

**Appendix C**

**Update to the Paleo West  
Cultural Resource Assessment**



## MEMORANDUM

To: Ilene Macintire  
Senior Civil Engineer – City of Tracy  
333 Civic Center Plaza, Tracy, CA 95376

From: Jessica Mauck, MA, RPA  
Kimley-Horn and Associates, Inc.  
3801 University Ave., Ste 300, Riverside, CA 92501

Date: 8 August 2023

Subject: Cultural Resources Assessment for the Tracy Emergency Shelter Project in the City of Tracy, San Joaquin County, California

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Dear Ms. Macintire,

At the request of the City of Tracy, Kimley-Horn and Associates, Inc. (KHA) prepared a Cultural Resources Assessment for the Tracy Emergency Shelter Project area located at 370 Arbor Ave. in the City of Tracy, San Joaquin County, California. This project is subject to review under the National Environmental Policy Act (NEPA) and constitutes a Federal undertaking under the National Historic Preservation Act (NHPA). As such, KHA conducted a literature review and field survey for the Area of Potential Effects (APE), the results of which are presented in this memorandum, to identify the presence of eligible cultural resources, or “historic properties”, and potential effects to historic properties that occur as a result of the undertaking.

### Project Description:

The APE for the undertaking is located within the northern portion of the City of Tracy in the southwestern portion of the County of San Joaquin, California (Attachment 1). The APE includes approximately 8 acres of land within the eastern portion of APN 212-23-005 (Attachment 2). The undertaking will create and operate emergency housing for unhoused individuals within the City of Tracy and southern San Joaquin County. The proposed facility is designed to house up to 154 beds and to be expandable based on future community needs and available funding. The APE was selected as it is owned by the City and has faced extensive prior disturbance, but remains underutilized. Site impacts will include demolition and installation of infrastructure (grading, utilities, etc.) prior to building and subsequent installation of structures, drainage, paving, and landscaping.

### Natural and Historical Setting

The Project is located along the edge of the Central Valley of California within a basin floor that naturally consists of clayey alluvium derived from sedimentary rock (Wagner et al. 1991; *Web Soil Survey*). The Tom Paine Slough is situated 0.8 miles northeast and looks to have been channelized at least as early as 1914 (Wagner et al. 1991; *Historic Aerials*). The general area, like much of California, contains a unique and diverse climate and environment. This regional diversity provided Native Californians the ability to exploit a range of different plants, animals, and natural

resources. The proposed Project site is located within the ancestral territory of the Yokuts, though much of the material culture across the region has been destroyed or displaced by the agricultural industry and erosion. Though they had a broad territory across northern/central California, they primarily inhabited areas along the San Joaquin river and its tributaries. Although Alfred Kroeber recorded the territories of southern California tribes in 1925, the ancient territorial borders remain vague for two reasons: first, territorial boundaries were flexible and, secondly, indigenous borders and land use were not recorded until after European contact destroyed native lifeways. Although firm and defining borders cannot be known, archaeological, ethnographic, and historic evidence exists to support the prehistoric use of the area by the Yokuts (Alonso et al. 2021).

## Literature Review

A review of available historical and topographic maps, aerial imagery, and technical studies was conducted to ascertain the level of existing disturbance within the Project area as well as the potential for existing buried and built cultural resources. Three cultural resources studies have been completed for the APE, to include a Cultural Resources Assessment prepared by PaleoWest in November 2021 in support of an earlier proposal to construct emergency housing within the APE. No cultural resources were recorded within the APE until the 2021 study, at which time two (2) cultural resources, the Old Tracy Animal Shelter and the Eastside Channel, were recorded and evaluated for eligibility for listing in the National Register of Historic Places (NRHP). The results of the study concluded that neither resource was eligible for listing in the NRHP and that the likelihood of buried resources was low as a result of extensive disturbance and artificial fill within the site (Alonso et al. 2021). Review of historical topographic maps and aerial imagery of the APE provide further evidence of extensive soil disturbance via agricultural activity as early as 1957 with several modifications to the site appearing in subsequent decades (*Historic Aerials*).

## Field Survey

A pedestrian cultural resources survey of the APE was conducted by KHA archaeological staff on July 18, 2023. The Eastside Channel located along the eastern edge of the APE was relocated during the survey and shown to be in similar condition as when it was recorded by PaleoWest in 2021 (Attachment 3). However, the Old Tracy Animal Shelter located within the southern portion of the APE was no longer present on site, and modern temporary housing was constructed in its place (Attachment 3). In addition to this development, the remainder of the APE proved to be heavily modified and contained a well-travelled north-south trending gravel road through the center of the APE and debris/dirt piles erected in the west (Attachment 3). Consequently, no previously identified cultural resources were observed during the survey.

## Results and Recommendations

Prior to grading and modifications to the site, the buried archaeological sensitivity of the APE would have been high given the adjacency to the Tom Paine Slough and the practice of Yokuts to inhabit/utilize edges of bodies of water. However, in its current condition, the APE has low potential for intact buried archaeological material given the extensive disturbances across the site, including prior development and the importation of artificial fill. Additionally, while the APE still retains one (1) historic built resource, known as the Eastside Channel, the resource has been previously evaluated



and was not recommended eligible for listing in the National Register of Historic Places (NRHP). As such, this study concludes that there are no known eligible cultural resources, or "historic properties", within the APE and that the undertaking is unlikely to result in an adverse effect to historic properties. As such, it is recommended that the undertaking be provided a finding of "No Historic Properties Effected".

Sincerely,

A handwritten signature in black ink, appearing to be "JM" with a stylized flourish.

Jessica Mauck, MA RPA  
Kimley-Horn and Associates, Inc.  
RPA Number: 37243944

Attachment 1: Project Maps  
Attachment 2: Site Photographs





References:

*Historic Aerials*. <https://www.historicaerials.com/viewer>. Accessed August 7, 2023.

Alonso, C., Johnson, K., Herrick, D., and Zingerella, P. 2021, *Cultural Resources Assessment in Support of the Tracy HUD Survey, Tracy, San Joaquin County, California*. PaleoWest, LLC.

Wagner, D.L., Bortugno, E.J., and McJunkin, R.D., 1991, Geologic map of the San Francisco-San Jose quadrangle, California Division of Mines and Geology, Regional Geologic Map RGM-5A, 1:250,000.

