit subdivision located on a single parcel at 2371 Oakley Road, Oakley, CA. The site consists of the undeveloped land located in the City of Oakley, California. The site is surrounded by residential properties, Holy Creek Park to the south, and Beldin Lane to the east. The NWIC record search and pedestrian survey failed to identify any archaeological resources in the project site or within 0.5-mile search radius. A Records Search map of the site is enclosed for your reference. The surrounding area is characterized by a mix of residential and commercial uses.

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Sincerely,



Dana Douglas DePietro, Ph.D.
Senior Scientist, Archaeology
FirstCarbon Solutions

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46200 Petaling Jaya

1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

Enc: Attachment A: Project location map for the 2371 Oakley Road Project

February 21, 2019

Katherine Erolinda Perez, Chairperson
Norht Valley Yokuts Tribe
P.O. Box 717
Linden, CA 95236

Subject: Proposed 2371 Oakley Road Project

Dear Katherine Erolinda Perez:

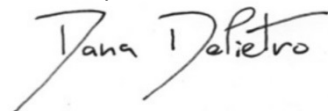
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Sincerely,



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Senior Scientist, Archaeology
FirstCarbon Solutions

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46200 Petaling Jaya

1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

Enc: Attachment A: Project location map for the 2371 Oakley Road Project

February 21, 2019

Andrew Galvin
The Ohlone Indian Tribe
P.O. Box 3388
Fremont, CA 94539

Subject: Proposed 2371 Oakley Road Project

Dear Andrew Galvin:

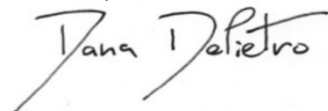
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Senior Scientist, Archaeology
FirstCarbon Solutions

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1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

Enc: Attachment A: Project location map for the 2371 Oakley Road Project

February 21, 2019

Raymond Hitchcock, Chairperson
Wilton Rancheria
9728 Kent Street
Elk Grove, CA 95624

Subject: Proposed 2371 Oakley Road Project

Dear Raymond Hitchcock:

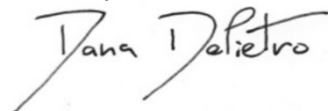
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Dana Douglas DePietro, Ph.D.
Senior Scientist, Archaeology
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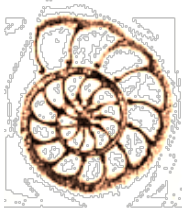
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Enc: Attachment A: Project location map for the 2371 Oakley Road Project

Appendix D:
UCMP Paleontological Database Search Results

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Kenneth L. Finger, Ph.D. Consulting Paleontologist

18208 Judy St., Castro Valley, CA 94546-2306

510.305.1080

klfpaleo@comcast.net

January 4, 2019

Dana DePietro
FirstCarbon Solutions
1350 Treat Boulevard, Suite 380
Walnut Creek, CA 94597

**Re: Paleontological Records Search: Oakley II Project (4940.0013), Oakley,
Contra Costa County**

Dear Dr. DePietro:

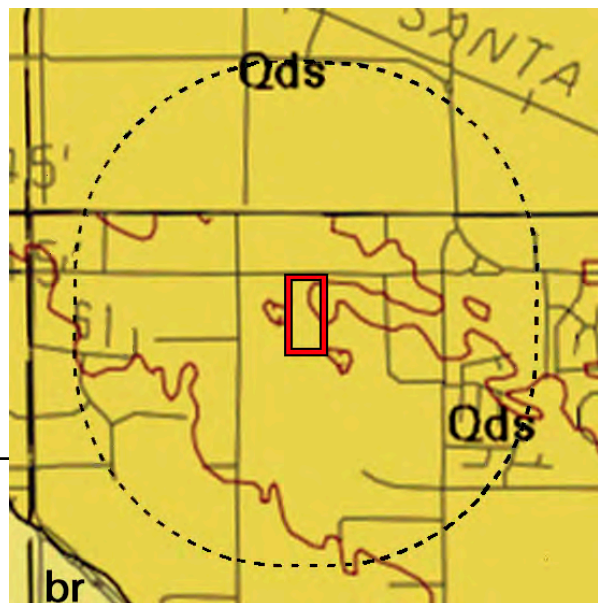
As per your request, I have performed a records search on the University of California Museum of Paleontology (UCMP) database for the Oakley II project in the City of Oakley. This site is the vineyard at 2371 Oakley Road. Its Public Land Survey (PLS) location is NW $\frac{1}{4}$, NE $\frac{1}{4}$, T2N, R2E, Sec. 27, Brentwood quadrangle (USGS 7.5-series topographic map). Google Earth imagery shows this flat terrain has been used for agriculture, and is therefore heavily disturbed.

