

APPENDIX CUL

CITY OF HAYWARD
LINCOLN LANDING PROJECT
CULTURAL RESOURCES STUDY
AND ELIGIBILITY EVALUATIONS

Prepared for:

LEIGHA SCHMIDT, SENIOR PLANNER
CITY OF HAYWARD
777 B STREET
HAYWARD, CA 94541

Prepared by:

MARGO NAYYAR, MA
MICHAEL ELLIOTT

Michael Baker
INTERNATIONAL

2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

APRIL 2016

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TABLE OF CONTENTS

EXECUTIVE SUMMARY

ES.1 Project Background and UndertakingES-1
ES.2 Scope and MethodologyES-1
ES.3 Results.....ES-1

1.0 INTRODUCTION

1.1 Project Elements and Location..... 1.0-1

2.0 REGULATORY SETTING

2.1 California Environmental Quality Act 2.0-1
2.2 City of Hayward 2.0-4

3.0 ENVIRONMENTAL SETTING

4.0 CULTURAL SETTING

4.1 Prehistoric Background..... 4.0-1
4.2 Ethnographic Context 4.0-1
4.3 Historic Background 4.0-2

5.0 METHODS AND RESULTS

5.1 Records Search..... 5.0-1
5.2 Literature Review 5.0-2
5.3 Native American Consultation 5.0-4
5.4 Historical Society Consultation..... 5.0-4
5.5 Pedestrian Survey 5.0-4

6.0 HISTORICAL RESOURCES EVALUATION

6.1 Archaeological Deposits..... 6.0-1
6.2 Built Environment Resources 6.0-1

7.0 SUMMARY OF RESULTS AND RECOMMENDATIONS

7.1 Recommendations..... 7.0-1

8.0 REFERENCES CITED

APPENDICES

- Appendix A – Résumés
- Appendix B – Northwest Information Center Records Search Results
- Appendix C – Native American Consultation
- Appendix D – Historical Society Consultation
- Appendix E – DPR 523 Forms

CULTURAL RESOURCES STUDY AND ELIGIBILITY EVALUATIONS

FIGURES

Figure 1 Project Location and Vicinity 1.0-2
Figure 2 Project Area 1.0-3

TABLES

Table 1: Cultural Resources Evaluated ES-1
Table 2: Cultural Resources within the Project Area..... 7.0-1

EXECUTIVE SUMMARY

ES.1 PROJECT BACKGROUND AND UNDERTAKING

Dollinger Properties is proposing the Lincoln Landing Project (Project). The City of Hayward (City) is the lead agency for the California Environmental Quality Act (CEQA). The Project is located at 22301 Foothill Boulevard in north-central Hayward on Assessor's Parcel Numbers (APN) 428-26-68-1 and 428-26-67-3. The Project Area is located immediately west of Foothill Boulevard, south of Hazel Avenue, east of San Lorenzo Creek, and north of City Center Drive (Figures 1 and 2).

The Project proposes to redevelop an existing commercial area for retail and residential use.

ES.2 SCOPE AND METHODOLOGY

Michael Baker International conducted archival research, field survey, consultation, and eligibility evaluations in support of environmental review of the Project under the CEQA. This report documents the methods and results of the cultural resources study conducted for the Project.

ES.3 RESULTS

The field survey identified and evaluated two built environment resources for inclusion in the California Register of Historical Resources (California Register) and the Hayward Register. Neither resource appears eligible for the California Register or the Hayward Register.

TABLE 1
CULTURAL RESOURCES EVALUATED

Resource Name	Resource Type	Recommended Eligible for California Register	Recommended Eligible for Hayward Register	Historical Resource for Purposes of CEQA?
22301 Foothill Blvd.	Commercial Building	No	No	No
1155 Hazel Ave.	Commercial Building	No	No	No

No archaeological resources were identified in the Project Area during the field survey. However, a prehistoric burial site (P-01-000078/CA-ALA-58) was previously identified adjacent to the Project Area, which elevates the archaeological sensitivity of the Project Area (Busby 2005).

The Project does not have the potential to impact known historical resources; however, the Project Area has extremely high archaeological sensitivity. It is recommended that an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archeology monitor Project-related excavation and earth-moving activities.

1.0 INTRODUCTION

1.1 PROJECT ELEMENTS AND LOCATION

Dollinger Properties is proposing the Lincoln Landing Project (Project). The City of Hayward (City) is the lead agency for the California Environmental Quality Act (CEQA). The Project is located at 22301 Foothill Boulevard in north-central Hayward on Assessor's Parcel Numbers (APN) 428-26-68-1 and 428-26-67-3. The Project is located immediately west of Foothill Boulevard, south of Hazel Avenue, east of San Lorenzo Creek, and north of City Center Drive (**Figures 1 and 2**).

The Project consists of the demolition of an existing office building, commercial building, and surface parking lots, and the development of 80,500 square feet of commercial development. The existing parking structure would be retained.

The Project also includes improvements along the Alameda County Flood Control District-owned maintenance roadway to make the roadway available for public use. The improvements will include reconstruction of the existing retaining wall, resurfacing, installation of railings, and electricity to the site.

Surrounding Land Use and Setting

The Project is surrounded by existing urban development including commercial buildings, parking lots, institutional buildings, an automotive service station, and single-family and multi-family residences. Immediately west of the Project is San Lorenzo Creek.

**FIGURE 1
PROJECT LOCATION AND VICINITY**

T:\GIS\Alameda_County\Mxd\Hayward\Inc\oh_Landing\Cultural\Project_Location & Vicinity.mxd (3/2/2016)



FIGURE 1
Project Location and Vicinity

**FIGURE 2
PROJECT AREA**

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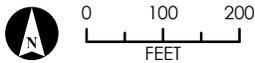


FIGURE 2
Project Area

2.0 REGULATORY SETTING

2.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) applies to all discretionary projects undertaken or subject to approval by the state's public agencies (California Code of Regulations [CCR] Title 14(3) Section 15002(i)). CEQA states that it is the policy of the State of California to "take all action necessary to provide the people of this state with historic environmental qualities and preserve for future generations examples of the major periods of California history" (Public Resources Code [PRC] Section 21001(b), (c)). Under the provisions of CEQA, "a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (CCR Title 14(3) Section 15064.5(b)).

CEQA Guidelines Section 15064.5(a) defines a "historical resource" as a resource which meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register;
- Listed in a local register of historical resources (as defined at PRC Section 5020.1(k));
- Identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or
- Determined to be a historical resource by a project's lead agency (CCR Title 14(3) Section 15064.5(a)).

A historical resource consists of "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. Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (CCR Title 14(3) Section 15064.5(a)(3)).

CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA planning process (CCR Title 14(3) Section 15064.5; PRC Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided or the effects mitigated (CCR Title 14(3) Section 15064.5(b)(4)). The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the CRHR. If there is a substantial adverse change in the significance of a historical resource, the preparation of an environmental impact report may be required (CCR Title 14(3) Section 15065(a)).

If the cultural resource in question is an archaeological site, CEQA (CCR Title 14(3) Section 15064.5(c)(1)) requires that the lead agency first determine if the site is a historical resource as defined in CCR Title 14(3) Section 15064.5(a). If the site qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource (California Office of Historic Preservation [OHP] 2001a). If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological site, then the archaeological site is treated in accordance with PRC Section 21083.2 (CCR Title 14(3) Section 15069.5(c)(3)). In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource (Bass, Herson, and Bogdan 1999:105). CEQA

defines a “unique archaeological resource” 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:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC Section 21083.2(g)).

If an impact to a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) Section 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource. Generally, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historical resource. However, CEQA (PRC Section 21002.1(b)) requires that all feasible mitigation be undertaken even if it does not mitigate impacts to a less than significant level (OHP 2001a:9).

2.1.1 California Register of Historical Resources

The California Register is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify and evaluate California’s historical resources (OHP 2001b:1) and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1(a)). Any resource listed in, or eligible for listing in, the California Register is to be considered during the CEQA process (OHP 2001a:7).

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant in accordance with one or more of the following criteria:

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

Age

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time must have passed to allow a “scholarly perspective on the events or individuals associated with the resource.” Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource (OHP 2006:3). The OHP recommends

documenting, and taking into consideration in the planning process, any cultural resource that is 45 years or older (OHP 1995:2).

Period of Significance

The period of significance for a property is “the length of time when a property was associated with important events, activities, persons, or attained the characteristics which qualify it for National Register listing” (National Park Service [NPS] 1997b:42). The period of significance begins with the date of the earliest important land use or activity that is reflected by historic characteristics tangible today. The period closes with the date when events having historical importance ended. The period of significance for an archaeological property is “the broad span of time about which the site or district is likely to provide information” (NPS 1997b:42). Archaeological properties may have more than one period of significance.

Historic Context

The significance of cultural resources is generally evaluated using a historic context that groups information about related historical resources based on theme, geographic limits, and chronological period (OHP 1995:11).

Integrity

The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association” (OHP 2006:2).

Archaeologists use the term “integrity” to describe the level of preservation or quality of information contained within a district, site, or excavated assemblage. Integrity is relative to the specific significance which the resource conveys. Although it is possible to correlate the seven aspects of integrity with standard archaeological site characteristics, those aspects are often unclear for evaluating the ability of an archaeological resource to convey significance under Criterion 4. The integrity of archaeological resources is judged according to the site’s ability to yield scientific and cultural information that can be used to address important research questions (NPS 1997a:44–49).

Eligibility

Resources that are significant, meet the age guidelines, and possess integrity are considered eligible for listing in the California Register.

2.1.2 California Public Resources Code Section 5097.5

PRC Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

2.1.3 Human Remains

California Health and Safety Code Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American most likely descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

2.2 CITY OF HAYWARD

The Hayward City Council adopted an updated General Plan in 2014. The General Plan contains the following policies and strategies related to cultural resources:

Historic Preservation

Enhance the city's image through identification and preservation of historic resources.

- Review the Historic Preservation ordinance and determine if changes are necessary.
- Conduct a survey of potential historic structures and sites based on evaluation criteria that include their individual significance and their contribution to an historic setting.
- Seek landmark status for valued structures and sites where preservation is deemed feasible, and promote acquisition of historic sites as parks where appropriate.
- Encourage rehabilitation of valued buildings and sites and provide information on architectural styles, renovation techniques, federal and state tax benefits and other financing sources.
- Encourage adaptive reuse of Victorians and other vintage buildings as professional offices, restaurants, galleries, shops, lodgings, or venues for special events.
- Consider establishment of historic districts, or special areas such as Preservation Parks, where there are concentrations of historic structures and/or properties that could serve as receptor sites for relocated historic structures.
- Utilize zoning regulations, design guidelines and other development review standards to protect the character of historic districts and sites, and increase the visibility of these sites with appropriate signage and landscaping and alignment of roads or paths where possible.
- Promote establishment of a salt manufacturing historic exhibit, either as part of development proposals for the former Oliver Salt Works site or in another prominent location along the Bay Trail.
- Participate in educational programs that promote the value of historic preservation.

Historic Preservation Ordinance

The City adopted the Historic Preservation Ordinance in 1989 (Hayward Municipal Code Chapter 10, Article 11). The ordinance provides for the designation of “historic structures, sites, or districts” and outlines procedures for approval of alterations and demolitions of significant structures.

The following are criteria for evaluation of potential resources for listing on the local register:

- a. Historic Structures. The following shall be used as criteria for designating additional historic structures.
 1. The structure is identified with the lives of historic people or with important events in the City, state, or nation; or
 2. The structure is particularly representative of an architectural style or way of life important to the City, state, or nation; or
 3. The structure is an example of a type of building which was once common, but is now rare; or
 4. The structure is connected with a business or use which was once common, but is now rare; or
 5. The structure contains elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship.
- b. Historic Districts. A proposal for designation of an historic district may be approved only if the proposed district is found to contain a significant concentration or number of buildings or sites unified by either past events or aesthetically unified by plan or physical development.
- c. Historic Sites. A proposal for designation of an historically significant site may be approved only if the site is found to be closely identified with the life of an historic person, community, or with an historic event in the City, state, or nation.

3.0 ENVIRONMENTAL SETTING

The Project Area is on level terrain north of San Lorenzo Creek, south of Hazel Avenue, and west of Foothill Boulevard. The Project area is at an elevation of 103–105 feet above sea level in an urban environment in Hayward. Geologically, the Project Area contains alluvial deposits of Yolo silt loam and terrace deposits of Azule clay loam (California Soil Resource Lab 2016; California Department of Conservation 2016). The nearest water source is San Lorenzo Creek. The Project Area consists of a parking garage, parking lot, associated landscaping, sidewalks, maintenance roadway, and two commercial buildings.