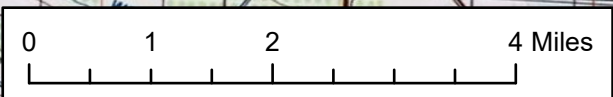
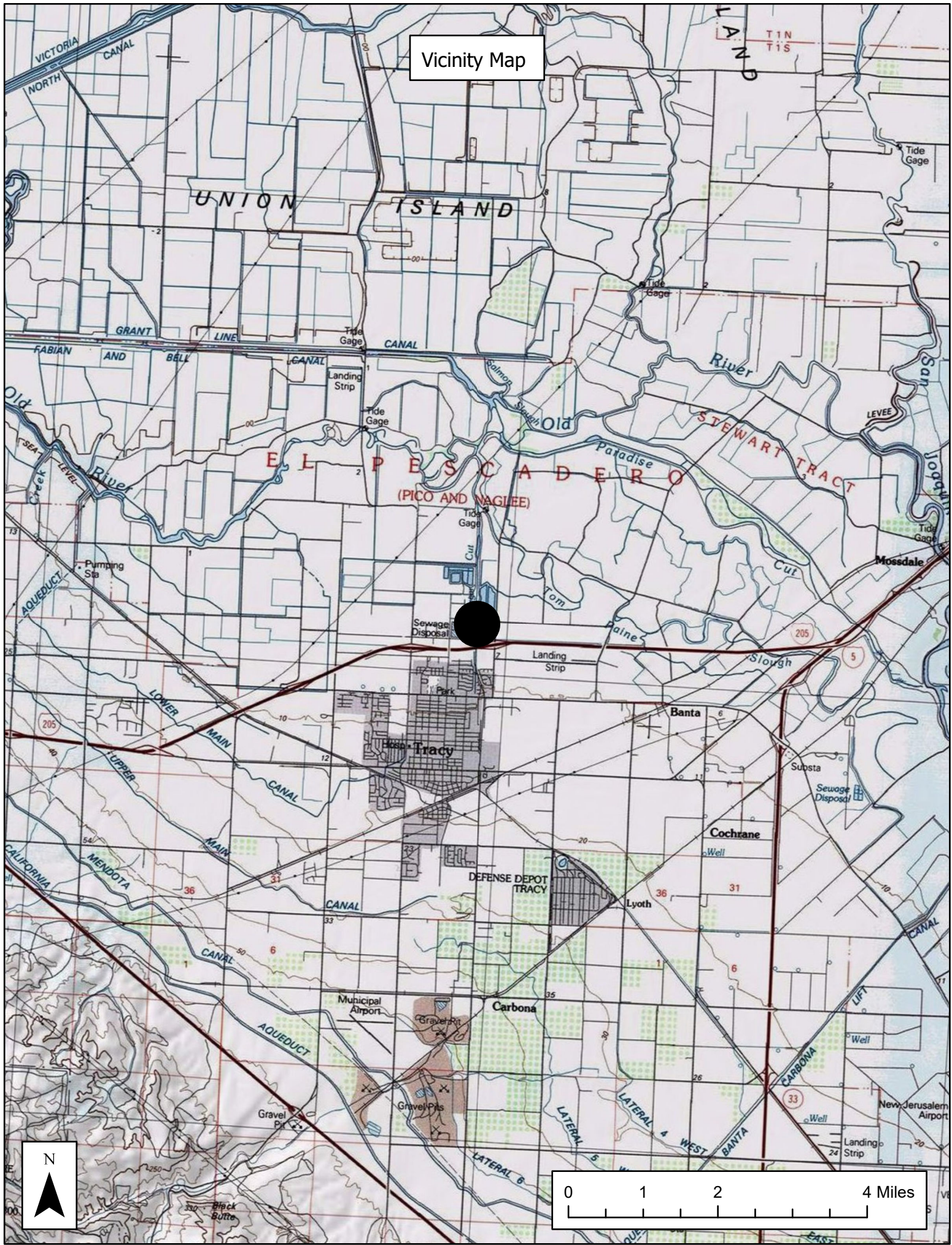
*Web Soil Survey*. <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed August 8, 2023.



ATTACHMENT 1: PROJECT MAPS

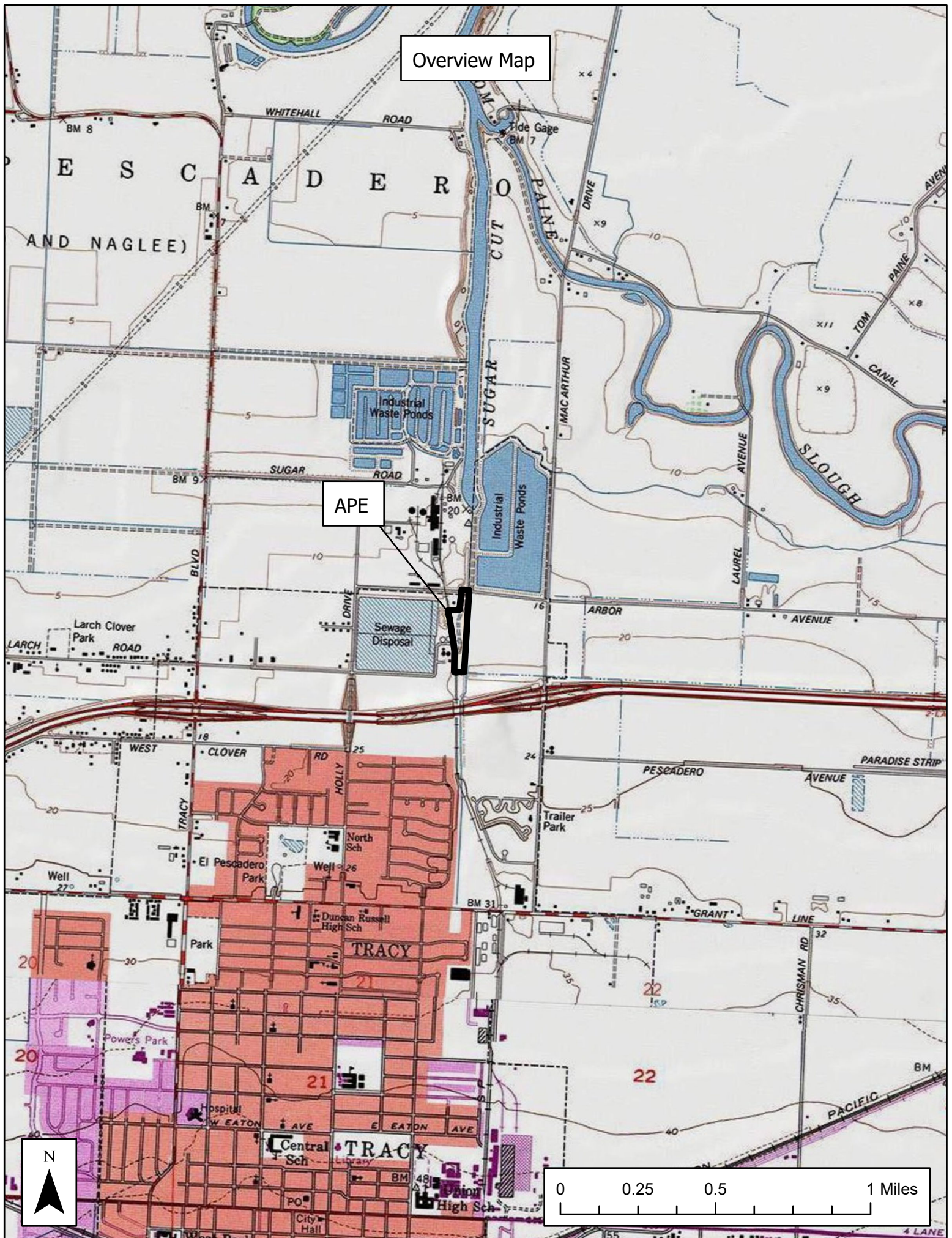


Vicinity Map





Overview Map



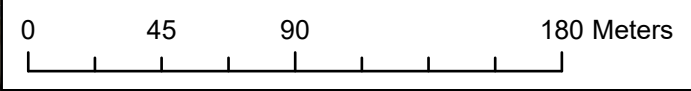


Area of Potential Effects

Arbor Ave



Esri Community Maps Contributors, San Joaquin County GIS/Planning, San Joaquin County Public Works, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA.





ATTACHMENT 2: SITE PHOTOGRAPHS





Overview of Eastside Channel within the Eastern Portion of the APE



Overview of Buildings in Prior Footprint of Old Tracy Animal Shelter In Southern Portion of the APE