Geologic Units

According to the part of the geologic map by Helley and Graymer (1997) shown here, the entire project site (red outline at center) and all of its surrounding half-mile search area (dashed black outline) are located on Holocene–Pleistocene dune sand deposits (Qds). If Pleistocene, it has the potential of significant paleontological resources.

Key to mapped units

Qds Dune Sand deposits (Holocene & Pleistocene)
br No bedrock units mapped



Paleontological Records Search

The paleontological record search for the Oakley project was performed on the UCMP (University of California Museum of Paleontology) database and focused on the Pleistocene of Contra

Costa County. The results are 114 vertebrate specimens from the Riverbank Formation at 63 localities: 14 in the Montezuma Formation and one in the Rodeo Formation, while no geologic unit is indicated for the other 48; there are not no plant localities. The County's composite Pleistocene vertebrate assemblage of 9927 specimens represents the late Pleistocene Rancholabrean North American Land Mammal Stage (NALMS). The 95 species identified are on the attached list. To the northeast and one mile beyond the search perimeter is locality V87047 (Big Break), which yielded two specimens of *Antilocapra* (pronghorn), including the holotype of *A. pacifica* (Richards and McCrossin, 1991).

Remarks and Recommendations

The Oakley project site is mapped solely undifferentiated Quaternary (Holocene–Pleistocene) Dune Sand deposits. A paleontological walkover survey of the site is not recommended due to its heavily disturbed surface. It would be prudent to have paleontological monitoring of all excavations into previously undisturbed Dune Sand deposits because an extremely high number of late Pleistocene vertebrate fossils have been collected in Contra Costa County, and one of their localities is one mile feet from the half-mile search area. Should any significant fossils (i.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants) be unearthed, the construction crew should not attempt to remove them, as they could be extremely fragile and therefore prone to crumbling; instead, all work in the immediate vicinity of the discovery should be diverted at least 15 feet from the find until a paleontological monitor or professional paleontologist has assessed the find and, if deemed significant, salvaged it in a timely manner. Recovered fossils should be deposited in an appropriate repository, such as the UCMP, where they will be properly curated and made accessible for future study.

Sincerely



References Cited

- Helley, E.J., and Graymer, R.W., 1997, Quaternary geology of Contra Costa County and surrounding parts of Alameda, Marin, Sonoma, Sacramento, and San Joaquin counties, California derived from the digital database open-file 97-98. U.S. Geological Survey. Scale 1:100,000.
- Richards, G.D., and McCrossin, M.L., 1991, A new species of *Antilocapra* from the late Quaternary of California. *Geobios* 24(5): 623–635.

UCMP Late Pleistocene Vertebrates from Contra Costa County

Class Amphibia

Order Anura

Pseudoeacris (chorus frog)

Order Caudata or Urodela

Ambystoma (mole salamander)

Aneides lugubris (arboreal salamander)

Taricha (newt)

Class Reptilia

Order Sauria

Elgaria (alligator lizards)

Gerrhonotus coeruleus (northern alligator lizard)

Sceloporus (spiny lizards)

Uta (sideblotched lizard)

Order Serpentes

Crotalus (rattlesnake)

Order Testudines

Clemmys marmorata (western pond turtle)

Class Chondrichthyes (cartilaginous fish)

Order Myliobatiformes

Myliobatus (bat ray)

Class Osteichthyes (bony fish)