4.0 CULTURAL SETTING

4.1 PREHISTORIC BACKGROUND

The Paleo-Archaic-Emergent cultural sequence developed by Fredrickson (1974) and recalibrated by Rosenthal, White, and Sutton (2007) is commonly used to interpret the prehistoric occupation of the Project Area. The recalibrated sequence is divided into three broad periods: the Paleoindian period (11,550–8550 cal B.C.); the three-staged Archaic period, consisting of the Lower Archaic (8550–5550 cal B.C.), Middle Archaic (5550–550 cal B.C.), and Upper Archaic (550 cal B.C.–cal A.D. 1100); and the Emergent period (cal A.D. 1100–Historic).

The Paleo period began with the first entry of people into California. These people probably subsisted mainly on big game and minimally processed plant foods, and had no trade networks. Current research, however, indicates more sedentism, plant processing, and trading than previously believed. The Archaic period is characterized by increased use of plant foods, elaboration of burial and grave goods, and increasingly complex trade networks (Bennyhoff and Fredrickson 1994; Moratto 1984). The Emergent period is marked by the introduction of the bow and arrow, the ascendance of wealth-linked social status, and the elaboration and expansion of trade networks, signified in part by the appearance of clam disk bead money (Moratto 1984).

4.2 ETHNOGRAPHIC CONTEXT

Ethnographically, the Project Area is in Costanoan territory (Levy 1978).

4.2.1 Costanoan

The Project Area was formerly the territory of the Costanoan within the Ohlone language group. The basic Ohlone social unit was the patrilineal family household. Households grouped together to form villages, and villages combined to form tribelets. There were approximately 40 Ohlone tribelets who traded goods such as obsidian, shell beads, and baskets; participated in ceremonial and religious activities together; intermarried; and maintained extensive reciprocal obligations to one another involving resource collection (Levy 1978:492; Milliken 1995).

For the Ohlone, acorns served as a dietary staple. Acorns were knocked from trees with poles, leached to remove bitter tannins, and eaten as mush or bread. The Ohlone used a range of other plant resources including buckeye, California laurel, elderberries, strawberries, manzanita berries, gooseberries, toyon berries, wild grapes, wild onion, cattail, amole, wild carrots, clover, and an herb called chuchupate. The Ohlone also hunted black-tailed deer, Roosevelt elk, antelope, and marine mammals; smaller mammals such as dog, skunk, raccoon, rabbit, and squirrel; birds, including geese and ducks; and fish such as salmon, sturgeon, and mollusks (Levy 1978:492).

The Ohlone lived in dome-shaped shelters thatched with ferns, tule, grass, and carrizo. The Ohlone also built small sweathouses dug into creek banks and roofed with brush; and circular dance areas enclosed by fences woven from brush or laurel branches. Basketmaking was generally done by women who crafted cooking and storage containers. Tightly woven baskets, decorated with feathers or shell, were valued exchange items (Levy 1978:492; Margolin 1978:121–122).

Animal bones, teeth, beaks, and claws were used to make awls, pins, knives, and scrapers. Pelts and feathers were used to make clothing and bedding; and sinews were used for cordage and bow strings. Feathers, bone, and shells were crafted into ornaments (Levy 1978:492).

By the late eighteenth century, Spanish settlers established the mission system in Northern California. Mission records indicate that the first tribelet arrived at Mission San Francisco in the fall of 1794. Following the secularization of the missions in 1834, many Ohlone worked as manual laborers on ranchos (Milliken 1995:243; Levy 1978:486).

4.3 HISTORIC BACKGROUND

4.3.1 Alameda County

Early American Period and Statehood

Beginning in the eighteenth century California was a territory of Spain, and later of Mexico. In the mid-1840s, Mexico's interest in developing and strengthening its hold on California decreased as the Mexican government became distracted by political developments in central Mexico. The native-born Spanish speakers of Alta California, known as Californios, long accustomed to governmental neglect, experienced relative peace and enjoyed minimal intrusion into their social, political, and economic affairs (Monroy 1990:113–116). During this period, the United States aggressively sought access to the Pacific Ocean, resulting in the Mexican-American War.

Following the American victory and ratification of the Treaty of Guadalupe Hidalgo in 1848, California became a United States territory and, on September 9, 1850, formally joined the Union as the thirty-first state. Alameda County was created from portions of Santa Clara and Contra Costa counties on March 25, 1853 (Coy 1923:11).

4.3.2 Hayward

Present-day Hayward began in the 1850s, during the Gold Rush, as several small settlements scattered from the San Francisco Bay's edge up to the coastal ridge. The small settlements included Mount Eden, Russell City, Wicks Landing, Thompson's Landing, Johnson's Landing, Russell's Landing, and Eden Landing. The center of this grouping was the small town of Haywards. Over time, the small settlements and modern subdivisions were officially incorporated into Hayward. This process occurred slowly through the first half of the twentieth century and accelerated at an exponential pace after World War II (Circa 2010a:36–47).

Modern Subdivisions and Development

Prior to World War II, subdivisions were small, one to two blocks, and lots were sold to individual families who constructed a house. In the post-World War II period, development dramatically changed to where subdivisions encompassed entire neighborhoods and houses were mass produced by developers. By 1926, Hayward maintained an estimated population of 6,000, and the greater Hayward area maintained an estimated population of 25,000 (Circa 2010a:36–37).

In the post-World War II period, Hayward grew exponentially, nearly doubling in population every ten years. This type of explosive growth put extreme pressures on the city's municipal services and dramatically changed the community character from an agriculturally focused regional trade center to a suburban bedroom community. After World War II, developers worked to consolidate small lots or split large tracts of farmland and to improve land with roads, lighting, streetscape landscaping, utilities, and commercial businesses, as well as houses (Circa 2010a:69).

The Project Area is surrounded by residential developments.

Commercial Development

Most commercial growth in Hayward was established to serve the local citizens. Banks, blacksmiths, grocers, retail stores, and theaters were formed to support and promote life in a small town. As shipping technology improved, refrigeration plants, cold storage, warehousing companies, trucking firms, and industrial manufacturing took root along the Southern Pacific Railroad tracks at the western edge of town. As these industries waned in the 1970s, they were replaced by office parks that served the growing regional technology and commercial economy (Circa 2010b:15).

The Project Area has served as a commercial area since 1958 when it was developed for use as a department store.

Capwell's

The property was built in 1958 and served as a department store named Emporium-Capwell (Capwell's). Capwell's was a department store chain in the San Francisco Bay Area in locations such as San Francisco, Walnut Creek, El Cerrito, Fremont, and Richmond. The department store was conjoined with the restaurant named Compton's (Department Store Museum 2016).

Harris Ceberth "H.C." Capwell established his first retail store, The Lace House, in 1891 in Oakland with his partner, Albert S. Lavenson. They decided to open the department store, which offered a wide selection of products, to differ from the established merchandising technique in which stores specialized in one type of merchandise. The business was successful and in 1927, they merged with San Francisco's Emporium store and became known as Emporium-Capwell. Capwell's opened on August 5, 1929, in San Francisco. The company survived the Stock Market crash later that year and expanded to the suburbs after World War II. In the mid-1990s, the Capwell's chain was sold to Federated Department Stores; soon after, the suburban branches closed and converted to large retailers such as Sears and Macy's. In 1984, Mervyns purchased the property at 22301 Foothill Boulevard and converted the building from a retail department store to the company's corporate headquarters. Capwell died on July 9, 1929. Lavenson died in 1930 (Allen 2016).

Many of the iconic Emporium-Capwell stores remain: the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber, and another Hayward location in the Southland Mall, now another Macy's location (Department Store Museum 2016).

In the years following World War II, commercial development expanded exponentially, similar to residential development. The area surrounding 22301 Foothill Boulevard consists of post-WWII housing and commercial development.

4.3.4 Site-Specific History

Historical maps show that the Project Area remained largely unsettled throughout much of the nineteenth and early twentieth centuries. Historic maps dating from between 1857 and 1915 depict no features in the Project Area (Higley 1857; Bureau of Land Management [BLM] 1876; United States Geological Society [USGS] 1899; 1915). Maps beginning in 1947 depict the Project Area as a fully developed urban area. A road circulation pattern is depicted within the Project Area that is no longer extant, suggesting that the area was redeveloped by Capwell's for the department store (USGS 1947, 1950). And 1155 Hazel Avenue was built in 1966 by Capwell's to serve as a garage and showroom. The properties at 1155 Hazel Avenue and 22301 Foothill Boulevard are first depicted in a 1968 map (USGS 1959 [photorevised 1968]).

5.0 METHODS AND RESULTS

Methods of data collection and results of the data review are presented in this section.

5.1 RECORDS SEARCH

Staff at the Northwest Information Center (NWIC) conducted a records search at the request of Michael Baker International. The records search (NWIC File No. 15-1259) was conducted for the Project Area with a 1/8-mile search radius on March 4, 2016 (**Appendix B**). The NWIC, of the California Historical Resources Information System (CHRIS), California State University, Sonoma, an affiliate of the State of California Office of Historic Preservation (OHP), is the official state repository of cultural resource records and reports for Alameda County. As part of the records search, the following federal and state inventories were provided but not reviewed by the NWIC:

- California Inventory of Historic Resources (OHP 1976).
- California Points of Historical Interest (OHP 1992 and updates).
- California Historical Landmarks (OHP 1996).
- Directory of Properties in the Historic Property Data File (OHP last updated April 5, 2012). The directory includes the listings of the National Register of Historic Places (National Register), National Historic Landmarks, California Register, California Historical Landmarks, and California Points of Historical Interest.

5.1.1 Results

One cultural resources study was identified within the Project Area. The following is a description of the report:

Busby, Colin. Basin Research Associates, Inc.

2005 "Archaeological and Limited Literature Review and Paleontological Records Search, Zone 2, Line B, San Lorenzo Creek Restoration Project, Hayward, Alameda County, California." San Leandro, California. Prepared for the County of Alameda Public Works Agency.

This cultural resource study documented the results of a records, literature, and map search. The purpose of this letter report was to provide preliminary information about archaeological and paleontological resource sensitivity and recommendations for compliance with CEQA.

The study identified one archaeological resource, a prehistoric site (*P-01-000078/CA-ALA-58*), which was originally recorded in 1959. The site included at least two burials and at least two mortars and two pestles within an earth mound with almost no shell (Davis 1959). No additional information is available.

The report stated: "the topography suggests that San Lorenzo Creek...likely functioned as a Native American trail between the bay margin through the hills" (Busby 2005:4) and determined the area to have "extreme" sensitivity for archaeological resources.

One cultural resources study was identified within a 1/8-mile radius of the Project Area, described as follows:

Basin Research Associates, Inc.

2001 "Cultural Resources Review, Archaeological and Architectural Resources, City of Hayward General Plan Revision, Alameda County, California." San Leandro, California. Prepared for Lamphier-Gregory, Oakland, California.

This cultural resources report documented the review of cultural resources records, literature, and map search, field survey, and findings of cultural resources within the project area. The purpose of the report was to identify archaeological and built environment historic resources in Hayward and provide recommendations to be included in the City's General Plan update. The study identified 42 cultural resources in Hayward, including prehistoric site *P-01-000078/CA-ALA-58*.

Three cultural resource were identified within a 1/8-mile radius of the Project Area. The following are descriptions of each resource:

P-01-000078/CA-ALA-58 – A prehistoric site was originally recorded in 1959. The site included at least two burials and at least two mortars and two pestles within an earth mound with almost no shell (Davis 1959).

Herbert Building (*P-01-011620*) – The one-story commercial building at 22477 Maple Court in Hayward was evaluated and recommended not eligible for inclusion in the California Register under any criteria (Shoup 2015a). The property is not listed in the OHP Historic Property Data File for Alameda County; therefore, the property does not have an OHP determination of eligibility (OHP 2012) and should not be considered evaluated. The Herbert Building is located approximately 490 feet outside the Project Area.

Levine Hospital (*P-01-011621*) – The hospital at 22330–22336 Main Street was evaluated and recommended not eligible for inclusion in the California Register under any criteria (Shoup 2015b). The property is not listed in the OHP Historic Property Data File for Alameda County; therefore, the property does not have an OHP determination of eligibility (OHP 2012) and should not be considered evaluated. The Levine Hospital is located approximately 450 feet outside the Project Area.