Overview of Grading Across Northern Portion of the APE and N/S Trending Road



Overview of Grading and Disturbance in Western Portion of the APE

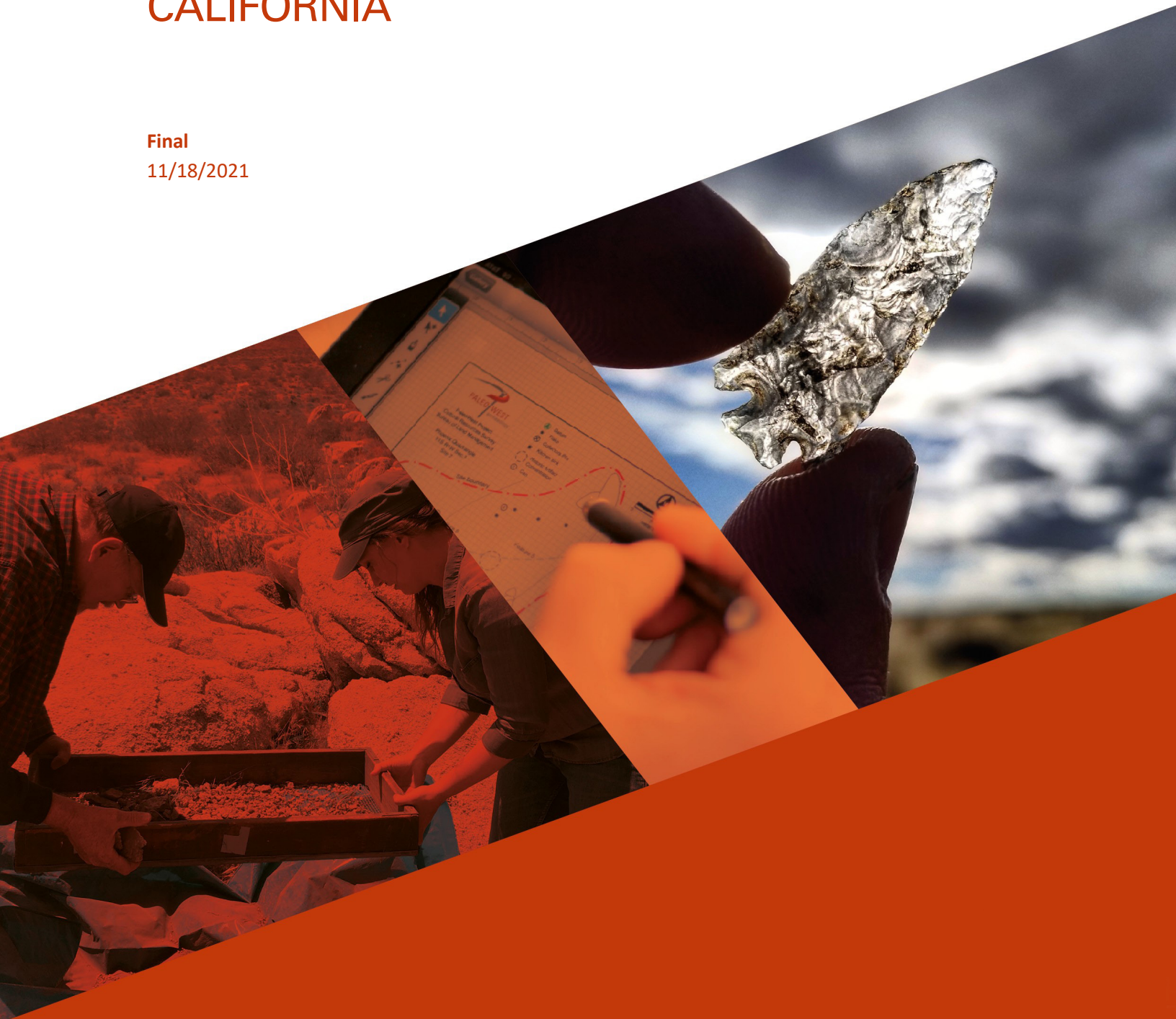




# CULTURAL RESOURCE ASSESSMENT IN SUPPORT OF THE TRACY HUD SURVEY, CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

**Final**

11/18/2021





# **CULTURAL RESOURCES ASSESSMENT IN SUPPORT OF THE TRACY HUD SURVEY, TRACY, SAN JOAQUIN COUNTY, CALIFORNIA**

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**November 18, 2021**

Keywords: Tracy, HUD, Section 106, San Joaquin County, the Old Tracy Animal Shelter (21-687-02), segment of the Eastside Channel (21-687-03)



# MANAGEMENT SUMMARY

Kimberly-Horn and Associates, Inc retained PaleoWest, LLC (PaleoWest) to conduct a cultural resource assessment for the Project applicant, City of Tracy, who has proposed construction of an emergency housing shelter in the city of Tracy, San Joaquin County, California. The Tracy Emergency Housing Shelter (Project) is receiving funding from San Joaquin County for Homeless Housing, Assistance and Prevention (HHAP) and federal funding for the U.S. Department of Housing and Urban Development (HUD). Because the Project is receiving federal funds, it is considered a federal undertaking as defined in 36 Code of Federal Regulations [CFR] 800.16(y). Therefore, the Project requires compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA). In accordance with relevant federal guidelines, this report identifies historic properties in the Project's area of potential effects (APE) and assesses the potential of the Project to result in adverse effects on historic properties. HUD is the Lead Agency for the purposes of Section 106 of the NHPA.

A literature review and records search was conducted at the Central California Information Center, housed at California State University, Stanislaus in Turlock, on September 16, 2021 (CCIC File No. 11906L). The records search indicated that 2 cultural resource studies (SJ-03340 and SJ-04142) have been completed within the APE with an additional 10 cultural resource studies conducted within 0.5-mile of the APE. A total of three cultural resources have been previously recorded within 0.5-mile of the APE. No cultural resources have been identified in the APE.

As part of the cultural resource assessment of the APE, PaleoWest also requested a search of the Sacred Lands File (SLF) from the NAHC. The results of this request are still pending.

PaleoWest archaeologists conducted an intensive pedestrian survey of the 6.5-acre APE on September 21, 2021. The APE consists of a single, irregularly shaped tract located east of a wastewater treatment facility and the Union Pacific Railroad and west of a drainage channel. Surface visibility throughout the Project area averages 10 percent. The survey area exhibits a high degree of disturbance with a linear area of artificial fill placed adjacent to the drainage channel; the fill ranges in height of one to five feet and is composed of earth, concrete, and asphalt.

The survey documented two historic period cultural resources, the Old Tracy Animal Shelter (21-687-02) and a segment of the Eastside Channel (21-687-03). No prehistoric artifacts or features were observed during field work effort. Significance evaluations conducted on the two historic period cultural resources concluded that none are eligible for listing in the National Register of Historic Places. Based on these results, PaleoWest recommends a finding of **no historic properties affected** for the proposed undertaking.

Given the existing degree of disturbance in the APE, along with the minimal extent of ground disturbance associated with the construction of the proposed Project, it is unlikely that significant intact archaeological deposits are extant in the APE. Post review discovery protocols are provided at the end of the report.

# CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	PROJECT LOCATION AND DESCRIPTION .....	1
1.2	AREA OF POTENTIAL EFFECTS .....	1
1.3	REPORT ORGANIZATION .....	1
<b>2</b>	<b>REGULATORY CONTEXT .....</b>	<b>6</b>
2.1	NATIONAL HISTORIC PRESERVATION ACT .....	6
<b>3</b>	<b>NATURAL AND CULTURAL SETTING .....</b>	<b>8</b>
3.1	ENVIRONMENTAL SETTING .....	8
3.2	PREHISTORIC SETTING .....	8
3.3	ETHNOGRAPHIC SETTING .....	9
3.4	HISTORICAL SETTING .....	10
3.4.1	Regional Context .....	10
3.5	SITE SPECIFIC HISTORY .....	13
<b>4</b>	<b>CULTURAL RESOURCE INVENTORY .....</b>	<b>16</b>
4.1	PREVIOUS CULTURAL RESOURCE INVESTIGATIONS .....	16
4.2	PREVIOUSLY RECORDED CULTURAL RESOURCES .....	17
4.3	ADDITIONAL SOURCES .....	18
4.4	NATIVE AMERICAN COORDINATION .....	18
<b>5</b>	<b>FIELD INVESTIGATION .....</b>	<b>19</b>
5.1	FIELD METHODS .....	19
5.2	SURVEY RESULTS .....	19
5.2.1	500 Arbor Avenue, Old Tracy Animal Shelter (21-687-02) .....	21
5.2.2	Eastside Channel Segment (21-687-03) .....	25
<b>6</b>	<b>MANAGEMENT RECOMMENDATIONS .....</b>	<b>27</b>
6.1	POST REVIEW DISCOVERY PROTOCOL .....	27
6.2	HUMAN REMAINS .....	27
<b>7</b>	<b>REFERENCES .....</b>	<b>29</b>

## APPENDICES

Appendix A. SLF Search

Appendix B. Survey Photos

Appendix C. Department of Parks and Recreation 523 Forms

## FIGURES

Figure 1-1.	Project vicinity map. ....	2
Figure 1-2.	Project location map. ....	3
Figure 1-3.	Area of potential effects. ....	4
Figure 3-1.	1957 aerial photograph with the subject property highlighted (note the buildings and structures, which may have been the initial animal shelter facilities on the property (UCSB Aerial Photograph Library, edited by author). ....	14

Figure 3-2. 1969 photograph of the Tracy Animal Shelter, excerpted from the Tracy Press June 25, 1969. ....	15
Figure 5-2: Fragment of Sheet Material from the demolished railroad.....	20
Figure 5-3. Primary (west) and north façades of the garage building, view facing east.....	22
Figure 5-4. South façade of garage building showing shade structure at center and rear (east) facade, view facing north.....	22
Figure 5-5. Telephone pole (center) and electric transmission line (left) on the subject property, view facing north. The modern steel transmission towers (far right) are located outside of the APE.....	23
Figure 5-7. Eastside Channel (21-687-02), facing north.....	25

## TABLES

Table 4-1. Previous Resource Studies Within 0.5-Mile of the APE .....	16
Table 4-2. Prehistoric Cultural Resources Within 0.5-Mile of the APE .....	17

# 1 INTRODUCTION

Kimberly-Horn and Associates, Inc retained PaleoWest, LLC (PaleoWest) to conduct a cultural resource assessment for the Project applicant, City of Tracy (City), who has proposed construction of an emergency housing shelter in the city of Tracy, San Joaquin County, California. The Tracy Emergency Housing Shelter (Project) is receiving funding from San Joaquin County for Homeless Housing, Assistance and Prevention (HHAP) and federal funding for the U.S. Department of Housing and Urban Development (HUD). As the Project is receiving federal funding, it is considered a federal undertaking as defined in 36 Code of Federal Regulations [CFR] 800.16(y). Therefore, the Project requires compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA). In accordance with relevant federal guidelines, this report identifies historic properties in the Project's area of potential effects (APE) and assesses the potential of the Project to result in adverse effects on historic properties. HUD is the Lead Agency for the purposes of Section 106 of the NHPA.