Order Cypriniformes

Orthodon (Sacramento blackfish)

Order Gasterosteiformes

Gasterosteus aculeatus (three-spined stickleback)

Class Aves (birds)

Order Anseriformes

Anas acuta (pintail duck)

Melanitta (scoter)

Order Ciconiiformes

ardeidid (heron)

Order Culidae

Geococcyx (roadrunner)

Order Galliformes

Callipepla (quail)

Centrocercus (sage grouse)

Order Passeriformes

Euphagus (New World blackbirds)

Turdus (true thrushes)

Order Piciformes

picidid (woodpecker)

Order Podicipediformes

Aechmophorus occidentalis (western grebe)

Order Strigiformes

Asio flammeus (short-eared owl)

Class Mammalia (mammals)

Order Insectivora

Scapanus latimanus (broad-footed mole)

Sorex ornatus (ornate shrew)

Order Xenartha

Glossotherium harlani (Harlan's ground sloth)

Megalonyx jeffersoni (Jefferson's flat-footed ground sloth)

Order Lagomorpha

Sylvilagus bachmani (cottontail rabbit)

Lepus (jackrabbit)

Order Rodentia

Dipodomys (kangaroo rat)

Microtus californicus (California meadow vole)

Neotoma fuscipes (dusky-footed wood rat)

Perognathus (pocket mouse)

Peromyscus boylii (brush mouse)

Peromyscus californicus (California deer mouse)

Peromyscus maniculatus (white-footed mouse)

Peromyscus truei (pinyon mouse)

Reithrodontomys raviventris (salt marsh harvest mouse)

Sciurus (squirrel)

Tamias (chipmunk)

Otospermophilus beecheyi (California ground squirrel)

Thomomys bottae (Botta's pocket gopher)

Order Chiroptera

Antrozous pallidus (pallid bat)

Eptesicus fuscus (big brown bat)

Lasiurus (hairy-tailed bat)

Order Carnivora

Cynodesmus thooides (extinct canid)

Enhydra lutris (sea otter)

Procyon lotor (raccoon)

Taxidea (badger)

Ursus americanus (American black bear)

Order Proboscidea

Mammuth americanum (American mastodon)

Mammuthus columbi (Columbian mammoth)

Order Perissodactyla

Equus pacificus (Pacific horse)

Pliohippus interpolatus (Pliocene horse)

Tapirus merriami (tapir)

Order Artiodactyla

Antilocapra pacifica (Pacific pronghorn)

Bison bison antiquus (ancient bison)

Bison latifrons (long-horned bison)

Camelops hesternus (yesterday's camel)

Capromeryx minor (diminutive pronghorn)

Cervus (elk)

Odocoileus (mule deer)

Sphenophalos (pronghorn)

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Appendix E:
Department of Parks and Recreation Forms

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State of California & The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
 HRI #
 Trinomial
NRHP Status Code

Other
 Review Code

Reviewer

Date

Listings

Page 1 of 3 *Resource Name or #: (Assigned by recorder) _____

P1. Other Identifier: 2371 Oakley Road

*P2. Location: Not for Publication Unrestricted

*a. County Contra Costa and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad Brentwood Date 1978 T 2N; R 2E; of of Sec 27; B.M.

c. Address 2371 Oakley Road City Oakley Zip 94561

d. UTM: (Give more than one for large and/or linear resources) Zone 10S, _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, decimal degrees, etc., as appropriate)

Take Oakley Rd. east from HW160, continue onto Oakley Rd. then 2371 Oakley Rd. is on the right.

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property is a c. 1949, one-story, symmetrical, rectangular-shaped, contemporary-style single-family residence located in a rural residential neighborhood in the City of Oakley. The building, which appears to be in good condition, is accessed by a double-doored main entrance set on the northern facing façade of the residence. The western facade contains a second entrance flanked by two small single-lite double-hung windows, along with three very large and distinctive aluminum framed 16-lite windows that run the length of the façade. A fourth 16-lite window is set into the buildings north facing façade. The building appears to have a concrete foundation, cream painted exterior with dark red trim, and a low-pitched gabled roof with small eaves that wrap around the entire structure. The roof beams are exposed and wall cladding uses a combination of stucco and brick, consistent with the gabled sub-type of the contemporary style, which was a common architectural style from 1940-1980. Additional windows on the building vary in size, shape, and placement, but are primarily aluminum framed, rectangular-shaped, and double-hung. The roof is clad in grey asphalt shingling, and a large brick chimney is set into the home's eastern facing façade. A detached garage lies to the immediate south of the building.