5.2 LITERATURE REVIEW

Michael Baker International reviewed publications, maps, local historical directories, and websites for archaeological, ethnographic, historical, and environmental information about the Project Area and its vicinity. Literature reviewed includes the following:

- Historical Atlas of California (Beck and Haase 1974)
- Five Views: An Ethnic Historic Sites Survey for California (OHP1988)
- California Soil Resource Lab (2016)
- The Epidemic of 1830–1833 in California and Oregon (Cook 1955)
- California Place Names: The Origin and Etymology of Current Geographical Names (Gudde and Bright 2010)
- California Geology (Harden 1998)

- Historical Atlas of California (Hayes 2007)
- California (Heizer 1978)
- Historic Spots in California (Hoover et al. 1966, 1990)
- Internet Archive (2016)
- Handbook of the Indians of California (Kroeber 1925)
- California 1850: A Snapshot in Time (Marschner 2000)
- Ethnographic Notes on California Indian Tribes (Merriam 1967)
- California Archaeology (Moratto 1984)
- Physical Geology (Plummer, Carlson, and Hammersley 2010)
- Official Map of the County of Alameda (Higley 1857)
- Township 2 South, Range 3 West Public Land Survey Map (BLM 1876)
- Haywards, Calif., 15-minute topographic quadrangle (USGS 1899)
- Haywards, Calif., 15-minute topographic quadrangle (USGS 1915)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1947)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1950)
- Hayward, Calif., 7.5-minute topographic quadrangle (USGS 1959 [photorevised 1968])

5.2.1 Results

The 1857 Official Map of the County of Alameda depicts San Lorenzo Creek adjacent to the Project Area. No additional features are depicted (Higley 1957).

The 1876 Township 2 South, Range 3 West Public Land Survey map depicts San Lorenzo Creek adjacent to the Project Area and a residence belonging to “Lewelling” to the east (BLM 1876).

The 1899 and 1915 Haywards, Calif., 15-minute topographic quadrangles depict San Lorenzo Creek and the current road alignment of Foothill Boulevard adjacent to the Project Area. No additional features are located within the Project Area (USGS 1899, 1915).

The 1947 and 1950 Hayward, Calif., 7.5-minute topographic quadrangles depict the Project Area as a fully developed urban area. San Lorenzo Creek and Foothill Boulevard are located adjacent to the Project Area, and a road circulation pattern that is no longer extant is depicted within the Project Area (USGS 1947, 1950).

The 1959 Hayward, Calif., 7.5-minute topographic quadrangle depicts a redeveloped Project Area with the current buildings at 1155 Hazel Avenue and 22301 Foothill Boulevard (USGS 1959 [Photorevised 1968]).

5.3 NATIVE AMERICAN CONSULTATION

The City is conducting Native American consultation pursuant to Assembly Bill 52 (AB 52). To date, the City sent a project notification and invitation to begin AB 52 consultation on March 11, 2016, to Randy Yonemura, Cultural Committee Chair of the Lone Band of Miwok (**Appendix C**).

5.4 HISTORICAL SOCIETY CONSULTATION

On February 2, 2016, Michael Baker sent a letter describing the Project with maps depicting the Project Area to the Hayward Area Historical Society. The letter requested any information or concerns about cultural resources in the Project Area (**Appendix D**). On March 1, 2016, Michael Baker staff left a follow-up voice message requesting information or concerns about cultural resources in the Project Area. No responses to consultation attempts were received.

5.5 PEDESTRIAN SURVEY

Michael Baker staff (résumés in **Appendix A**) conducted an archaeological and built environment field survey of the Project Area on March 15, 2016. The surveys were conducted to identify archaeological deposits and built environment features within and adjacent to the Project Area.

Field survey observations were documented with field notes and digital photographs, and cultural resources were evaluated on DPR 523 Series forms.

5.5.1 Archaeological Deposits

Archaeological survey methods were limited to single transects in all landscaping located between Foothill Boulevard, Civic Center Drive, the north parking lot boundary, and the south parking lot boundary. Ground visibility was poor (<5%) and appeared to consist of landscaping sod and fill dirt. No archaeological materials, artifacts, residues, or features were observed.

An abundance of modern trash and garbage is located throughout the Project Area. Vandalism is endemic in all the structures in the Project Area. The parking lot west of 22301 Foothill Boulevard and west/southwest of the multistory parking garage were not surveyed due to safety concerns.

The pedestrian survey did not identify archaeological deposits within the Project Area.

5.5.2 Built Environment Resources

The Project Area includes two built environment resources 50 years old or older.

22301 Foothill Boulevard (APN 428-26-68-1)

The property at 22301 Foothill Boulevard consists of a three-story office building with basement built in 1958. The building has a rectangular ground plan. The reinforced concrete foundation supports a concrete frame, reinforced concrete walls, and a flat concrete roof. The building's north façade includes the main entrance, which features brick walkways, three three-story concrete pillars, and metal-framed entry doors and windows. The third-story windows wrap around along the east and south elevations. The south elevation includes a one-story commercial space. A three-story parking garage is located adjacent to the building on the south. The parking garage was built in 1985.

- The building displays major alterations dating to 1984 when the property was renovated for use as an office building, including: conversion from a commercial retail space to an office building,
- a one-story cafeteria addition on the south elevation in 1985,
- new concrete and stucco exterior wall cladding,
- new aluminum windows and doors, and
- enclosure of an exterior walkway along Foothill Boulevard.

1155 Hazel Avenue (APN 428-26-67-3)

The property at 1155 Hazel Avenue consists of a one-story commercial building built in 1966. The building has a rectangular ground plan. The reinforced concrete foundation supports a concrete block frame and walls, and a flat composition roof. The building's southeast façade includes the main entrance, metal-framed storefront windows, and four garage bay doors. The additional elevations feature decorative concrete brick designs. The building originally included a large garage area on the west portion and a showroom on the east portion. A decorative canopy wraps around the showroom. A parking lot surrounds most of the building, which sits adjacent to Hazel Avenue. Small shrubs line the north, east, and west elevations.

6.0 HISTORICAL RESOURCES EVALUATION

6.1 ARCHAEOLOGICAL DEPOSITS

The Project Area does not contain known archaeological deposits. Archaeological deposits were not evaluated.

6.2 BUILT ENVIRONMENT RESOURCES

The Project Area includes two properties requiring evaluation for the California Register and the Hayward Register. The properties are evaluated below.

6.2.1 22301 Foothill Boulevard Evaluation

California Register Evaluation

Criterion 1 – The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level. It was one of many commercial buildings developed in the region during the post-WWII years. Furthermore, it is one of many Capwell's buildings and therefore lacks a specific, important historical association with this pattern of events. As such, the property does not appear eligible for the California Register under Criterion 1.

Criterion 2 – Research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history. H.C. Capwell and Albert S. Lavenson died before the store opened in 1958 and are not directly associated with the building. As such, the property does not appear to be associated with any historically important individuals and does not appear eligible under California Register Criterion 2.

Criterion 3 – The 1958 commercial building lacks an architectural style due to major alterations to its elevations. As such, the building does not embody a distinctive type, period, or method of construction; does not represent the work of a master architect or designer; and is not a superior example of an architectural style. Therefore, the building does not appear eligible under California Register Criterion 3.

Criterion 4 – The property is not likely to yield valuable information that will contribute to an understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property lacks integrity of design, materials, workmanship, and feeling due to various alterations to the building including a cafeteria addition, replacement wall cladding, windows, and doors, and enclosure of an exterior walkway. It maintains integrity of setting and location, but lacks association with a historic context.

Hayward Register Evaluation

Criterion 1 – The building is one of many commercial buildings developed in the region during the post-WWII years, is one of many Capwell's buildings, and is not directly associated with the lives of H.C. Capwell and Albert S. Lavenson. The building, once associate with Emporium-Capwells, was important to the history of Hayward, however the store was redeveloped into an office building and no longer retains integrity to its historic context. Therefore, the property is not associated with

the lives of historic people or with important events in the city, state, or nation, and is not eligible for the Hayward Register under Criterion 1.

Criterion 2 – The building lacks an architectural style due to major alterations to the building elevations. Therefore, the property is not representative of an architectural style or way of life important to the city, state, or nation and is not eligible for the Hayward Register under Criterion 2.

Criterion 3 – Commercial buildings in Hayward were common in the post-WWII years and are still common throughout the city. Therefore, the building is not an example of a type of building which was once common, but is now rare, and is not eligible for the Hayward Register under Criterion 3.

Criterion 4 – The building is associated with the Emporium-Capwell department store chain once located throughout the San Francisco Bay Area. The business, which closed all its stores in the mid-1990s, sold its stores to other large retailers such as Macy's and Sears; many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now used as another Macy's location. Additional remaining stores include those in Walnut Creek, El Cerrito, Fremont, and Richmond. The remaining San Francisco and Oakland stores were iconic to the business and more representative of the company's past than the property at 22301 Foothill Boulevard. Therefore, the building at 22301 Foothill Boulevard is not connected with a business or use which was once common, but is now rare, and the building is not eligible for the Hayward Register under Criterion 4.

Criterion 5 – The 1958 commercial building lacks an architectural style due to major alterations to its elevations. Therefore, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

In conclusion, the property at 22301 Foothill Boulevard does not appear eligible at the local or state level for listing in the California Register under Criteria 1, 2, 3, or 4 or for the Hayward Register under Criteria 1, 2, 3, 4, or 5, either individually or as a contributor to a historic district. Additionally, the property was evaluated in accordance with CEQA Guidelines Section 15064.5(a)(2)–(3) using the criteria outlined in PRC Section 5024.1 and does not appear to be a historical resource for the purposes of CEQA.

6.2.2 1155 Hazel Avenue Evaluation

California Register Evaluation

Criterion 1 – The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level. It was one of many commercial buildings developed in the region during the post-WWII years and therefore lacks a specific, important historical association with this pattern of events. As such, the property does not appear eligible for the California Register under Criterion 1.

Criterion 2 – Research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history. H.C. Capwell and Albert S. Lavenson died before the store opened in 1966 and are not directly associated with the building. As such, the property does not appear to be associated with any historically important individuals and does not appear eligible under California Register Criterion 2.

Criterion 3 – The 1966 commercial building is one of many contemporary-style buildings in Hayward and California. As such, the building does not embody a distinctive type, period, or method of construction; does not represent the work of a master architect or designer; and is not a superior example of an architectural style. Therefore, the building does not appear eligible under California Register Criterion 3.

Criterion 4 – The property is not likely to yield valuable information that will contribute to an understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property maintains integrity of design, materials, workmanship, feeling, setting, and location, but lacks association with a historic context.

Hayward Register Evaluation

Criterion 1 – The building is one of many commercial buildings developed in the region during the post-WWII years, is one of many automobile-related buildings, and is not directly associated with the lives of H.C. Capwell and Albert S. Lavenson. Therefore the property is not associated with the lives of historic people or with important events in the City, state, or nation, and is not eligible for the Hayward Register under Criterion 1.

Criterion 2 – The contemporary-style garage building is one of many buildings of this type and style. It is a minor representation of a contemporary-style commercial building. Therefore, the property is not representative of an architectural style or way of life important to the city, state, or nation and is not eligible for the Hayward Register under Criterion 2.

Criterion 3 – Commercial buildings and garages in Hayward were common in the post-WWII years and are still common throughout the city. Therefore, the building is not an example of a type of building which was once common, but is now rare, and is not eligible for the Hayward Register under Criterion 3.

Criterion 4 – The building is associated with the Emporium-Capwell department store chain once located throughout the San Francisco Bay Area. The business, which closed all its stores in the mid-1990s, sold its stores to other large retailers such as Macy's and Sears; many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now another Macy's location. Additional remaining stores include those in Walnut Creek, El Cerrito, Fremont, and Richmond. The remaining San Francisco and Oakland stores were iconic to the business and more representative of the company's past than the property at 1155 Hazel Avenue. The garage building is not an important addition to the Capwell chain that is represented by large department store buildings. Therefore, the building at 1155 Hazel Avenue is not connected with a business or use which was once common, but is now rare, and the building is not eligible for the Hayward Register under Criterion 4.

Criterion 5 – The 1966 contemporary-style commercial building is a minor example of its style. Therefore, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

In conclusion, the property at 1155 Hazel Avenue does not appear eligible at the local or state level for listing in the California Register under Criteria 1, 2, 3, or 4 or for the Hayward Register under

CULTURAL RESOURCES STUDY AND ELIGIBILITY EVALUATIONS

Criteria 1, 2, 3, 4, or 5, either individually or as a contributor to a historic district. Additionally, the property was evaluated in accordance with CEQA Guidelines Section 15064.5(a)(2)–(3) using the criteria outlined in Public Resources Code Section 5024.1 and does not appear to be a historical resource for the purposes of CEQA.

7.0 SUMMARY OF RESULTS AND RECOMMENDATIONS

As shown in Table 2, this study identified and evaluated two cultural resources within the Project Area. These resources do not appear eligible for listing in the California Register or the Hayward Register, nor do they qualify under the remaining criteria for consideration as historical resources under CEQA.