## 1.1 PROJECT LOCATION AND DESCRIPTION

The Project involves the development of a roughly 6.54-acre site at 500 West Arbor Road in the city of Tracy, Joaquin County, California (Figure 1-1–Figure 1-2). The Project site lies in Assessor's Parcel No. 21223005. The Project is bounded by Arbor Avenue on the north, the Union Pacific Railroad on the west, East Larch Road on the south, and the Eastside Channel on the east.

The proposed Project includes the construction of a facility that would provide a safe and dignified space to connect people experiencing homelessness with appropriate resources that help enable a successful transition to more stable, permanent housing. This proposed Project requires development of currently unimproved City property. Proposed construction activities will include installing infrastructure (grading, paving, utility stumps, and connections), securing the site, and erecting the structure. It is estimated that construction activities associated with the Project will extend approximately five feet (ft) in depth.

## 1.2 AREA OF POTENTIAL EFFECTS

The horizontal APE for the Project is defined as the entire 6.54-acre Project site (Figure 1-3). The vertical APE extends five ft in depth. The vertical APE includes all areas that will be disturbed by grading and excavation work for foundations, footings, and utilities.

## 1.3 REPORT ORGANIZATION

This report documents the results of a cultural resource investigation conducted for the proposed Project. Section 1 has introduced the Project location and description and defined the APE. Section 2 states the regulatory context for the Project. Section 3 synthesizes the natural and cultural setting of the APE and surrounding region. The results of the cultural resource literature and records search conducted at the Central California Information Center (CCIC) and the Sacred Lands File (SLF) search, along with a summary of the Native American communications are presented in Section 4. The field methods employed during this





Figure 1-1. Project vicinity map.

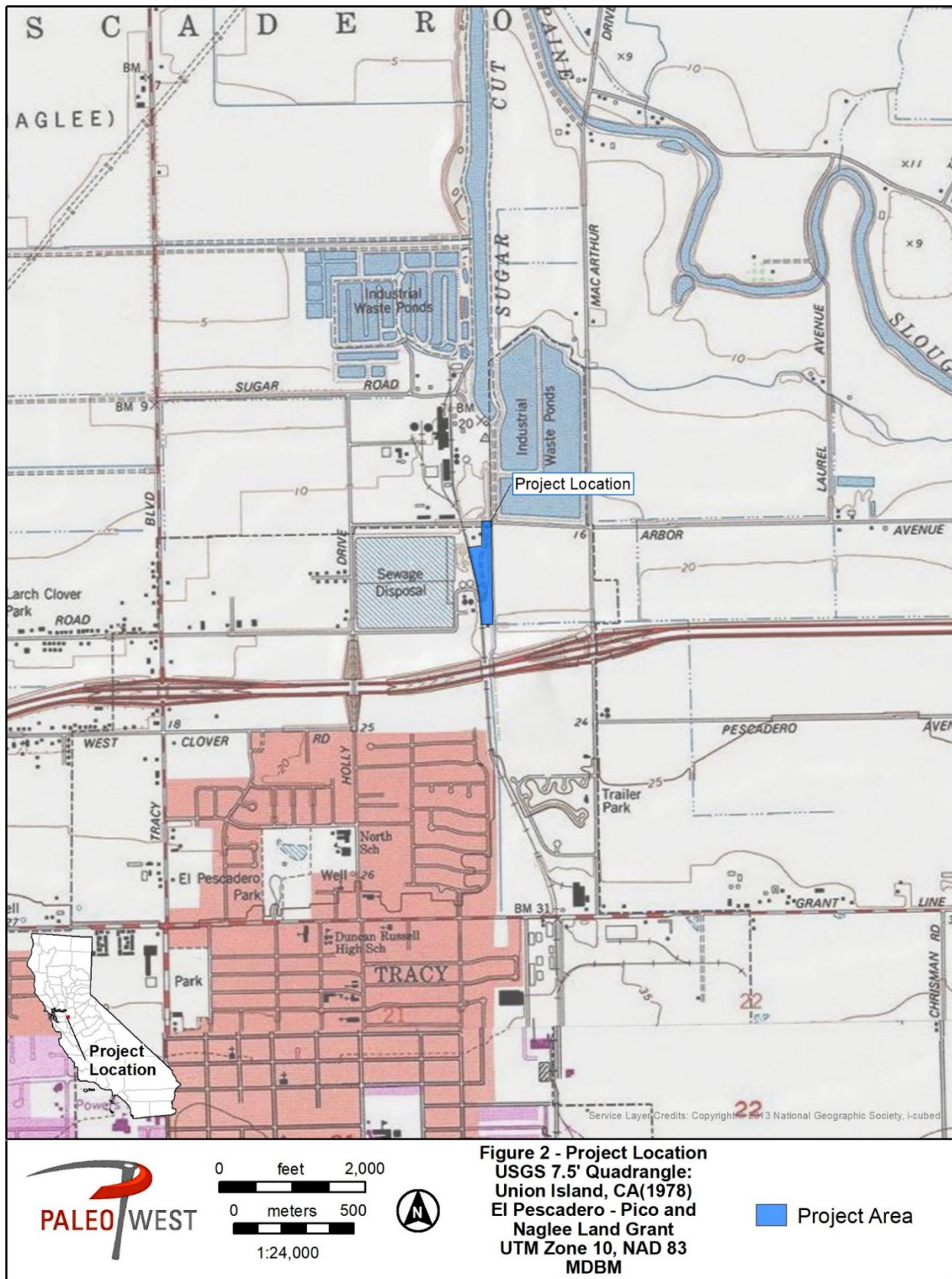


Figure 1-2. Project location map.





Figure 1-3. Area of potential effects.

investigation and findings are outlined in Section 5. The management recommendations are provided in Section 6. This is followed by bibliographic references and appendices.

## 2 REGULATORY CONTEXT

### 2.1 NATIONAL HISTORIC PRESERVATION ACT

HUD is the lead federal agency and is responsible for compliance with Section 106 of the NHPA. The 1966 NHPA, as amended, requires Federal agencies to consider the effects of their undertakings on “historic properties” (i.e., cultural resources eligible for or listed on the NRHP), which is done through the Section 106 process as established in 36 CFR Part 800. NEPA review and NHPA Section 106 compliance are typically coordinated, when a Federal action reviewed under NEPA constitutes an undertaking requiring NHPA Section 106 compliance.

The NRHP, created under the NHPA, is the federal list of historic, archaeological, and cultural resources worthy of preservation and is maintained and expanded by the National Park Service on behalf of the Secretary of the Interior. The Office of Historic Preservation in Sacramento, California, administers the local NRHP program under the direction of the State Historic Preservation Officer. Resources listed in the NRHP include districts, sites, buildings, structures, and objects that are significant in American history, prehistory, architecture, archaeology, engineering, and culture.