*P3b. Resource Attributes: (List attributes and codes) Single Family Property - HP2

*P4. Resources Present: Building
 Structure Object Site District
 Element of District Other (Isolates, etc.)

P5b. Description of Photo: (view, date, accession #) View south from Oakley Road

*P6. Date Constructed/Age and Source: Historic Prehistoric
 Both

Ca. 1949 - Historic Aerials and Topos

*P7. Owner and Address:

DRG Builders, Inc.

2371 Oakley Road

Oakley, CA 94561

*P8. Recorded by: (Name, affiliation, and address) Dr. Dana DePietro - FCS

1350 Treat Boulevard, Suite 380

Walnut Creek, CA 94597

*P9. Date Recorded: _____

01/09/2019

*P10. Survey Type: (Describe)

Phase I Reconnaissance

*P11. Report Citation: (Cite survey report and other sources, or enter "none.")

Phase I Cultural Resources Assessment

Oakley Gonsalves: 2371 Oakley Road Project

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record

Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record

Artifact Record Photograph Record Other (List): _____

State of California X The Resources Agency Primary #
 DEPARTMENT OF PARKS AND RECREATION HRI#
BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) _____ *NRHP Status Code 6Z - Found ineligible
 Page 2 of 3

B1. Historic Name: None
 B2. Common Name: 2371 Oakley Road
 B3. Original Use: Residence B4. Present Use: Residence

*B5. Architectural Style: Modern Movement - Contemporary Style

*B6. Construction History: (Construction date, alterations, and date of alterations)
Constructed c. 1935 according to historic aerial photographs and topographic maps

*B7. Moved? No Yes Unknown Date: NA Original Location: NA

*B8. Related Features:
None

B9a. Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme Agriculture Area Oakley

Period of Significance 1940s Property Type Residence Applicable Criteria NA

The residence at 2371 Oakley Road is part of the overall agricultural development and increased urbanization of the area immediately following WWII. This was due in part to satisfy the enormous postwar demand for new housing, and the continuing development of Oakley's viticulture industry which began in the late 1800's. The subject property is therefore part of that process of postwar transition and growth in the area, but does not meet Criterion 1: Event, as it is one of many unremarkable examples of small-scale, residential buildings from the period. The building is associated with Marion and Manuel Gonsalves, who immigrated to Oakley from the Madira Islands in 1938. The property is also associated with Ruth and Steven Gonsalves, and Marianne and Steven Harder. These individuals were thoroughly researched at the Contra Costa Records Office, archives at the Contra Costa Historical Society, and a search of the California Digital Newspaper Collection. The relative absence of these individuals from published accounts of the History of the City of Oakley indicates that they did not achieve a level of historic importance for the property to be considered eligible under Criterion 2: Person. The residence, built by unknown architects, displays many features of the gabled contemporary style: a low-pitched roof, close cropped eaves with exposed rafters, modern elements such as the large 16-lite windows and a combination of brick and stucco cladding. (McAlester and McAlester 2004). The residence is a standard, undistinguished example of common construction design and techniques from the immediate postwar period, and appears to have been renovated in recent years with some minor modifications made to the original design including the addition of a garage. As such, the building does not appear to be eligible for listing on the CR under Criteria 3: Architecture. Criterion 4: Information Potential, is most often used to evaluate archaeological sites or buildings that employ unusual building techniques. There is no evidence that the building in question exhibits any unusual construction features, or has the ability to contribute significant information to the overall history of Oakley. Therefore, the residence at 2371 Oakley Road does not appear to meet any of the criteria for historic and/or architectural significance required for listing on the CR. As such, it should not be considered a historical resource under CEQA. The building also does not appear to possess sufficient artistic merit or historical association to meet a local standard for historical importance. No analysis of integrity is required where the property fails to meet all four criteria.