**TABLE 2
CULTURAL RESOURCES WITHIN THE PROJECT AREA**

Resource Name	Resource Type	In the Project Area?	Proposed Project Activity at/near Resource	Recommended Eligible for California Register	Recommended Eligible for Hayward Register	Historical Resource for Purposes of CEQA?
22301 Foothill Blvd.	Commercial Building	Yes	Redevelopment for retail and housing	No	No	No
1155 Hazel Avenue	Commercial Building	Yes	Redevelopment for retail and housing	No	No	No

7.1 RECOMMENDATIONS

7.1.1 Built Environment Resources

Neither the property at 22301 Foothill Boulevard nor the property at 1155 Hazel Avenue appears eligible for listing in the California Register or Hayward Register, and they are not historical resources for the purpose of CEQA. Therefore, no historical resources are located in the Project Area and no recommendations are necessary.

7.1.2 Archaeological Deposits

No archaeological materials, artifacts, or features were observed in the Project Area. However, the Project Area, specifically along San Lorenzo Creek, is very sensitive for prehistoric archaeological resources.

It is recommended that an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for Archeology be present for any subsurface excavation or earth-moving activities within the Project Area due to the area’s sensitivity.

In the event that archaeological resources are observed during Project construction-related activities, mitigation measures MM C-1 and MM C-2 are in place to reduce impacts to a less than significant level.

MM C-1 If prehistoric or historic-period archaeological deposits are discovered during Project construction activities, all work within 25 feet of the discovery shall be redirected and the archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits should be avoided by project activities, but if such impacts cannot be avoided, the deposits shall be evaluated for their California Register eligibility. If the deposits

are not California Register-eligible, no further protection of the finds is necessary. If the deposits are California Register-eligible, they shall be protected from Project-related impacts or such impacts mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

Implementation of mitigation measure MM C-1 would ensure that provisions are in place to reduce impacts to prehistoric or historic-period archaeological resources to a less than significant level as required by CEQA. Should archaeological deposits be encountered, impacts to such resources should be avoided, or further investigation should be conducted to offset the loss of scientifically consequential information that would occur if avoidance is not possible. Implementation of this mitigation measure would reduce the potential impact to a less than significant level.

MM C-2

Any human remains encountered during Project ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5. The project applicant shall inform its contractor(s) of the project area's sensitivity for human remains and verify that the following directive has been included in the appropriate contract documents:

If human remains are encountered during project activities, the project shall comply with the requirements of California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Alameda County coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American most likely descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Implementation of mitigation measure MM C-2 would ensure that human remains encountered during project activities are treated in a manner consistent with state law and reduce impacts to human remains to a less than significant level as required by CEQA. This would occur through the respectful coordination with descendant communities to ensure that the traditional and cultural values of said community are incorporated in the decision-making process concerning the disposition of human remains that cannot be avoided. Implementation of this mitigation measure would reduce the potential impact to a less than significant level.

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1947 Hayward, Calif., 7.5-minute topographic quadrangle.

1950 Hayward, Calif., 7.5-minute topographic quadrangle.

1959 Hayward, Calif., 7.5-minute topographic quadrangle (photorevised 1968).

APPENDIX A – RÉSUMÉS

Michael Elliott

Cultural Resources Technician

Mr. Elliott has over 15 years of experience in cultural resource management, including archaeological survey and site documentation, excavation of prehistoric and historic sites, monitoring subsurface construction activities, project planning and supervision, report writing, and professional technical illustration. He has participated in numerous projects in 36 California counties (65+ sites excavated/350+ surveyed) and western Nevada.

Education

BA, Anthropology | University of California, Santa Cruz

BA, History | University of California, Santa Cruz

Relevant Project Experience

InContext, Kinder Morgan Pipeline. Monitor for Kinder Morgan LS-64 JT9390 Pipeline in Roseville, CA.

Tremaine and Associates, Feather River Levee Segments. EM3 survey of levee segments along the west portion of the Feather River in Butte County, CA.

California Department of Forestry and Fire Protection, Soquel Demonstration State Forest Cultural Inventory. Crew member for cultural resource inventory for the Soquel Demonstration State Forest in Santa Cruz County.

Archaeological Resource Management, El Granada Test Excavation. Crew member for Phase II test excavation at CA-SMA-137 in San Mateo County, CA.

Archeo-Tec, Valencia Gardens. Crew member and leader for data recovery at a 19th century Chinese residence engaged in urban agricultural production in San Francisco's Mission District.

Professional Affiliations and Service

- Society for American Archaeology (SAA)
- Society for California Archaeology (SCA)

Papers and Publications

- Elliott, M. T. 2012. *Journeys West: Archaeological Adventures in California and the Great Basin.* Paper presented at the Cabrillo College Anthropology and Archaeological Club, Aptos, CA.
- Fisher, Jacob, and M.T. Elliott. 2011. *Stable Isotopes, Climate and Shifting Patterns of Mountain Sheep Hunting in the Great Basin.* Paper presented at the Annual Keeler Conference on Inyo-Mono Archaeology. Tom's Place, CA.
- Elliott, M. T. 2002. *Archaeological Survey in Surviving Riparian Habitats, Middle San Joaquin River Near Los Banos, California.* Paper presented at the Society for California Archaeology Northern California Data Sharing Meeting, Cabrillo College, Aptos, CA.

Team Member since 2015

Papers and Publications (Cont.)

- Elliott, M. T. and T. L. Jackson. 2002. *Cultural Resources Inventory for the Monument 3-D Seismic Project, Merced County, California*. Report on file with Central California Information Center, Turlock, CA.

Technical Specialization

- Lithic analysis and stone tool research, including debitage analysis and the organization of stone tool and core technologies
- Cartographic and digital recording: Trimble GPS, ERSI ArcGIS and Terrain Navigator Pro
- Geophysics. EM and EM3 survey

Archaeological Consulting, Los Padres National Forest Test Excavation. Crew member for test excavation at CA-MNT-307 in Monterey County, CA.

Pacific Legacy, Inc. California projects included:

- **Big Meadows, Tahoe National Forest.** Crew member for Phase II and III testing and data recovery at CA-PLA-1863, Placer County.
- **Bishop, Lone Pine, Owens Valley.** Crew member for numerous survey segments, Phase II and III excavations related to California Department of Transportation (Caltrans) proposed improvements along US Route 395.
- **Clear Lake.** Crew member for Caltrans data recovery at CA-LAK-1961, south of Lakeport. Crew member for test excavations and data recovery at 13 prehistoric sites along Highway 20 from Clearlake Oaks to Nice. Crew member for data recovery at CA-LAK-266, north of Lakeport.
- **Elk Hills.** Crew member/leader for data recovery at six prehistoric sites in the Elk Hills Naval Petroleum Reserve, Department of Energy, in western Kern County.
- **Handley Ranch.** Crew member for cultural resources survey of the Handley Ranch, Monterey County.
- **Huntington Lake.** Crew member for cultural resources inventory for FERC/Southern California Edison Big Creek Hydroelectric Alternative Licensing Program (SCE/BC-ALP), Sierra National Forest, Fresno County.
- **Indian Valley, Markleeville.** Crew member for cultural resource inventory for BLM, Alpine County.
- **Jose Basin, Shaver Lake, Pine Flat Reservoir.** Crew leader and project field supervisor of cultural resources inventory for Southern California Edison (SCE) Hydro-Separation Transmission Line Network Corridor Project, Sierra National Forest, Madera and Fresno Counties.

- **Lake Thomas A. Edison.** Crew member for cultural resources inventory (SCE/BC-ALP), Sierra National Forest, Fresno County.
- **Los Banos.** Project leader for the Monument 3-D Seismic Project. Cultural resource inventory of approximately 150 square miles of private, state, and federal land, in western Merced County.
- **Moss Landing.** Crew member for data recovery excavations at CA-MNT-229, Monterey County.
- **Portal Forbay and Florence Lake.** Crew member for cultural resources inventory for the FERC/Southern California Edison Big Creek Hydroelectric Alternative Licensing Program (SCE/BC-ALP). Sierra National Forest, Fresno County.
- **Rio Vista.** Crew member for survey of properties scheduled for subsurface seismic investigation by CGI, Inc. Sacramento and Solano County.
- **Shaver Lake, Big Creek.** Crew member/leader for cultural resources inventory for the FERC/Southern California Edison Big Creek Hydroelectric Alternative Licensing Program (SCE/BC-ALP), Sierra National Forest, Fresno County.
- **Springville.** Crew member for cultural resources survey of SCE transmission line network corridors (SCE Pole Replacement Program), Tulare County.
- **Stanford University.** Crew member for data recovery excavation and construction monitoring at CA-SCL-287, Sand Hill Road Corridor, Santa Clara County. Crew member for data recovery excavation at CA-SCL-623/H. Santa Clara County.
- **Susanville.** Crew member for Caltrans test excavations and data recovery at three prehistoric sites along CSR 44, Lassen County.
- **Watsonville.** Crew member for data recovery excavations and construction monitoring at CA-SCR-60/130, Santa Cruz County.

Margo Nayyar

Architectural Historian/Cultural Resources Technician

Ms. Nayyar is an architectural historian with five years of cultural resources management experience in California. Her experience includes built environment surveys, evaluation of historic-era resources using guidelines outlined in the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register), and preparation of cultural resources technical studies pursuant to the California Environmental Quality Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA); municipal preservation planning and general plan updates; and providing CLG training to interested local governments. She also specializes in producing HABS/HAER/HALS (Historic American Buildings Survey, Historic American Engineering Record, and Historic American Landscapes Survey) heritage documentation. She meets the Secretary of the Interior's Professional Qualification Standards for history and architectural history.

Education

MA, Public History | California State University, Sacramento

BA, History | University of California, Santa Cruz

Work Experience

* Denotes work or projects completed prior to joining Michael Baker International.

Land Development

Placer County, Cultural Resource Study Report and Eligibility Evaluations for the Vista del Valle Phase III Subdivision, Architectural Historian.*

Evaluated one resource for inclusion in the National Register and worked with a team of cultural resource specialists to prepare the Cultural Resource Study Report. The Vista del Valle Phase III Subdivision Project will construct 21 single-family residential lots. The project will affect waters of the United States and must meet requirements of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, and Section 106 of the NHPA.

Mark Twain Elementary School, Cultural Resource Assessment for 668 Stanislaus Avenue, Angels Camp, Architectural Historian. Evaluated a circa 1908 single-family residence for California Register eligibility and recommended the building not eligible due to lack of association with a historic context and integrity. Co-authored

Professional Affiliations and Service

- California Council for the Promotion of History
- Society of Architectural Historians

Awards and Honors

- 2013. George Bramson Memorial Prize in Historic Preservation. Honorable Mention for MA thesis at California State University, Sacramento, Department of History.

Team Member since 2015

the Cultural Resources Assessment Report. Mark Twain Elementary purchased the property at 668 Stanislaus Avenue with the intent to demolish the circa 1908 single-family residence and build a parking lot.

City of Elk Grove, The Mesa at Laguna Ridge, Architectural Historian. This project proposed to construct multi-family housing, community center, covered parking areas, and internal roadway circulation. Michael Baker produced a Cultural Resources Identification and Evaluation Report which documented the methods and results of archival research; an archaeological and built environment field survey; Native American and historical society consultation; and an eligibility evaluation in support of environmental review of the project under CEQA. Michael Baker evaluated a single-family residence as not eligible for the California Register and local Elk Grove Landmark and Heritage Resource Inventory. No archaeological resources were identified during the field survey. The project was determined to not have the potential to impact known historical resources, and Michael Baker provided mitigation measures consistent with the City's Laguna Ridge Specific Plan EIR to reduce resource impacts to a less than significant level should cultural resources or human remains be discovered during project-related construction.

City of Elk Grove, East Lawn Cemetery Expansion, Architectural Historian. The proposed project will construct an additional 20,030 burial plots, connecting driveways, and parking lots adjacent to the existing East Lawn Elk Grove Memorial Park & Mortuary. The City, as the lead agency, was responsible for conducting an environmental review under CEQA. Michael Baker produced a Cultural Resources Identification Report that documented the methods and results of archival research; an archaeological and built environment field survey; AB 52 Native American consultation; and historical society consultation in support of the environmental review. No archaeological resources were identified in the project area; one built environment resource, the East Lawn Elk Grove Memorial Park & Mortuary, was identified adjacent to the project area. The project was determined not to have the potential to impact known cultural resources in the project area, with a less than significant impact to the East Lawn Elk Grove Memorial Park & Mortuary. The report also provided mitigation measures consistent with the Elk Grove General Plan EIR to reduce impacts to a less than significant level should cultural resources or human remains be discovered during project-related construction.