To guide the selection of properties included in the NRHP, the National Park Service has developed the NRHP Criteria for Evaluation. The criteria are standards by which every property that is nominated to the NRHP is judged. The quality of significance in American history, architecture, archaeology, and culture is possible in districts, sites, buildings, structures, and objects that meet one or more of the following criteria:

- **Criterion A:** A property is associated with events that have made a significant contribution to the broad patterns of our history; or
- **Criterion B:** A property is associated with the lives of persons significant in our past; or
- **Criterion C:** A property embodies the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components make lack individual distinction; or
- **Criterion D:** A property has yielded, or may be likely to yield, information important in prehistory or history (36 CFR Part 60).

In addition to meeting one or more of the four specific criteria listed above, a historic property or historic resource must possess “integrity” to qualify for listing in the NRHP. Integrity is generally evaluated with reference to qualities including location, design (i.e., site structure), materials, workmanship, setting, feeling, and association. A potentially eligible site must retain the integrity of the values that would make it significant. Typically, integrity is indicated by evidence of the preservation of the contextual association of artifacts, ecofacts, and features within the archaeological matrix (as would be required under Criterion D) or the retention of the features that maintain contextual association with historical developments or personages that render them significant (Criteria A, B, or C). Evidence of the preservation of this context is typically determined by stratigraphic analysis and analysis of diagnostic artifacts and other temporal data (e.g., obsidian hydration, radiocarbon assay) to ascertain depositional integrity or

by the level of preservation of historic and architectural features that associate a property with significant events, personages, or styles.

Integrity refers both to the authenticity of a property's historic identity, as shown by the survival of physical characteristics that existed during its historic period, and to the ability of the property to convey its significance. This is often not an all-or-nothing scenario (determinations can be subjective); however, the final judgment must be based on the relationship between a property's features and its significance.

## 3 NATURAL AND CULTURAL SETTING

This section of the report summarizes information regarding the physical and cultural setting of the APE, including the prehistoric, ethnographic, and historic contexts of the general area. Several factors, including topography, available water sources, and biological resources, affect the nature and distribution of prehistoric, ethnographic, and historic-period human activities in an area. This background provides a context for understanding the nature of the cultural resources that may be identified within the region.

### 3.1 ENVIRONMENTAL SETTING

The Project area is along the western edge of California's Central Valley, one of two principal grassland communities that exist in California (the second being the coastal grassland, covering the coastal hillsides from San Francisco to southern Oregon). Together these are known as the Pacific prairie (Brown 1985). The climate is much like that found in the Mediterranean: mild, rainy winters with hot, dry summers. Precipitation in the region is concentrated in the winter months of December and January. Temperatures in the summer are high, often rising well over 100 degrees Fahrenheit. The combination of Mediterranean climate and arable soils has proven highly productive for farmers in the Central Valley. The extensive agricultural use of the area has resulted in the disappearance of much of the original grassland community. Grasslands persist, but the dominant species are much different from those that thrived in the early 1800s.

Characteristic vegetation includes cottonwood, California sycamore, valley oak, alder, ash, walnut, and willows. Shrubs include wild grape, wild rose, California blackberry, poison oak and button brush. Other vegetation includes sedges, rushes, grasses, miner's lettuce, sage wort and hoary nettle.

### 3.2 PREHISTORIC SETTING

Archaeological evidence indicates that California was inhabited at least 12,000 years ago, possibly earlier. Very few early sites are identified within the Tracy area, possibly due to the extensive alluvial deposition in the area. Common chronology for the region follows Fredrickson's research, which consists of three periods: (1) Paleoindian Period (ca. 8,000–12,000+ years ago), (2) Archaic Period (ca. 1,000–8,000 years ago), and (3) Emergent Period (ca. 200–1,000 years ago).

According to Fredrickson, the Paleoindian Period is the time when humans first entered California. Sites were present around lakesides and established with an emphasis on hunting. Milling technology was distinctly lacking during this period. Social units consisted of extended families that were self-reliant and traveled frequently. The Lower Archaic Period in the region is characterized by significant climatic changes that included local lakes drying up. During this time, milling stone technology flourished as the emphasis on plants and seed as food increased. Limited exchange took place during this time, as there was a reliance on local materials. The dominant social unit during the Lower Archaic Period was the extended family.

During the Middle Archaic, the change in climate became more benign. Acorn use, and an increase of hunting were suggested by the presence of mortars and pestles as well as an

abundance of dart tip artifacts. Family units experienced increased sedentism and population expansion.

The Upper Archaic Period was characterized by the growth of the social-political complexity with status distinctions. Shell beads became indicators of wealth as the exchange systems became more complex. Territorial boundaries during the Upper Archaic were much more fluid. The oldest sites in the Stockton area are represented by this time period.

The Emergent Period is characterized by the introduction of the bow and arrow. By the Emergent Period, territorial boundaries were well established and exchange systems between groups continued to flourish. The lower portion of the northern San Joaquin Valley was inhabited by the Yokuts before being overtaken by the Euro-Americans. The Yokut territory included most of the northern San Joaquin Valley and ended between the Mokelumne and Calaveras rivers. The Northern Valley Yokuts, also called the Chulamni, had a village called Yatchumne (Yachik) near present day Stockton. Another village, Tauquimne, appeared in the mission records and was present near the eastern end of the San Joaquin-Sacramento Delta near Bear Creek. Much of the Northern Valley Yokut cultural was destroyed due to the effects of disease and missionization before it was able to be fully documented.

### 3.3 ETHNOGRAPHIC SETTING

This section provides a brief summary of the ethnography of the Project vicinity and is intended to provide a general background only. The rapid disappearance of the aboriginal inhabitants, along with written records that lack details about aboriginal life, leave little information about the early inhabitants of the San Joaquin valley. The archaeological record is also very slim; archaeological investigations in the past 20 years have mostly been small-scale and focused on surface sites, many of which have been destroyed by agricultural development, levee construction, and river erosion. Early twentieth century investigations in the northern San Joaquin valley were focused on artifacts and burial recovery, but ignored dietary remains and technological features, thus hindering any modern attempts at reanalysis. The ethnographic inhabitants of the San Joaquin Valley immediately prior to the arrival of European settlers, were the Northern Valley Yokut. Their territory stretched south to north from near where the San Joaquin River makes a big bend northward to a place midway between the Calaveras and Mokelumne rivers; west to east their territory was most likely marked by the crest of the Diablo Range to the juncture of the San Joaquin valley with the Sierra Nevada foothills (Wallace 1978). Linguistic data suggests that the Yokut were recent arrivals in the northern valley, heading north due to movement into their territory by the Numic-speaking Monache from across the Sierra Nevada. This migration began about 500 years ago, and considerably extended the Yokut territory, at the expense of the Costanoans, Miwok, or both, who had occupied the land.

The native populations were not evenly dispersed over the land, but rather were clustered along a narrow band of land which bordered the San Joaquin river and its tributaries. Spanish explorers in the early nineteenth century reported numerous settlements in the delta, along the San Joaquin river and its tributaries; the Yokut had prospered in this region, as evidenced by the explorers' accounts of villages being well-stocked with food and populous. A precise population count of the Yokut cannot be given, but an approximation based on available food resources results in an estimate of 31,404 inhabitants; another approximation based on stream-mile densities for known populations on the Merced and Kings rivers places the total somewhat lower, at 25,100; this count does not include those living west of the San Joaquin



river (Wallace 1978). Tribes consisted of approximately 300 or so people, guided by a headman. A second office appears to have been that of a messenger or herald (Cook 1960:249-250, cited in Wallace 1978). Most of the members of the tribe congregated in one principal settlement, where the headman dwelt. Smaller communities of two or three houses also existed (Wallace 1978). Settlements were perched on the tops of low mounds, or on the banks of large watercourses (Schenk 1926:132; Schenk and Dawson 1929f:308; Cook 1960:242, 259, 285; all cited in Wallace 1978), which kept the inhabitants dry during times of flooding. The lifestyle was sedentary, due to the abundance of resources year-round, and the same sites were occupied for generations (Wallace 1978). The Northern Valley Yokut diet consisted mainly of acorns and salmon, of which they enjoyed a plentiful supply. There were other fish that travelled the San Joaquin river, such as white sturgeon, river perch, western suckers, and Sacramento pike; these were not as sought-after because of their lesser quality flesh. The native fishing technique is not well documented, but reference is made to the use of small dragnets equipped with stone sinkers (Cook 1960:242, cited in Wallace 1978). Bone- or antler-tipped harpoons were probably used (Bennyhoff 1950:312-316, cited in Wallace 1978).