B11. Additional Resource Attributes: (List attributes and codes) None

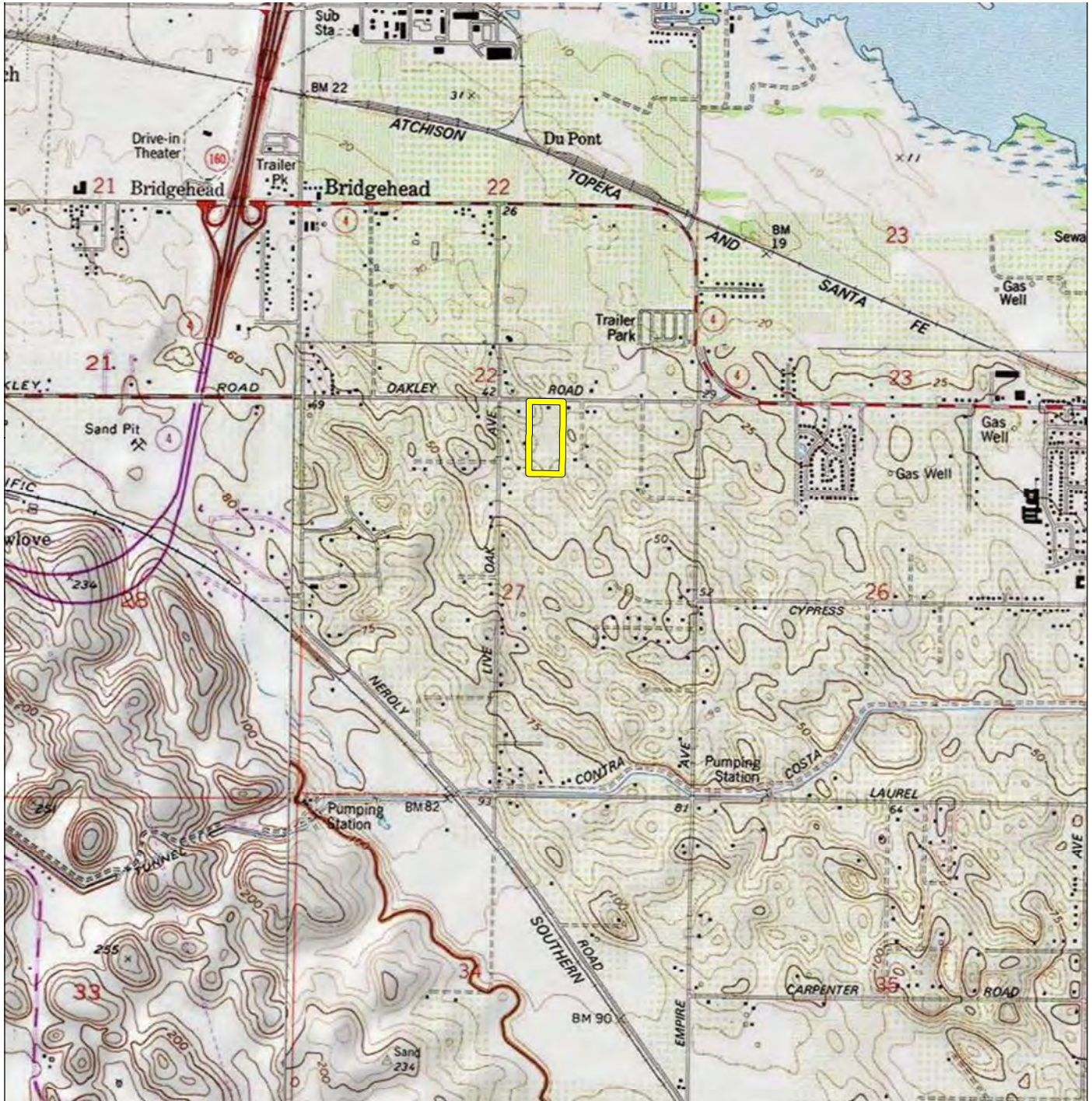
*B12. References:
 2004 A Field Guide to American Houses, by V. McAlester and L. McAlester
 2016 NETR Historic Aerials

B13. Remarks:

*B14. Evaluator: Dr. Dana DePietro
 *Date of Evaluation: 01/09/2019

(This space reserved for official comments.)