City of Pleasant Hill, DeNova Homes Major Subdivision, Architectural Historian. The project proposed to construct 18 single-family homes, roads, and stormwater drainages on approximately 9.8 acres. In support of the project, Michael Baker conducted a reconnaissance-level cultural resources field survey and records search at the Northwest Information Center (NWIC) in order to determine the presence of any previously identified and unidentified archaeological and built environment resources within or adjacent to the project area that may be impacted by the project. Based on the results of the field survey and records search, Michael Baker identified one historical resource adjacent to the project area: the National Register-eligible Contra Costa Canal. The canal is eligible for listing in the National Register for its significance as part of the Central Valley Project and economic development of eastern Contra Costa County. The project was determined to not have the potential to directly or indirectly impact the Contra Costa Canal because (1) the canal is outside the project area and therefore there will be no direct impact; and (2) the canal's significance for which it was determined eligible for the National Register will remain intact despite development adjacent to the canal. Therefore, the project will not indirectly impact the

resource. Michael Baker produced a letter report to identify the necessary actions required for the City to comply with the environmental review obligations of CEQA and included mitigation measures for the discovery of cultural resources and human remains during project construction to reduce impacts to a less than significant level. The letter report and findings were appended to and incorporated into the EIR.

City of Carmel-by-the-Sea, Rio Park/Larsen Field Trail, Architectural Historian. In support of this project, a 1,400-foot-long and 8-foot-wide paved pedestrian/bike path, Michael Baker conducted a reconnaissance-level cultural resources field survey and records search at the NWIC. The intent of the field survey and records search was to determine the presence of previously identified and unidentified archaeological and built environment resources within or adjacent to the project area that may be impacted by the project. Based on the survey and search results, Michael Baker identified three previously identified prehistoric and historic archaeological sites within 1 kilometer of the project area. Furthermore, during the archaeological field survey, Michael Baker observed oyster and mussel shells that may be associated with a shell midden in the project area. Thus, the project area was determined to have extremely high prehistoric and historical period archaeological sensitivity. Michael Baker produced a letter report to document the methods and results of the survey and search in support of environmental review of the project under CEQA. Based on public input from the Ohlone Costanoan Esselen Nation during the public review process, the City and Michael Baker developed mitigation measures to mitigate impacts to unknown cultural resources and human remains to a less than significant level. The letter report and findings were appended to and incorporated into the EIR.

Sacramento County, Mitsubishi Heavy Industries, Mitsubishi Plant Expansion, Architectural Historian.* The plant expansion involves expanding an approximately 65,000-square-foot manufacturing/warehouse building with an additional approximately 60,000 square feet of manufacturing space and another 10,000 square feet of maintenance and warehouse space in Sacramento County. The project required a Cultural Resources Identification Report which documented the methods and results of archival research, an archaeological and built environment field survey, and Native American and historical society consultation in support of environmental review of the project under CEQA. No cultural resources were identified in the project area, and two previously identified built environment cultural resources were identified adjacent to the project area: Central California Traction Company railroad and the associated drainage ditch. Both were previously evaluated and recommended not eligible for inclusion in the National Register. The report also recommended mitigation measures for previously unidentified archaeological cultural resources and human remains to avoid or reduce impacts of project-related construction.

APPENDIX B – NATIVE AMERICAN CONSULTATION



Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

2 March 2016

City of Hayward
Development Services Dept.
David Rizk, AICP, Director
777 Bst.
Hayward , Calif. 94541

RECEIVED

MAR 07 REC'D

Development Services Department

RE: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subds. (b), (d) and (e) for City of Hayward

Dear Mr. Rizk

This letter constitutes a formal request for tribal consultation for the first phase of planning under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural and environmental resources for the above referenced project. The Ione Band of Miwok Indians requests formal notice and information for all projects within your agency's jurisdiction.

The Ione Band of Miwok Indians requests consultation on the following topics listed below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subd. (a)):

- Alternatives to the project
- Recommended mitigation measures
- Significant effects of the project

The Ione Band of Miwok Indians also requests consultation on the following discretionary topics listed below (Public Resources Code section 21080.3.2, subd. (a)):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies or standards used by your agency to determine significance of tribal cultural resources
- **Significance of the project's impacts on tribal cultural resources**
- Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:

- (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction, geotechnical tests, utility location, and pedestrian surveys to avoid harming the resources (including water, endangered tribal plant resources, and endangered animal resources), and to protect the cultural and natural context, or planning greenspace, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria;



Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

(2) Treating the resources with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:

- Protecting the cultural character and integrity of the resource
- Protecting the traditional use of the resource
- Protecting the confidentiality of the resource

(3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places

(4) Protecting the resource

Additionally, the Ione Band of Miwok Indians would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response
- Notification of whether the probability is low, moderate, or high that cultural resources are located in the APE
- Notification if a records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE
- Notification if a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures
- All information regarding site locations, Native American human remains, and associated funerary objects; such information should be placed in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.



Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

3. The results of any Sacred Lands File (SFL) check conducted through the Native American Heritage Commission. The request form can be found at <http://www.dot.ca.gov/hq/env/cultural/#templates> under Compliance Document Templates. Click on the link *Sacred Lands Inventory Form* to download the pdf. USGS 7.5- minute quadrangle name, township, range, and section are required for the search.
4. Any ethnographic studies conducted for any area including all or part of the potential APE
5. Any geotechnical reports regarding all or part of the potential APE

We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b)(3) states that preservation-in-place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subd. (b)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.

The Ione Band of Miwok Indians expects to begin consultation within 30 days of your receipt of this letter. Please contact the Cultural Committee of the Ione Band of Miwok Indians.

Thank you.

Sincerely,

Randy Yonemura
Cultural Committee Chair
P.O. Box 699
9252 Bush St., Suite 2
Plymouth, CA 95669
Tel. (209) 245-5800
Email: Randy_yonemura@yahoo.com



IONE BAND OF MIWOK INDIANS INDIGENOUS TERRITORY



March 11, 2016

Randy Yonemura
Cultural Committee Chair
PO Box 699
9252 Bush Street, Suite 2
Plymouth, CA 95669
Via Email Randy_yonemura@yahoo.com

RE: INVITATION TO BEGIN ASSEMBLY BILL 52 (GATTO 2014) CONSULTATION FOR THE LINCOLN LANDING DEVELOPMENT PROJECT, HAYWARD, CALIFORNIA

Dear Mr. Yonemura:

In response to your March 2, 2016, request for Assembly Bill 52 (Gatto 2014) Public Resources Code: 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 5097.94 (AB 52) notification of projects, the City of Hayward (City) is requesting AB 52 consultation initiation for the Lincoln Landing development (proposed project).

Site

The proposed project site involves two parcels located at 22301 Foothill Boulevard (APNs. 420-0026-068-01 and 428-0026-067-03). The 11.3 acre site is currently developed with two buildings, a parking structure and surface parking lots. The site was initially developed in the mid-1950s with Capwells Department Store. In the mid-1980s, the store was remodeled and a four story parking structure was constructed at the southwestern corner of the site to accommodate the Mervyns Headquarters. Mervyns occupied the structure until about 2008 when it closed and the site/building is vacant. See Figures 1 and 2.

Project

The proposed Lincoln Landing development project consists of a request for a Vesting Tentative Map to subdivide the site and Site Plan Review. The proposed project is consistent with the City's General Plan and zoning regulations applicable to the site. The project involves demolition of the existing office buildings and construction of up to 476 residential units; 81,000 square feet of ground floor commercial uses; a pocket park; surface parking lots; landscaping; and, improvements of the existing Alameda

Development Services Department
Planning Division
777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4200 Fax: 510/583-3649

County Flood Control access pathway along San Lorenzo Creek to provide a multi-use public trail. See attached plans showing existing conditions and the proposed project. See Figure 3.

You are a traditionally and culturally affiliated California Native American tribal representative that has requested notice of projects where AB 52 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) within the planning area so that this information can be incorporated into the project. The City, as the lead agency, pursuant to AB 52, is requesting input on this project within 30 days of the date of this letter.

Your comments and concerns are important to us and we look forward to hearing from you. If you have any questions or comments regarding the Safety Element update, I can be contacted via email at leigha.schmidt@hayward-ca.gov or by phone at 510-583-4113.

Sincerely,



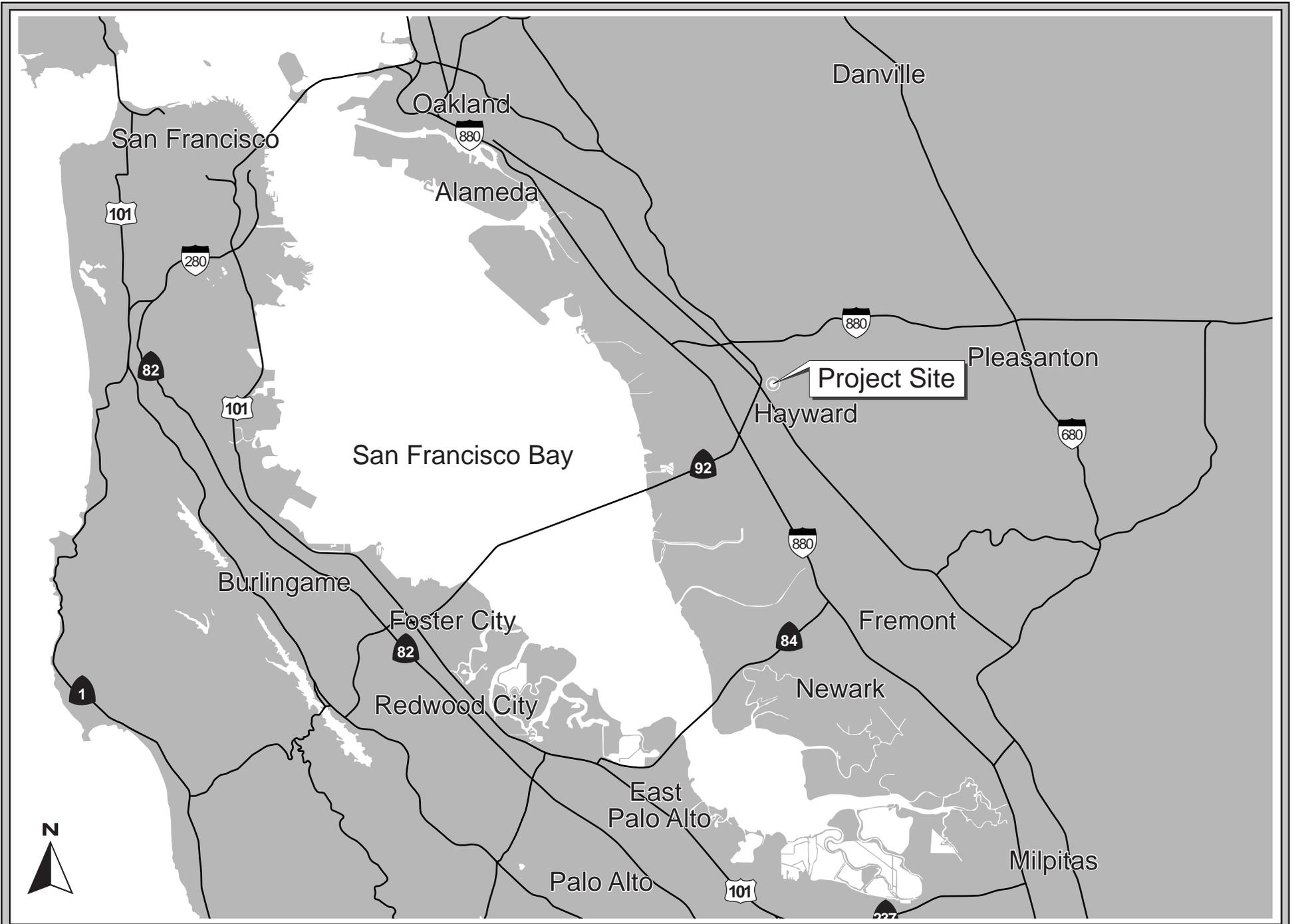
Leigha Schmidt
Senior Planner

Attachments:

Figure 1	Regional Map
Figure 2	Existing Conditions
Figure 3	Site Plan

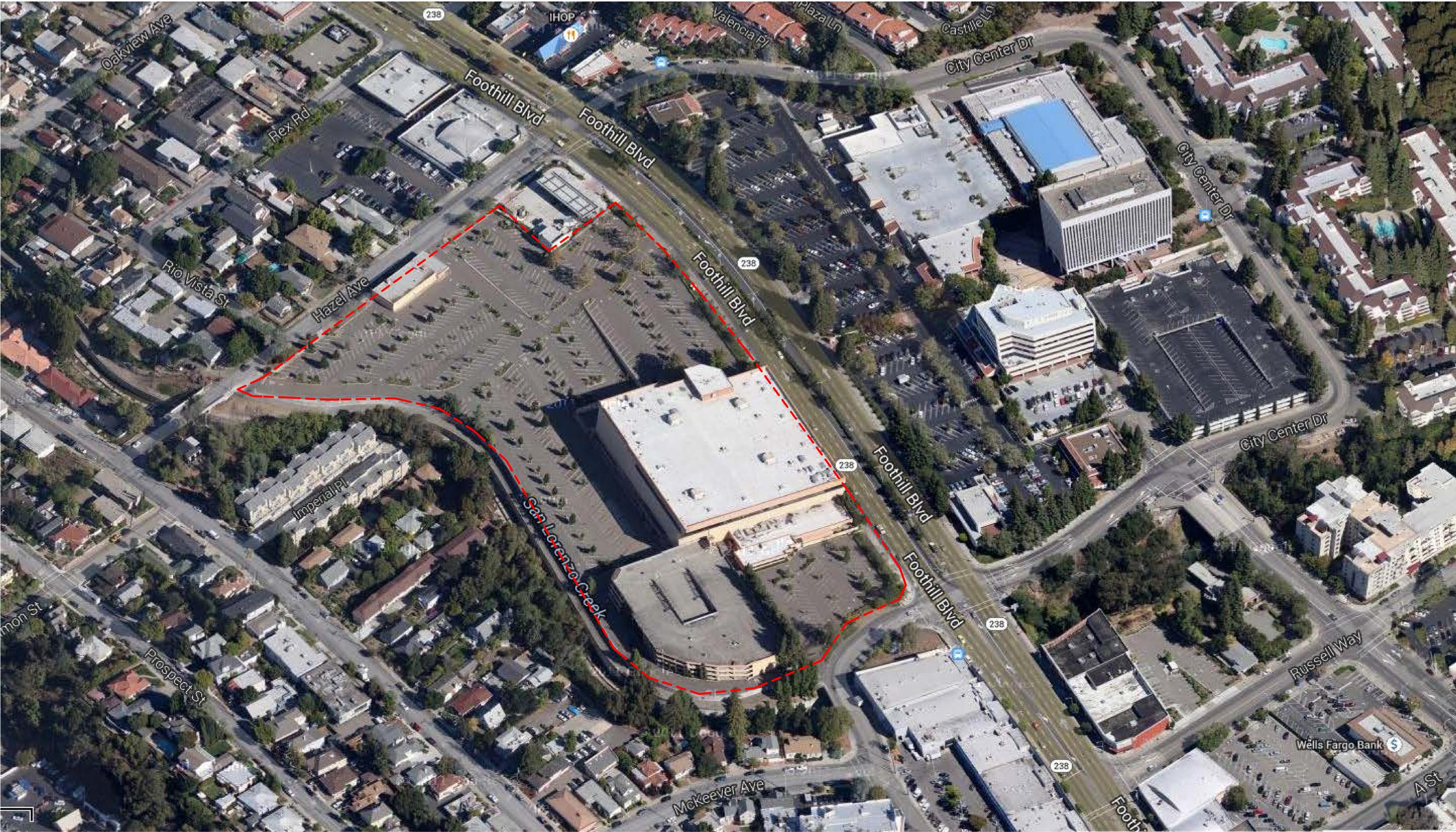
Development Services Department
Planning Division

777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4200 Fax: 510/583-3649



REGIONAL MAP

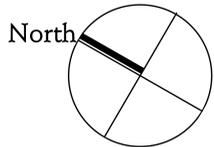
FIGURE 1



Lincoln Landing

Hayward California

Existing
Aerial View



AX1



Lower Level Plan
1" = 30'

Lincoln Landing

Hayward California

APPENDIX C – HISTORICAL SOCIETY CONSULTATION

February 2, 2016

HAYWARD AREA HISTORICAL SOCIETY

22380 Foothill Blvd
Hayward, CA 94541

RE: THE LINCOLN LANDING PROJECT, CITY OF LIVE OAK, SUTTER COUNTY, CALIFORNIA

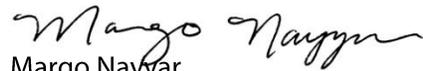
Dear Historical Society:

Michael Baker International is conducting a cultural resources investigation for the above referenced project. The project is located in Hayward, Alameda County, within Township 3 South, Range 2 West, Mount Diablo Base Meridian, as depicted on the accompanying figures (Figures 1 and 2).

The project proposes to demolish two buildings and the parking lots on the property to build condominiums. The parking multi-story parking garage will remain intact.

Please notify us if your organization has any information or concerns about historical sites in the project area. This is not a request for research; it is solely a request for public input related to any concerns that the Historical Society may have. If you have any questions, please contact me at your earliest convenience at margo.nayyar@mbakerintl.com or (916) 517-2393.

Sincerely,



Margo Nayyar
Cultural Resources Analyst

Attachments: Figure 1 – Regional Vicinity
Figure 2 – Project Area

T:\GIS\Alameda_County\Mxd\Hayward\Inc\ch_Landing\Cultural\Project_Location & Vicinity.mxd (3/22/2016)

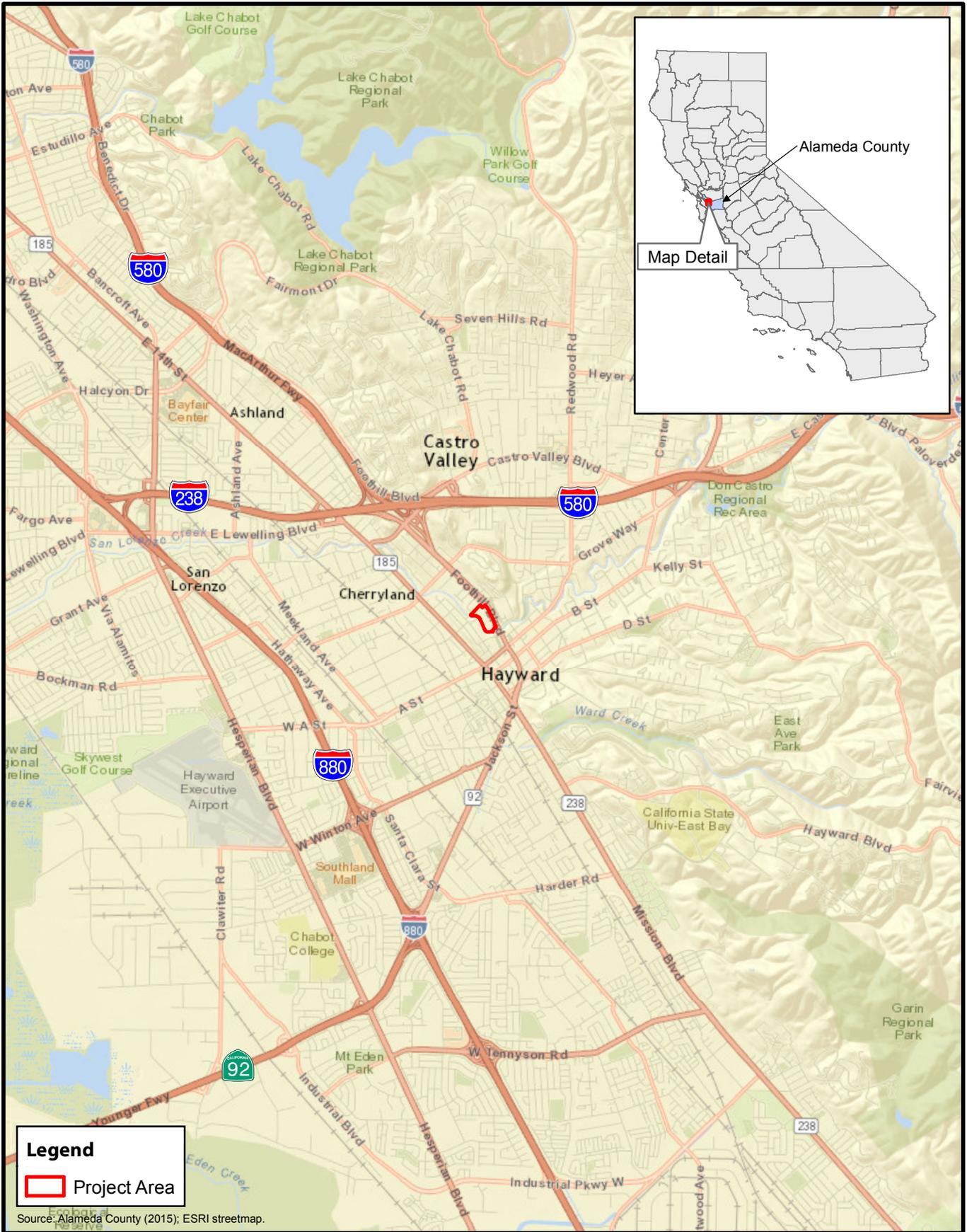


FIGURE 1
Project Location and Vicinity

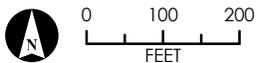


FIGURE 2
Project Area

APPENDIX D – DPR 523 FORMS

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

Primary #
HRI #
Trinomial
NRHP Status Code 6Z

Other Listings
Review Code

Reviewer

Date

Page 1 of 5

*Resource Name or #: 1155 Hazel Avenue

P1. Other Identifier: N/A

*P2. Location: Unrestricted

*a. County Alameda and

*b. USGS 7.5' Quad *Hayward, Calif.* Date 1993 T 3S; R 2W; San Lorenzo (Castro) Land Grant M.D.B.M

c. Address 1155 Hazel Avenue City Hayward Zip 94541

d. UTM: Zone 10 , 580726 mE/ 4170479 mN

e. Other Locational Data: APN 428-26-67-3

*P3a. Description:

The property at 1155 Hazel Avenue consists of a one-story commercial building built in 1966. The building has a rectangular ground plan. The reinforced concrete foundation supports a concrete block frame and walls, and a flat composition roof. The building's southeast façade includes the main entrance, metal-framed storefront windows, and four garage bay doors. The additional elevation features decorative concrete brick designs. The building originally included a large garage area on the west portion and a showroom on the east portion. A decorative canopy wraps around the showroom.

A parking lot surrounds most of the building, which sits adjacent to Hazel Avenue. Small shrubs line the north, east, and west elevations.

*P3b. Resource Attributes: HP6. 1-3 Story Commercial Building

*P4. Resources Present: Building

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



P5b. Description of Photo:
Photograph 1: View southwest of southeast elevation of garage building. Taken March 15, 2016.

P6. Date
Constructed/Age and
Source:

Historic
1966 – Alameda County
Assessor's Office Files

*P7. Owner and Address:

DP Ventures, LLC
555 Twin Dolphin Drive
Redwood City, CA 94065

*P8. Recorded by:

Michael Elliott
Michael Baker International
2729 Prospect Park Drive, #220
Rancho Cordova, CA 95670

*P9. Date Recorded:

March 15, 2016

*P10. Survey Type: Intensive

*P11. Report Citation: Nayyar, Margo, and Michael Elliott. 2016. "City of Hayward, Lincoln Landing Project Cultural Resources Study and Eligibility Evaluations." Michael Baker International: Rancho Cordova, CA. Prepared for the City of Hayward.

*Attachments: Location Map Continuation Sheet Building, Structure, and Object Record

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Z
*Resource Name or # 1155 Hazel Avenue

- B1. Historic Name: N/A
- B2. Common Name: N/A
- B3. Original Use: Commercial
- B4. Present Use: Vacant
- *B5. Architectural Style: Contemporary
- *B6. Construction History:

The property at 1155 Hazel Avenue was originally constructed in 1966 as a garage. There are no known alterations.

*B7. Moved? No Yes Unknown Date: N/A Original Location: N/A

*B8. Related Features: N/A

B9a. Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme Commercial Development Area: Hayward
Period of Significance 1966 Property Type Commercial Applicable Criteria N/A

The property at 1155 Hazel Avenue does not appear eligible for listing in either the California Register of Historical Resources (California Register) or the Hayward Register under any criteria.

The property was built in 1966 and served as a garage and showroom. It was owned by Capwell's, the department store located to the southeast at 22301 Foothill Boulevard. Capwell's was a department store chain in the San Francisco Bay Area in locations such as San Francisco, Walnut Creek, El Cerrito, Fremont, and Richmond.

Harris Cebert "H.C." Capwell established his first retail store, The Lace House, in 1891 in Oakland with his partner, Albert S. Lavenson. They decided to open the department store, which offered a wide selection of products, to differ from the established merchandising technique in which stores specialized in one type of merchandise. The business was successful and in 1927 they merged with San Francisco's Emporium store and became known as Emporium-Capwell. Emporium-Capwell opened on August 5, 1929, in San Francisco. The company survived the Stock Market crash later that year and expanded to the suburbs after World War II. In the mid-1990s, the Emporium-Capwell chain was sold to Federated Department Stores; soon after, the suburban branches closed and converted to large retailers such as Sears and Macy's. In 1984, Mervyns purchased the property at 22301 Foothill Boulevard and converted the building from a retail department store to the company's corporate headquarters. Capwell died on July 9, 1929. Lavenson died in 1930 (Allen 2016).