Waterfowl must have also been an important part of the Yokut diet, due to their huge numbers in proximity to the rivers and wetlands, and ease of capture. Curiously, the Spanish explorers made no mention of natives hunting fowl. The Spanish also noticed the enormous herds of antelope and elk, but also made no mention of the Indians hunting big game (Wallace 1978). Harvesting wild plant foods was of prime importance. Acorns were the main staple. They were processed to remove tannins, ground into meal, then cooked as a thick soup or gruel. Tule roots were collected and ground into meal as well (Wallace 1978).

## 3.4 HISTORICAL SETTING

### 3.4.1 Regional Context

#### **Spanish Period (1775-1821)**

The Spanish Period in Northern/Central California began in 1775 when Captain Juan Manuel Ayala's expedition explored the San Francisco Bay and ventured up the Sacramento and San Joaquin rivers in search of a suitable mission site. The first mission in the region was established the following year with the completion of Mission San Francisco de Asis (Mission Dolores) in San Francisco. The mission era ensued, lasting over the next 46 years, leading to the establishment of numerous missions and outposts, and the subsequent "missionization" of native groups, which contributed to their decimation due to disease and subjugation.

The Spanish entered the Tracy-Stockton area at the end of the 1700s or early in the nineteenth century. After Mexico's secession from Spain in 1822, and the subsequent secularization of the missions in 1833, much of California was divided into private ranchos. One of these Mexican land grants was awarded in 1849 to a German immigrant, Charles M. Weber, who received over 49,000 acres in the Stockton area. Weber took advantage of Stockton's geographic location to create a base of operations for gold miners during the California gold rush (DLRP 2004). At that time, Stockton became the fourth largest city in California. Stockton also became known for having the easternmost deep-water port on the West Coast, which drew the gold miners to the southern gold mining areas in California.

Spanish settlement during the period was limited to coastal regions. Some exploration of the Central Valley was conducted, notably by Lt. Gabriel Moraga, who led several expeditions into that region between 1805 and 1817 (Rawls and Bean 1998:49).

### **Mexican Period (1822-1848)**

Under the Spanish, the missions controlled the land. After Mexico seceded from Spain in 1822, land was granted to private citizens, a practice that increased significantly after the 1833 act of the Mexican legislature that established the secularization of the missions (Rawls and Bean 1998:61-62). By 1845, the last of the mission land holdings were relinquished, opening the way for the large ranchos common to California in the mid-1800s. The predominant economic pursuit of the ranchos was raising livestock for the hide and tallow trade. American explorers, mostly traders and beaver trappers, were also flocking to the west during this time, and their "trail blazing" opened the region to further American exploration. Jedediah Smith, in 1827, led a party of trappers up the Sacramento River from the San Joaquin River Delta region, leading to the establishment of the "California-Oregon Road." Over the next twenty-five years, numerous explorations were to follow (Kyle 1990: preface).

### **American Period (1848-present)**

The gold rush of 1849 brought thousands of prospectors through the northern San Joaquin valley, where they relentlessly pushed aside any native peoples living there. At the end of the gold rush, many ex-miners flocked back to the valley to pursue farming. In turn, the remaining Yokut were forced off their land or murdered. Some individuals resisted and retaliated, but there were no successful, concerted efforts made to fight the onslaught of whites. In 1850, plans for a reservation system were drawn up, which was signed by the headmen of three tribes. The treaties were not honored, and the surviving Indians were left with nothing to do but drift along and find work where they could (Wallace 1978).

### ***Development of the San Joaquin-Sacramento River Delta***

Development of the San Joaquin-Sacramento River Delta (Delta) began in 1850 with the Swamp and Overflow Land Act, which transferred ownership of all swamp and overflow lands, including the Delta marshes, from the Federal government to the State of California (State). This transfer was on condition that the State allocate revenue from land sales towards swamp reclamation, including the construction of levees and drains. Land in the Delta was available for private purchase and state laws enacted in 1855 and 1858 set the acreage limit and price per acre to prevent monopolies and speculation. Reclamation was at the whim of the land holder, resulting in a piecemeal and uncoordinated development (Hittell 1872:604; Mitchell 1994:411-412; State of California, Department of Water Resources 2007:2-3).

In 1861, the Board of Swamp-Land Commissioners was developed to manage reclamation projects. The Board failed to implement large-scale reclamation projects or flood-control plans which left it open to political criticism. Five years after its formation, the Board was disbanded and its authority reassigned to county boards of supervisors (Hittell 1872:598; Mitchell 1994:412-413; State of California, Department of Water Resources 2007:3). In 1868, a new law was adopted that authorized reclamation districts and allowed tax assessments to be supervised at the county level. County boards of supervisors could form reclamation districts, controlled by trustees who were elected by land holders. Acreage limitations were removed

allowing large-scale investment in swampland reclamation. By 1871, nearly all Delta swampland was in large private holdings (Mitchell 1994:414).

The first levees within the Delta were hand built using some horsepower. Most of the laborers were Chinese. The costs of maintaining the levees within the unstable Delta soils became prohibitive. In the late 1870s, steam-powered dredges were introduced to move alluvial soils from the channels for large levee construction at around half the cost of hand-powered labor. By the end of World War I, nearly all of the Delta marshland had been reclaimed, and the number of operating dredges markedly decreased. The transformation of the Delta into the series of channels and leveed islands as it appears today was almost complete (State of California, Department of Water Resources 2007:3).

### *Development of the City of Tracy*

Following the discovery of gold in the foothills of the Sierra Nevada in 1848, thousands of migrants came to California hoping to strike rich in the gold camps that were formed over the following years. While some took overland routes from the eastern states, many arrived in San Francisco, where they would then disembark for the gold fields interspersed along the foothills. To reach the southern mining camps, many would travel from San Francisco via stagecoach routes through the Altamont Pass, which extended to Stockton through the area of present-day Tracy. An initial settlement known as Mountain House was founded in 1849, which served as a popular stagecoach stop along one of these routes. Located in proximity to Old River and the multiple estuaries throughout the Delta, settlers began to recognize the agricultural potential for the Tracy area. After failing to strike rich in the gold fields, a number of prospectors began to establish farms and ranches throughout the Sacramento and San Joaquin valleys. The area near present-day Tracy was no different, as more agricultural settlements were established throughout the second half of the nineteenth century. Additionally, coal was discovered in 1856 in the hills near Tracy at a location called Corral Hollow. This resulted in a burst of growth in the area as several mines were established in the area and began shipping tons of coal throughout the state (De Novo, 2009).

In 1869, the Central Pacific Railroad built a new rail alignment which extended from Sacramento to San Francisco via Stockton and the Altamont Pass. Additional rail lines were constructed in the following years as new industries and communities required additional transportation services. In 1878, a new branch line was built to provide an alternative route to the original Altamont Pass. Located at the junction of the two lines, a branch stop was founded and named "Tracy Junction" after Lathrop J. Tracy, a railroad director and relative of Central Pacific Railroad president Leland Stanford. The branch stop quickly became a center of the railroad's operations, as well as an important shipping center for agricultural products and coal produced in the Corral Hollow mines. In 1894, under the shortened name of "Tracy," the town became the new headquarters for regional railroad operations (De Novo, 2009).

The town of Tracy continued to grow through the late nineteenth and early twentieth centuries and was officially incorporated as a city in 1911. Although many of the residences were employed by the railroad, agriculture continued to be an essential industry in the Tracy area. The importance of agriculture to the local and regional economy increased as new irrigation districts formed in the area resulted in new water conveyance systems, providing farmers alternatives to the original dry crops that were less dependent on consistent water access. Sugar Beets were introduced to the Delta area, which in turn led to the foundation of a sugar

beet refinery in 1917, located north of Tracy and immediately north of the Project area. Initially run by the Sugar Pacific Company, it was eventually transferred to the Holly Sugar Company, which continued to operate it over the following decades (De Novo, 2009). In 1930, the company constructed a shipping canal that provided immediate access to the Old River.