Source: USGS Brentwood (1978) 7.5' Quadrangle / T2N,R2E,sec27

Exhibit 2

Local Vicinity Map
 Topographic Base

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 SOLUTIONS™



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Appendix F: Regulatory Framework

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REGULATORY FRAMEWORK

Local, state, and federal government agencies have developed laws and regulations designed to protect significant cultural resources that may be affected by projects regulated, funded, or undertaken by the agency. Federal and state laws that govern the preservation of historic and archaeological resources of national, state, regional, and local significance include the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and the California Environmental Quality Act (CEQA). In addition, laws specific to work conducted on federal lands include the Archaeological Resources Protection Act, the American Antiquities Act, and the Native American Graves Protection and Repatriation Act.

The following federal or CEQA criteria were used to evaluate the significance of potential impacts on cultural resources for the proposed project. An impact is considered significant if it would affect a resource eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR), or if it is identified as a unique archaeological resource.

Federal-Level Evaluations

Federal agencies are required to consider the effects of their actions on historic properties and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings under Section 106 of the NHPA regulations (36 CFR 800). Additionally, federal agencies are responsible for initiating NHPA Section 106 review and completing the steps outlined in these regulations. They must determine if NHPA Section 106 applies to a given project and, if so, initiate review in consultation with the State Historic Preservation Officer (SHPO) and/or the Tribal Historic Preservation Officer (THPO). Federal agencies are also responsible for involving the public and other interested parties. Furthermore, NHPA Section 106 requires that any federal or federally assisted undertaking, or any undertaking requiring federal licensing or permitting, consider the effect of the action on historic properties listed in or eligible for the NRHP. Under the Code of Federal Regulations (CFR), 36 CFR Part 800.8, federal agencies are specifically encouraged to coordinate compliance with NHPA Section 106 and the NEPA process. The implementing regulations “Protection of Historic Properties” are found in 36 CFR Part 800. Resource eligibility for listing on the NRHP is detailed in 36 CFR Part 63 and the criteria for resource evaluation are found in 36 CFR Part 60.4 [a–d].

The NHPA established the NRHP as the official federal list for cultural resources that are considered important for their historical significance at the local, state, or national level. To be determined eligible for listing in the NRHP, properties must meet specific criteria for historic significance and possess certain levels of integrity of form, location, and setting. The criteria for listing on the NRHP include—significance in American history, architecture, archaeology, engineering, and culture as present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- a.) That are associated with events that have made significant contributions to the broad patterns of our history; or

- b.) That are associated with the lives of persons significant in our past; or
- c.) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that; represent a significant and distinguishable entity whose components may lack individual distinction; or
- d.) That have yielded, or may be likely to yield, information important in prehistory or history.

Criterion D is usually reserved for archaeological resources. Eligible properties must meet at least one of the criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character.

Criteria Considerations

Ordinarily, cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, buildings that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the NRHP. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a.) A religious property deriving primary significance from architectural or artistic distinction or historical importance.
- b.) A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event.
- c.) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building associated with his or her productive life.
- d.) A cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.
- e.) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.
- f.) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance.
- g.) A property achieving significance within the past 50 years if it is of exceptional importance.

Thresholds of Significance

In consultation with the SHPO/THPO and other entities that attach religious and cultural significance to identified historic properties, the agency shall apply the criteria of adverse effect to historic

properties within the Area of Potential Effect (APE). The agency official shall consider the views of consulting parties and the public when considering adverse effects.