B11. Additional Resource Attributes: N/A

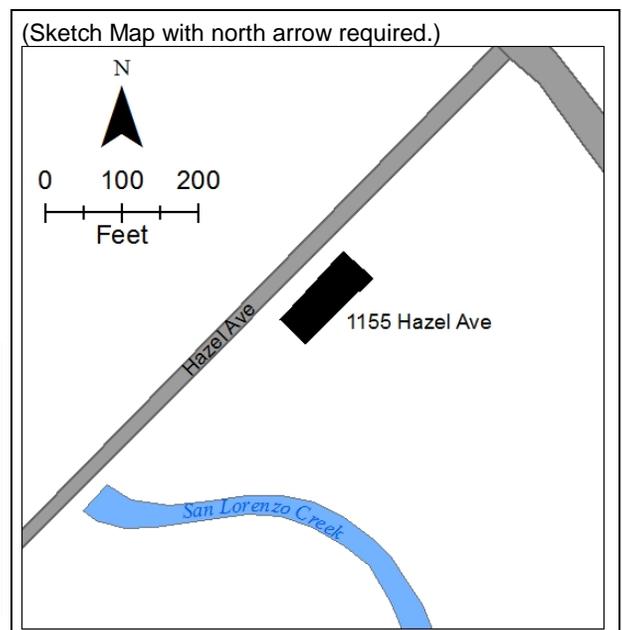
*B12. References: See continuation sheet.

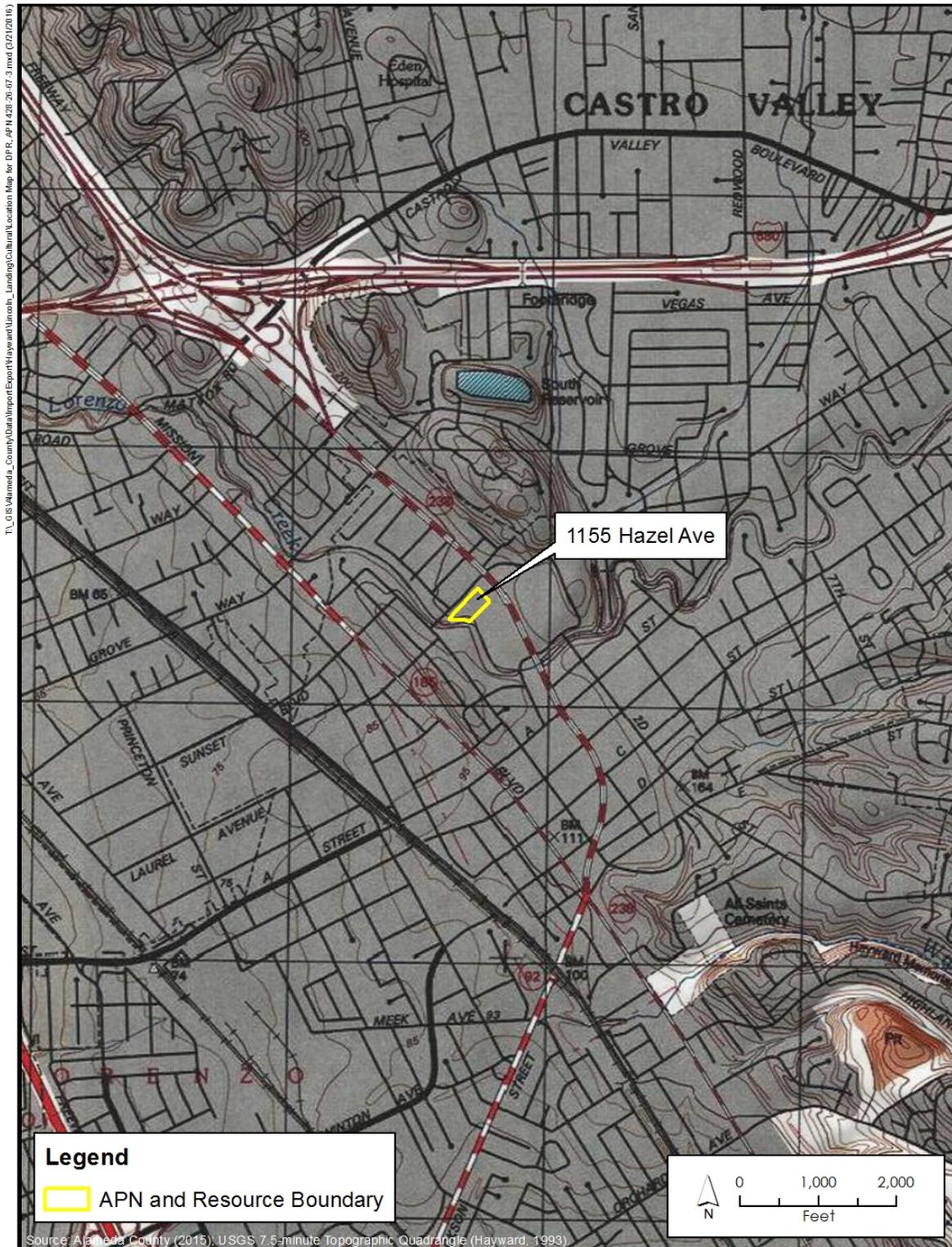
B13. Remarks: N/A

*B14. Evaluator:
Margo Nayyar, Architectural Historian
Michael Baker International
2729 Prospect Park Drive, #220
Rancho Cordova, CA 95670

*Date of Evaluation: March 18, 2016

(This space reserved for official comments.)





*Recorded by: Michael Elliott, Michael Baker International *Date: March 15, 2016 Continuation Update

***B10. Significance (continued):**

Many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now another Macy's location (The Department Store Museum 2016).

California Register Evaluation

Criterion 1 – The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level. It was one of many commercial buildings developed in the region during the post-WWII years and therefore lacks a specific, important historical association with this pattern of events. As such, the property does not appear eligible for the California Register under Criterion 1.

Criterion 2 – Research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history. H.C. Capwell and Albert S. Lavenson died before the store opened in 1966 and are not directly associated with the building. As such, the property does not appear to be associated with any historically important individuals and does not appear eligible under California Register Criterion 2.

Criterion 3 – The 1966 commercial building is one of many contemporary-style buildings in Hayward and California. As such, the building does not embody a distinctive type, period, or method of construction; does not represent the work of a master architect or designer; and is not a superior example of an architectural style. Therefore, the building does not appear eligible under California Register Criterion 3.

Criterion 4 – The property is not likely to yield valuable information that will contribute to an understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property maintains integrity of design, materials, workmanship, feeling, setting, and location, but lacks association with a historic context.

Hayward Register Evaluation

Criterion 1 – The building is one of many commercial buildings developed in the region during the post-WWII years, is one of many automobile-related buildings, and is not directly associated with the lives of H.C. Capwell and Albert S. Lavenson. Therefore, the property is not associated with the lives of historic people or with important events in the city, state, or nation and is not eligible for the Hayward Register under Criterion 1.

Criterion 2 – The contemporary-style garage building is one of many buildings of this type and style. It is not a good representation of a contemporary-style commercial building. Therefore, the property is not representative of an architectural style or way of life important to the city, state, or nation and is not eligible for the Hayward Register under Criterion 2.

Criterion 3 – Commercial buildings and garages in Hayward were common in the post-WWII years and are still common throughout the city. Therefore, the building is not an example of a type of building which was once common, but is now rare, and is not eligible for the Hayward Register under Criterion 3.

Criterion 4 – The building is associated with the Emporium-Capwell department store chain once located throughout the San Francisco Bay Area. The business, which closed all its stores in the mid-1990s, sold its stores to other large retailers such as Macy's and Sears; many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now another Macy's location. Additional remaining stores include those in Walnut Creek, El Cerrito, Fremont, and Richmond. The remaining San Francisco and Oakland stores were iconic to the business and more representative of the company's past than the property at 1155 Hazel Avenue. The garage building is not an important addition to the Capwell chain that is represented by large department store buildings. Therefore, the building at 1155 Hazel Avenue is not connected with a business or use which was once common, but is now rare, and the building is not eligible for the Hayward Register under Criterion 4.

Criterion 5 – The 1966 contemporary-style commercial building is a minor example of its style. Therefore, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

Page 5 of 5

*Resource Name or # 1155 Hazel Avenue

*Recorded by: Michael Elliott, Michael Baker International *Date: March 15, 2016 Continuation Update

***B10. Significance (continued):**

In conclusion, the property at 1155 Hazel Avenue does not appear eligible at the local or state level for listing in the California Register under Criteria 1, 2, 3, or 4 or for the Hayward Register under Criteria 1, 2, 3, 4, or 5, either individually or as a contributor to a historic district. Additionally, the property was evaluated in accordance with CEQA Guidelines Section 15064.5(a)(2)–(3) using the criteria outlined in Public Resources Code Section 5024.1 and does not appear to be a historical resource for the purposes of CEQA.

***B12. References (continued):**

Allen, Annalee. 2016. "Oakland's historic H.C. Capwell department store will be reborn as Uber headquarters." *Contra Costa Times*. http://www.contracostatimes.com/breaking-news/ci_28879764/oaklands-historic-h-c-capwell-department-store-will, accessed March 17, 2016.

City of Hayward. 2016. Building Permit File for 22301 Foothill Blvd. On file at the City of Hayward Planning Department, 777 B Street, Hayward, CA 94541.

County of Alameda Assessor's Office. 2016. File for 22301 Foothill Blvd. On file at the County of Alameda Assessor's Office, 1221 Oak Street, #145, Oakland, CA 94612.

Department Store Museum, The. 2016. "Capwell's." Electronic resource. <http://www.thedepartmentstoremuseum.org/2010/06/h-c-capwell-co-oakland-california.html>, accessed March 17, 2016.

P5a. Photographs (continued):



Photograph 2: View northeast of west elevation showing concrete block detailing. Taken March 15, 2016.

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

Primary #
HRI #
Trinomial
NRHP Status Code 6Z

Other Listings
Review Code

Reviewer

Date

Page 1 of 7

*Resource Name or #: 22301 Foothill Boulevard

P1. Other Identifier: Mervyns Headquarters

***P2. Location:** **Unrestricted**

***a. County** Alameda **and**

***b. USGS 7.5' Quad** *Hayward, Calif.* **Date** 1959 [Photorevised 1968] **T** 3S; **R** 2W; San Lorenzo (Castro) Land Grant M.D.B.M

c. Address 22301 Foothill Blvd. City Hayward Zip 94541

d. UTM: Zone 10 , 580726 mE/ 4170479 mN

e. Other Locational Data: APN 428-26-68-1

***P3a. Description:**

The property at 22301 Foothill Boulevard consists of a three-story office building with basement built in 1958. The building has a rectangular ground plan. The reinforced concrete foundation supports a concrete frame, reinforced concrete walls, and a flat concrete roof. The building's north façade includes the main entrance, which features brick walkways, three three-story concrete pillars, and metal-framed entry doors and windows. The third-story windows wrap around along the east and south elevations. The south elevation includes a one-story commercial space. A three-story parking garage is located adjacent to the building on the south. The parking garage was built in 1985.

A parking lot surrounds the building. Landscaping includes parking lot trees, lawns, and mature shrubs along each elevation of the building.

***P3b. Resource Attributes:** HP6. 1-3 Story Commercial Building

***P4. Resources Present:** Building

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



P5b. Description of Photo:

Photograph 1: View south of Mervyns Headquarters sign and building. Taken March 15, 2016.

P6. Date Constructed/Age and Source:

Historic

1958 – Alameda County Assessor's Office Files

***P7. Owner and Address:**

DP Ventures, LLC
555 Twin Dolphin Drive
Redwood City, CA 94065

***P8. Recorded by:**

Michael Elliott
Michael Baker International
2729 Prospect Park Drive, #220
Rancho Cordova, CA 95670

***P9. Date Recorded:**

March 15, 2016

***P10. Survey Type:** Intensive

***P11. Report Citation:** Nayyar, Margo, and Michael Elliott. 2016. "City of Hayward, Lincoln Landing Project Cultural Resources Study and Eligibility Evaluations." Michael Baker International: Rancho Cordova, Ca. Prepared for the City of Hayward.