In 1941, with the U.S. entering World War II, the U.S. Army founded the Sharpe Army Depot near Tracy. The expansive facility was used as a central agricultural shipping facility in support of the war effort in the Pacific Theater. It became a major employer in Tracy and continued to build upon the city's importance as a transportation and shipping center, particularly for agricultural goods. Like most places throughout California, Tracy grew exponentially in the post-war years. With the expanding population, Tracy began to expand into the surrounding areas with major annexations starting in the 1940s and continuing throughout the 1960s. Tracy continued to grow in the late twentieth and early twenty-first centuries, primarily as a bedroom community for the greater San Francisco Bay Area. This trend has become increasingly pronounced as high housing prices in the San Francisco Bay Area has shifted many to migrate further in search of affordable housing (De Novo 2009).

### 3.5 SITE SPECIFIC HISTORY

The subject property at 500 Arbor Avenue is a largely undeveloped, irregularly-shaped parcel located in the northeast extent of the city. The property and surrounding area appear to have been largely undeveloped during the early twentieth century. However, in 1917, the Sugar Pacific Company opened a sugar beet refinery on the north side of Arbor Avenue, which started to change the area surrounding the subject property from exclusively agricultural to increasingly industrial. Sold to the Holly Sugar Company in 1926, the processing facility became a fixture of the community for most of the twentieth century and experienced noteworthy success during the interwar and post-war periods (Tracy Press, 2017). In addition to multiple expansions of their refinery facilities, the Holly Sugar Company was responsible for major alterations to the landscape that surrounds the subject property, including the construction of large retention ponds and the 1930 construction of Sugar Cut, which is an approximately 1.25-mile-long linear canal that provided a shipping channel directly from the refinery to Old River, Grant Line Canal, and the broader Delta (Tracy Press, 2017). The refinery was also serviced by the a railroad spur line, likely constructed in 1917, the remnants of which parallel the subject property along the western perimeter of the parcel boundary.

In 1957, the City annexed much of the area surrounding the subject property, excluding the Holly Sugar Refinery. A portion of these annexed lands were already used by the City for its sewage treatment plant, which was initially constructed during the late 1940s on the property immediately west of the APE. As Tracy grew throughout the second half of the twentieth century, both in terms of residents and industrial capacity, the wastewater treatment plant was expanded multiple times to accommodate the new demands.

The subject property was owned by the City and developed for municipal services. Newspaper articles refer to the property at 500 Arbor Avenue, sometimes addressed as 370 Arbor Road, as being used for the City's Animal Shelter. Although it is not known when the shelter was first established on the property, publications suggest that the site was already being used for animal control in the early 1960s (Tracy Press, 1963). An aerial photograph from 1957 shows a series of buildings in the APE suggesting that a shelter may have been constructed on the site in the late 1950s following annexation by the City (Figure 3-1). It is also possible that the animal



Figure 3-1. 1957 aerial photograph with the subject property highlighted (note the buildings and structures, which may have been the initial animal shelter facilities on the property (UCSB Aerial Photograph Library, edited by author).

control use may have been initiated prior to 1957, although no substantive evidence of this was found during this survey effort.

Archival research indicates that in 1968, the City allocated \$14,000 for the construction of a new animal shelter and pound on the property (Tracy Press, 1968). The new building was completed on May 23, 1969. The main shelter building—which cost over \$15,000 to construct and furnish—was celebrated as a new and humane facility to house the City’s animal control operations (Tracy Press, 1969). Constructed of concrete block, the simple building featured 10 kennel spaces that provided house animals both inside and outside spaces, the latter of which involved a series of shaded enclosures along the exterior façade of the building (Figure 3-2). Additionally, the building featured a decompression chamber and crematory, which was considered a humane and state-of-the-art for animal euthanasia procedures at that time (Tracy Press, 1969). Archival research also indicates that an accessory garage building may have also been built as part of the new animal shelter in 1969.

Information on the property’s evolution during the last decades of the twentieth century are relatively limited. Historical aerial photographs show that several new buildings and structures were added to the property during this time, particularly at the southernmost end of the parcel





Figure 3-2. 1969 photograph of the Tracy Animal Shelter, excerpted from the Tracy Press June 25, 1969.

near East Larch Road (NETR, 1982, 1993). These additional buildings were constructed in the 1980s and 1990s likely to accommodate the expanding needs of the City's Animal Control department and the evolving practices regarding animal control and sheltering practices. By the 2010s, the need for a new, modern animal shelter was identified. According to publications from that period, the facility at 500 Arbor Avenue was considered dilapidated and woefully inadequate to meet modern animal care practices (Tracy Press 2015a). In 2014-2015, a new shelter at 2375 Paradise Road was constructed by the City, which moved its animal control operations from the subject property to the new facility in March 2015 (Tracy Press 2015a).

With Animal Control occupying its new facility, the City considered new plans for the subject property. In September 2015, the City explored potentially reusing the former animal shelter buildings at 500 Arbor Avenue as a new resource center for an increasing homeless population in Tracy. While some advocated for the conversion of the former animal shelter, the consensus was the buildings were too deficient to be effectively remodeled and reused for this purpose (Tracy Press 2015b). The City Council contemplated selling the property, but ultimately decided to demolish most of the animal shelter buildings during the winter of 2015–2016. Today, the property primarily appears to be vacant and undeveloped. Only the circa 1969 garage building remains.

## 4 CULTURAL RESOURCE INVENTORY

A literature review and records search were conducted at the CCIC, housed at California State University, Stanislaus in Turlock, on September 16, 2021(CCIC File No. 11906L). This inventory effort included the Project APE, along with the surrounding 0.5-mile area. The objective of this records search was to identify previous cultural resource investigations within the study area and any known cultural resources that may have been documented in the area.

### 4.1 PREVIOUS CULTURAL RESOURCE INVESTIGATIONS

The records search indicated that 12 cultural resource studies have been conducted within 0.5-mile of the APE. Two of these cultural resource studies (SJ-03340 and SJ-04142) include portions of the APE. Table 4-1 summarizes these previous studies.

**Table 4-1. Previous Resource Studies Within 0.5-Mile of the APE**

<b>Report No.</b>	<b>Authors</b>	<b>Year</b>	<b>Title</b>	<b>Publisher</b>
SJ-00656	Bureau of Reclamation, Office of Environmental Quality	1983	Class II Archaeological Survey of San Luis Drain and Alternatives, Central Valley Project, San Luis Unit, California	Bureau of Reclamation, Office of Environmental Quality
SJ-00822	Peak, A.	1980	Cultural Resource Assessment of Plant Improvement Alternatives for the Tracy Wastewater Treatment Plant, San Joaquin County, California.	Peak and Associates; for City of Tracy
SJ-01733	True, D.L., P. Bouey, and M. Basgall	1981	Archaeological Survey of the Proposed San Luis Drain Project: Kesterson Reservoir to the Sacramento-San Joaquin Delta, California.	Consultants; for USDI Bureau of Reclamation
SJ-01850	Price, B.A.	1992	Cultural Resources Assessment Report, EBMUD Southern Loop Pipeline Alignment Study, Contra Costa and Alameda Counties, California	Infotec Research, Inc.; for Kerry O'Neill, Environmental Compliance Supervisor, PGT-PG&E Pipeline Expansion Project
SJ-03340	Werner, R.H.	1998	Cultural Resources Assessment of the Proposed Road System for TT6649, Alameda County, California	ASI Archaeology and Cultural Resource Management; for Western RC Consolidated, Inc.
SJ-04142	Windmiller, R.	2001	A Cultural Resource Survey and Assessment of the Wastewater Treatment Plant Expansion, City of Tracy, San Joaquin County, California.	Foothill Archaeological; for Pacific Municipal Consultants

Report No.	Authors	Year	Title	Publisher
SJ-04182	Wickstrom, B.	2001	Historic Property Survey Report- Negative Findings, Tracy Widening Stage II & III, 10-SJ-205, P.M. R3.0/R13.6, EA 300160. [includes Neg. ASR & Neg. First Supplemental ASR]	California Department of Transportation District 10
SJ-04182	Wickstrom, B.	2000	Department of Transportation Negative Archaeological Survey Report 10-SJO-205 P.M. R3.0 / R13.6 EA 300160.	Caltrans District 10
SJ-04182	Wickstrom, B.	2000	Department of Transportation First Supplemental Archaeological Survey Report-Negative 10-SJO-205 R3.0 / R13.6 EA 300160.	Caltrans District 10
SJ-04302	Rahim, A.S.	2000	Letter Report: Request for Section 106 Review, SBA Communications, Inc. Facility, 101 Sloan Crt., Tracy, California.	ASR Engineering, INC.; for SHPO
SJ-05047	Dougherty, J., C. Baker, and M. Maniery	2003	A Cultural Resource Assessment for the Proposed Tesla Reclaimed Waterline Project, Alameda and San Joaquin Counties, California.	PAR Environmental Services, Inc.; for California Energy Commission
SJ-06302	Busby, C.	2006	Cultural Resources Literature Review - 1,300-Acre Parcel, Tracy, San Joaquin County, California.	Basin Research Associates; for CH2M HILL
SJ-06303	Busby, C.	2006	Cultural Resources Field Inventory - 400 Acres, City of Tracy, San Joaquin County, California.	Basin Research Associates; for CH2M HILL
SJ-06735	Goetter, K.	2008	Historic Property Survey Report for The Interstate 205 Auxiliary Lanes Improvements Project Tracy, California, EA 10-002700, 10-SJ-205, P.M. 1.9-6.8.	LSA Associates, Inc.; for Caltrans District 10

Studies in **bold** include intersect the Project APE.