Federal Criteria of Adverse Effects

Under federal regulations, 36 CFR Part 800.5, an adverse effect is found when an undertaking alters, directly or indirectly, any of the characteristics of a historic property that qualifies the property for inclusion in the NRHP in a manner that diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration will be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for listing in the NRHP. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.

According to 36 CFR Part 800.5, adverse effects on historic properties include, but are not limited to:

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

If Adverse Effects Are Found

If adverse effects are found, the agency official shall continue consultation as stipulated in 36 CFR Part 800.6. The agency official shall consult with the SHPO/THPO and other consulting parties to develop alternatives to the undertaking that could avoid, minimize, or mitigate adverse effects to historic resources. According to 36 CFR Part 800.14(d), if adverse effects cannot be avoided then standard treatments established by the ACHP may be used as a basis for a Memorandum of Agreement (MOA).

According to 36 CFR Part 800.11(e), the filing of an approved MOA, and appropriate documentation, concludes the NHPA Section 106 process. The MOA must be signed by all consulting parties and approved by the ACHP prior to construction activities. If no adverse effects are found and the SHPO/THPO or the ACHP do not object within 30 days of receipt, the agencies' responsibilities under NHPA Section 106 will be satisfied upon completion of report and documentation as stipulated in 36 CFR Part 800.11. The information must be made available for public review upon request, excluding information covered by confidentiality provisions.

State-Level Evaluation Processes

An archaeological site may be considered a historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California per Public Resources Code (PRC) Section 5020.1(j) or, if it meets the criteria for listing on the CRHR per the California Code of Regulations (CCR) at Title 14 CCR Section 4850.

The most recent amendments to the CEQA Guidelines direct lead agencies to first evaluate an archaeological site to determine if it meets the criteria for listing in the CRHR. If an archaeological site is a historical resource, in that it is listed or eligible for listing in the CRHR, potential adverse impacts to it must be considered as stated in PRC Sections 21084.1 and 21083.2(l). If an archaeological site is considered not to be a historical resource, but meets the definition of a "unique archeological resource" as defined in PRC Section 21083.2, then it would be treated in accordance with the provisions of that section.

With reference to PRC Section 21083.2, each site found within a project area will be evaluated to determine if it is a unique archaeological resource. A unique archaeological resource is described as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one or more of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

As used in this report, a "non-unique archaeological resource" means an archaeological artifact, object, or site that does not meet the criteria for eligibility for listing on the CRHR, as noted in subdivision (g) of PRC Section 21083.2. A non-unique archaeological resource requires no further consideration, other than the simple recording of its components and features. Isolated artifacts are typically considered non-unique archaeological resources. Historic structures that have had their superstructures demolished or removed can be considered historic archaeological sites and are evaluated following the processes used for prehistoric sites. Finally, the California State Office of

Historic Preservation recognizes an age threshold of 45 years. Cultural resources built less than 45 years ago may qualify for consideration, but only under the most extraordinary circumstances.

Title 14 of the CCR, Chapter 3, Section 15064.5, is associated with determining the significance of impacts to archaeological and historical resources. Here, the term historical resource includes the following:

1. A resource listed in, or determined eligible by the State Historical Resources Commission, for listing in the CRHR (PRC § 5024.1; Title 14 CCR § 4850, et seq.).
2. A resource included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the PRC Section 5024.1(g) requirements, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript, which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be historically significant if the resource meets the criteria for listing on the CRHR (PRC § 5024.1; Title 14 CCR § 4852) including the following:
 - A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
 - B. Is associated with the lives of persons important in our past.
 - C. 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.
 - D. Has yielded, or may be likely to yield, information important in prehistory or history.

Typically, archaeological sites exhibiting significant features qualify for the CRHR under Criterion D because such features have information important to the prehistory of California. A lead agency may determine that a resource may be a historical resource as defined in PRC Sections 5020.1(j) or 5024.1, even if it is:

- Not listed in or determined to be eligible for listing in the CRHR.
- Not included in a local register of historical resources pursuant to PRC Section 5020.1(k).
- Identified in a historical resources survey per PRC Section 5024.1(g).