***Attachments:** Location Map Continuation Sheet Building, Structure, and Object Record

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Z

*Resource Name or # 22301 Foothill Boulevard

- B1. Historic Name: Capwell's
- B2. Common Name: N/A
- B3. Original Use: Commercial
- B4. Present Use: Vacant
- *B5. Architectural Style: None
- *B6. Construction History:

The property at 22301 Foothill Boulevard was originally constructed in 1958. The three-story building included a basement, as well as a one-story restaurant off the south elevation. The following is a list of alterations and dates of alterations listed in the Alameda County Assessor's files and City of Hayward building permit files:

1. The building was converted from a commercial retail space to an office building in 1984. The conversion included a one-story cafeteria addition on the south elevation in 1985, new concrete and stucco exterior wall cladding, and new aluminum windows and doors.
2. Remodel in 2003 for the building's interior.
3. A 1957 photograph of the building depicts the location of a walkway enclosed during the 1984 remodel (see continuation sheet for photograph).

*B7. Moved? No Yes Unknown Date: N/A Original Location: N/A

*B8. Related Features: N/A

B9a. Architect: Unknown

b. Builder: Unknown

*B10. Significance: Theme Commercial Development

Area: Hayward

Period of Significance 1958

Property Type Commercial

Applicable Criteria N/A

The property at 22301 Foothill Boulevard does not appear eligible for listing in either the California Register of Historical Resources (California Register) or the Hayward Register under any criteria.

The property was built in 1958 and served as a department store named Capwell's. Capwell's was a department store chain in the San Francisco Bay Area in locations such as San Francisco, Walnut Creek, El Cerrito, Fremont, and Richmond. The department store was conjoined with the restaurant named Compton's.

B11. Additional Resource Attributes: N/A

*B12. References: See continuation sheet.

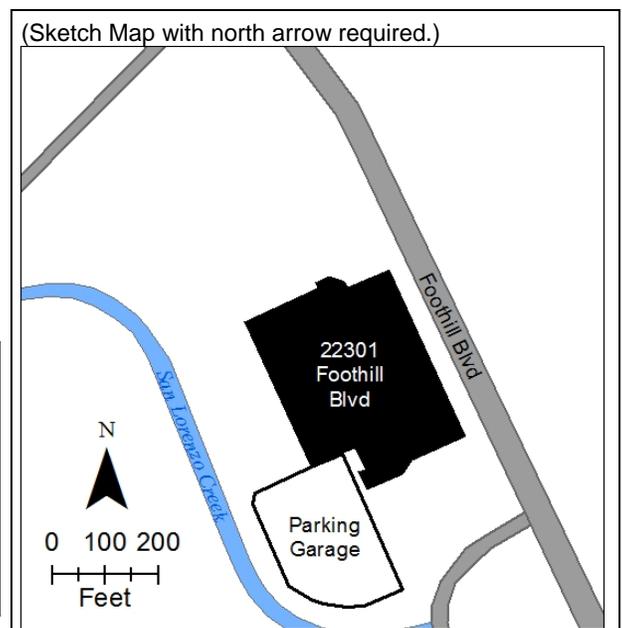
B13. Remarks: N/A

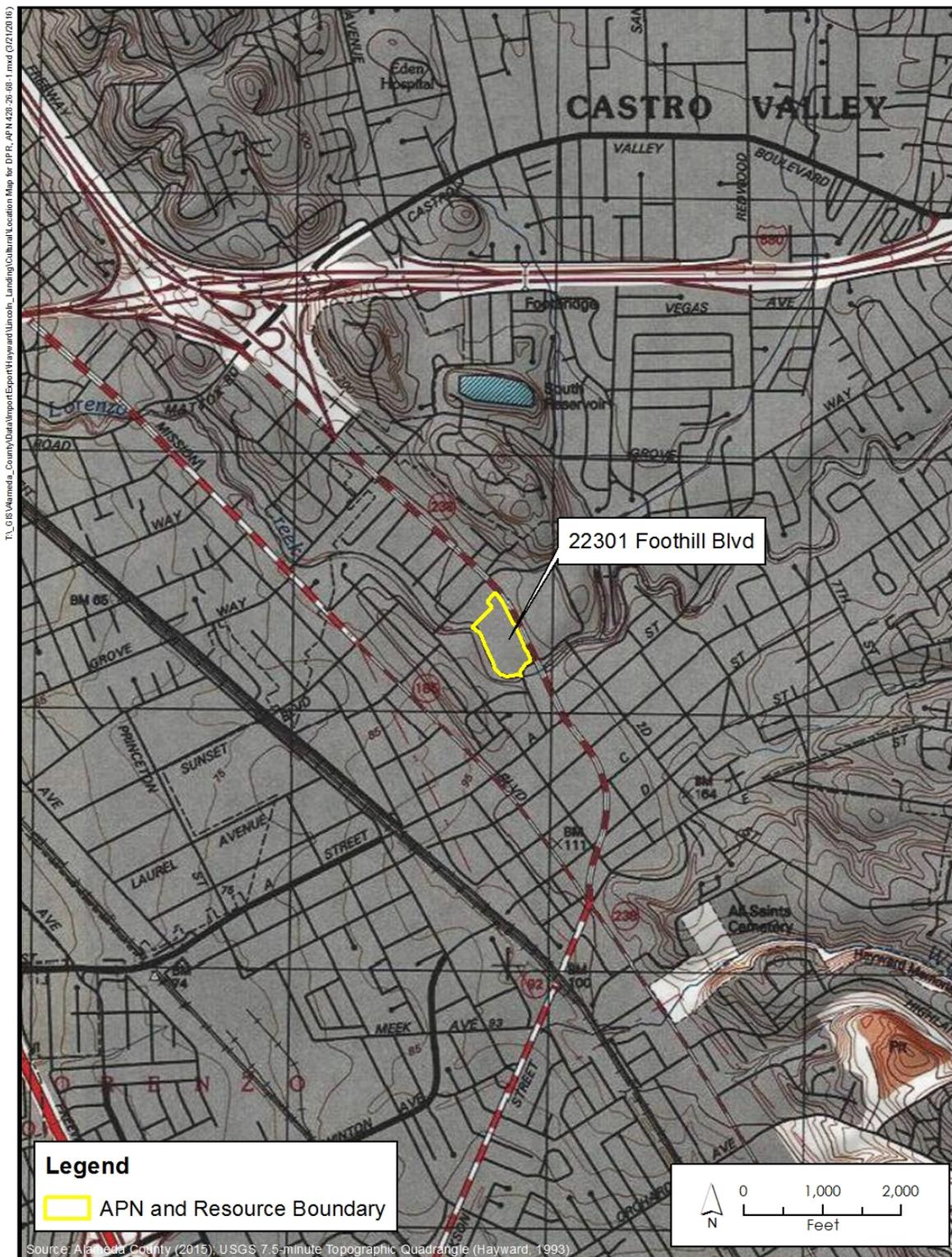
*B14. Evaluator:

Margo Nayyar, Architectural Historian
Michael Baker International
2729 Prospect Park Drive, #220
Rancho Cordova, CA 95670

*Date of Evaluation: March 17, 2016

(This space reserved for official comments.)





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***B10. Significance (continued):**

Harris Cebert "H.C." Capwell established his first retail store, The Lace House, in 1891 in Oakland with his partner, Albert S. Lavenson. They decided to open the department store, which offered a wide selection of products, to differ from the established merchandising technique in which stores specialized in one type of merchandise. The business was successful and in 1927, they merged with San Francisco's Emporium store and became known as Emporium-Capwell. Emporium-Capwell opened on August 5, 1929, in San Francisco. The company survived the Stock Market crash later that year and expanded to the suburbs after World War II. In the mid-1990s, the Emporium-Capwell chain was sold to Federated Department Stores; soon after, the suburban branches closed and converted to large retailers such as Sears and Macy's. In 1984, Mervyns purchased the property at 22301 Foothill Boulevard and converted the building from a retail department store to the company's corporate headquarters. Capwell died on July 9, 1929. Lavenson died in 1930 (Allen 2016).

Many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now another Macy's location (Department Store Museum 2016).

In the years following World War II, commercial development expanded exponentially, similar to residential development. The area surrounding 22301 Foothill Boulevard consists of post-WWII housing and commercial development.

California Register Evaluation

Criterion 1 – The property is not associated with an event that has made a significant contribution to the broad patterns of California history at the local or state level. It was one of many commercial buildings developed in the region during the post-WWII years. Furthermore, it is one of many Emporium-Capwell buildings and therefore lacks a specific, important historical association with this pattern of events. As such, the property does not appear eligible for the California Register under Criterion 1.

Criterion 2 – Research provided no evidence indicating that the property is associated with individuals who have made significant contributions to local or state history. H.C. Capwell and Albert S. Lavenson died before the store opened in 1958 and are not directly associated with the building. As such, the property does not appear to be associated with any historically important individuals and does not appear eligible under California Register Criterion 2.

Criterion 3 – The 1958 commercial building lacks an architectural style due to major alterations to its elevations. As such, the building does not embody a distinctive type, period, or method of construction; does not represent the work of a master architect or designer; and is not a superior example of an architectural style. Therefore, the building does not appear eligible under California Register Criterion 3.

Criterion 4 – The property is not likely to yield valuable information that will contribute to an understanding of human history because the property is not and never was the principal source of important information pertaining to subjects such as commercial buildings. Therefore, the property does not appear eligible for listing under California Register Criterion 4.

Lastly, the property lacks integrity of design, materials, workmanship, and feeling due to various alterations to the building including a cafeteria addition, replacement wall cladding, windows, and doors, and enclosure of an exterior walkway. It maintains integrity of setting and location, but lacks association with a historic context.

Hayward Register Evaluation

Criterion 1 – The building is one of many commercial buildings developed in the region during the post-WWII years, is one of many Emporium-Capwell buildings, and is not directly associated with the lives of H.C. Capwell and Albert S. Lavenson. The building, once associate with Emporium-Capwells, was important to the history of Hayward, however the store was redeveloped into an office building and no longer retains integrity to its historic context. Therefore, the property is not associated with the lives of historic people or with important events in the city, state, or nation and is not eligible for the Hayward Register under Criterion 1.

Criterion 2 – The building lacks an architectural style due to major alterations to the building elevations. Therefore, the property is not representative of an architectural style or way of life important to the city, state, or nation and is not eligible for the Hayward Register under Criterion 2.

Criterion 3 – Commercial buildings in Hayward were common in the post-WWII years and are still common throughout the city. Therefore, the building is not an example of a type of building which was once common, but is now rare, and is not eligible for the Hayward Register under Criterion 3.

*Recorded by: Michael Elliott, Michael Baker International *Date: March 15, 2016 Continuation Update

***B10. Significance (continued):**

Criterion 4 – The building is associated with the Emporium-Capwell department store chain once located throughout the San Francisco Bay Area. The business, which closed all its stores in the mid-1990s, sold its stores to other large retailers such as Macy's and Sears; many of the iconic Emporium-Capwell stores remain. The remaining stores include the San Francisco location, now a flagship store for Macy's; the Oakland location, now the headquarters of Uber; and another Hayward location in the Southland Mall, now another Macy's location. Additional remaining stores include those in Walnut Creek, El Cerrito, Fremont, and Richmond. The remaining San Francisco and Oakland stores were iconic to the business and more representative of the company's past than the property at 22301 Foothill Boulevard. Therefore, the building at 22301 Foothill Boulevard is not connected with a business or use which was once common, but is now rare, and the building is not eligible for the Hayward Register under Criterion 4.

Criterion 5 – The 1958 commercial building lacks an architectural style due to major alterations to its elevations. Therefore, the building does not contain elements demonstrating outstanding attention to architectural design, detail, materials, or craftsmanship and is not eligible for the Hayward Register under Criterion 5.

In conclusion, the property at 22301 Foothill Boulevard does not appear eligible at the local or state level for listing in the California Register under Criteria 1, 2, 3, or 4 or for the Hayward Register under Criteria 1, 2, 3, 4, or 5, either individually or as a contributor to a historic district. Additionally, the property was evaluated in accordance with CEQA Guidelines Section 15064.5(a)(2)–(3) using the criteria outlined in Public Resources Code Section 5024.1 and does not appear to be a historical resource for the purposes of CEQA.

***B12. References (continued):**

Allen, Annalee. 2016. "Oakland's historic H.C. Capwell department store will be reborn as Uber headquarters." *Contra Costa Times*. http://www.contracostatimes.com/breaking-news/ci_28879764/oaklands-historic-h-c-capwell-department-store-will, accessed March 17, 2016.

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Department Store Museum, The. 2016. "Capwell's." Electronic resource. <http://www.thedepartmentstoremuseum.org/2010/06/h-c-capwell-co-oakland-california.html>, accessed March 17, 2016.



Photograph 2: View west of cafeteria addition on south elevation. Taken March 15, 2016.



Photograph 3: Overview of building and parking lot; view southeast. Taken March 15, 2016.



Photograph 4: View southwest of main entrance on north façade. Taken March 15, 2016.



Photograph 5: Historic 1957 photograph of 22301 Foothill Blvd. The photograph depicts an open walkway with pillars along Foothill Blvd. Photo courtesy www.thedepartmentstoremuseum.com.