Threshold of Significance

If a project will have a significant impact on a cultural resource, several steps must be taken to determine if the cultural resource is a "unique archaeological resource" under CEQA. If analysis

and/or testing determine that the resource is a unique archaeological resource and therefore subject to mitigation prior to development, a threshold of significance should be developed. The threshold of significance is a point where the qualities of significance are defined and the resource is determined to be unique under CEQA. A significant impact is regarded as the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource will be reduced to a point that it no longer meets the significance criteria. Should analysis indicate that project development will destroy the unique elements of a resource; CEQA regulations require that the project implement appropriate and feasible mitigation measures. The preferred form of mitigation is to preserve the resource in place, in an undisturbed state. However, as that is not always possible or feasible, appropriate mitigation measures may include, but are not limited to:

1. Planning construction to avoid the resource.
2. Deeding conservation easements.
3. Capping the site prior to construction.

If a resource is determined to be a “non-unique archaeological resource,” no further consideration of the resource by the lead agency is necessary.

Local Regulations

City of Oakley

The City of Oakley 2020 General Plan contains the following goals, policies, and actions that address cultural resources and are applicable to the proposed project:

General Plan Open Space and Conservation Element

Cultural Resources

- **Goal 6.4.** Encourage preservation of cultural resources within the Plan Area.
- **Policy 6.4.1.** Preserve areas that have identifiable and important archaeological or paleontological significance

Historical Resources

- **Goal 6.5.** Encourage preservation and enhancement of selected historic structures and features within the community.
- **Policy 6.5.1.** Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure.
- **Policy 6.5.2.** Respect the character of the building and its setting during the remodeling and renovation of facades of historic buildings.
- **Policy 6.5.3.** Encourage the use of the State Historic Building Code for historic buildings and other structures that contribute to the City’s historic character. Use flexibility when applying zoning regulations to historic sites and buildings.
- **Policy 6.5.4.** Recognize the value of Oakley’s historic resources as an economic Development tool.

- **Policy 6.5.5.** Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes.
- **Policy 6.5.6.** Work with property owners to preserve historic features within the community.

Tribal Consultation

The following serves as an overview of the procedures and timeframes for the Tribal Consultation process, for the complete Tribal Consultation Guidelines, please refer to the State of California Office of Planning and Research website.

Prior to the amendment or adoption of general or specific plans, local governments must notify the appropriate tribes of the opportunity to conduct consultation for the purpose of preserving or mitigating impacts to cultural places located on land within the local government's jurisdiction that is affected by the plan adoption or amendment. The tribal contacts for this list are maintained by the NAHC and are distinct from the Most Likely Descendent (MLD) list. It is suggested that local governments send written notice by certified mail with return receipt requested. The tribes have 90 days from the date they receive notification to request consultation. In addition, prior to adoption or amendment of a general or specific plan, local government must refer the proposed action to tribes on the NAHC list that have traditional lands located within the city or county's jurisdiction. Notice must be sent regardless of prior consultation. The referral must allow a 45-day comment period.

In brief, notices from the local government to the tribes should include:

- A clear statement of purpose.
- A description of the proposed general or specific plan, the reason for the proposal, and the specific geographic areas affected.
- Detailed maps to accompany the description.
- Deadline date for the tribes to respond.
- Government representative(s) contact information.
- Contact information for project proponent/applicant, if applicable.

The basic schedule for this process is:

- 30 days: time the NAHC has to provide tribal contact information to the local government; this is recommended, not mandatory.
- 90 days: time the tribe has to respond indicating whether or not they want to consult. Note: tribes can agree to a shorter timeframe. In addition, consultation does not begin until/unless requested by the tribe within 90 days of receiving notice of the opportunity to consult. The consultation period, if requested, is open-ended. The tribes and local governments can discuss issues for as long as necessary or productive, and need not result in agreement.

- 45 days: time the local government has to refer proposed action, such as adoption or amendment to a general or specific plan, to agencies, including the tribes. Referral is required even if there has been prior consultation. This opens the 45-day comment period.
- 10 days: time the local government has to provide the tribes with notice of a public hearing.