## 4.2 PREVIOUSLY RECORDED CULTURAL RESOURCES

The records search results identified three cultural resources within 0.5-mile of the APE (Table 4-2). All of the resources date to the historic period and include one archaeological site, one building, and one structure. None of the resources are located in the APE.

**Table 4-2. Prehistoric Cultural Resources Within 0.5-Mile of the APE**

Primary No.	Type	Age	Description
P-39-000435	Site	Historic	Refuse scatter
P-39-004338	Building	Historic	Single-family residence at 3008 Holly Drive
P-39-005083	Structure	Historic	Sugar Cut Levees



## 4.3 ADDITIONAL SOURCES

Additional sources consulted during the cultural resource literature review and records search include the NRHP, the California Office of Historic Preservation Archaeological Determinations of Eligibility, and the Built Environment Resource Director (BERD). There are no listed historic properties, historical resources, or historic landmarks recorded in the APE.

## 4.4 NATIVE AMERICAN COORDINATION

PaleoWest contacted the NAHC on November 20, 2020 for a review of the Sacred Lands File Search (SLF). The objective of the SLF search was to determine if the NAHC had any knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) within the APE or its immediate vicinity. The NAHC response dated November 1, 2021, stated that “a record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced Project. The results were negative.” The NAHC response also provided a list of 11 Native American contacts, listed below:

- Buena Vista Rancheria of Me-Wuk Indians, Chairperson Rhonda Morningstar Pope
- California Valley Miwok Tribe AKA Sheep Ranch Rancheria of Me-Wuk Indians
- California Valley Miwok Tribe
- Chicken Ranch Rancheria of Me-Wuk Indians, Chairperson Lloyd Mathiesen
- Lone Band of Miwok Indians, Chairperson Sara Dutschke
- Muwekma Ohlone Tribe of the SF Bay Area, Vice Chairwoman Monica Arellano
- Nashville Enterprise Miwok-Maidu-Nishinam Tribe, Chairperson Cosme A. Valdez
- North Valley Yokuts Tribe, Chairperson Katherine Erolinda Perez
- The Confederated Villages of Lisjan, Chairperson Corrina Gould
- Wilton Rancheria, Chairperson Jesus G. Tarango
- Wilton Rancheria, Tribal Historic Preservation Officer (THPO) Steven Hutchason

A full record of the coordination efforts can be found in Appendix A.

## 5 FIELD INVESTIGATION

### 5.1 FIELD METHODS

PaleoWest conducted an intensive survey of the APE on September 21, 2021. The APE was surveyed using transect intervals spaced no more than 15 meters apart. The Project area was recorded with digital photographs that included general views of the topography and vegetation density, and other relevant images (see Appendix A).

The surveyor carefully inspected all areas likely to contain or exhibit sensitive cultural resources to ensure discovery and documentation of any visible, potentially significant cultural resources located within the Project area. All exposed and accessible ground surface within the APE was examined for the presence of historic or prehistoric site indicators. Historic site indicators include foundations, fence lines, ditches, standing buildings, objects or structures such as sheds, or concentrations of materials at least 50 years in age, such as domestic refuse (glass bottles, ceramics, toys, buttons or leather shoes), or refuse from other pursuits such as agriculture (e.g., metal tanks, farm machinery parts, horse shoes) or structural materials (e.g., nails, glass window panes, corrugated metal, wood posts or planks, metal pipes and fittings, etc.). Prehistoric site indicators include areas of darker soil with concentrations of ash, charcoal, faunal bone fragments (burned or unburned), shell, flaked stone, ground stone, or human bone.

### 5.2 SURVEY RESULTS

The natural terrain of the survey area was relatively flat with a very slight downslope to the south. The survey area exhibits a high degree of disturbance. A paved road runs north-south through the property with a linear area of artificial fill placed adjacent to the drainage channel; the raised area ranging from one to five feet in height and is composed of earth, concrete, and asphalt.

Surface visibility throughout the Project area averaged 10 percent. Vegetation consisted of California melic grass (*Melica californica*), Bluewitch nightshade (*Solanum umbelliferum*), and devil's trumpet (*Datura* sp.). Observed soils consisted of a native grayish brown (Munsell 10YR 5/2), hardened sandy clay with approximately 10 percent sub-rounded gravels.

The survey recorded two cultural resources in the APE. These include the Old Tracy Animal Shelter and the Eastside Channel. In addition, a stockpile of demolished railroad materials and associated infrastructure were identified in the APE. These materials consist of an iron sheet metal scatter, stacks of railroad ties, and wood (Figures 5-1 and 5-2). A review of aerial images indicates that these materials were placed in the APE in 2016 or 2017. It is likely that they are associated with the adjacent railroad spur that lies along the western boundary of the APE. Because the materials do not originate from the APE and appear to have been placed on the property within the last five years, PaleoWest noted the remains but did not formally record or evaluate them as cultural resources. No prehistoric artifacts or features were observed during the survey.

In the following section, a description and evaluation of each identified resource is provided. Survey photographs can be found in Appendix B, and Department of Parks and Recreation 523 forms are provided in Appendix B.



Figure 5-1: Stockpile of railroad ties in APE (facing SE).



Figure 5-2: Fragment of Sheet Material from the demolished railroad.



### 5.2.1 500 Arbor Avenue, Old Tracy Animal Shelter (21-687-02)

The historic period property at 500 Arbor Avenue is the former location of the City's Animal Shelter. The irregular-shaped narrow parcel is situated within a predominantly industrial and agricultural area near the outskirts of Tracy. The resource includes an extant garage building, a paved road that runs south from Arbor Avenue, utility poles, and a refuse scatter.

Constructed circa 1969, the single-story garage lies at the southern end of the property. Other buildings associated with the Old Tracy Animal Shelter were demolished in 2015-2016 and are no longer extant. The garage features concrete masonry unit (CMU) block construction, a simple rectangular footprint, and is capped with a flat roof with overhanging open eaves with fascia boards (Figures 5-3 and 5-4). The primary (west) façade features two metal seam garage doors set within a single opening that extends the width of the facade; a thick wood header sits above the door opening (Figure 5-3). Both the north and south façades feature two, small evenly spaced aluminum siding windows with security bars (Figure 5-4). The remainder of the façades are defined by the grid pattern of the CMU construction, although the south façade features a canopy structure with wood posts and corrugated sheet metal roof extending from the building. The rear (east) façade lacks fenestration and exhibits the grid pattern of the CMU construction throughout.

The property also features paved two-lane asphalt access road and an alignment of former telephone poles and electric transmission poles (Figure 5-5). The three telephone poles on the property are simple, wood poles that extend north from garage building and parallel the paved access road towards Arbor Avenue. Potentially constructed circa 1969 along with the former animal shelter buildings, the telephone poles are no longer wired though some remnants of the former telephone lines were seen at several locations (Figure 5-5). A small transmission line is also found on the property and consists of four wood poles with wood cross arms. The transmission line runs in a north-south direction paralleling the access road; it connects to a modern transmission line east of the APE along Arbor Avenue.

A historic period refuse scatter measuring 50 ft x 25 feet is located at the northern portion of the property just south of Arbor Avenue and adjacent to a paved road (Figure 5-6). The scatter consists of more than 100 fragments of colorless bottle body glass, 40 brown bottle glass fragments (some of which may have been from a broken bleach bottle), 5 cobalt blue bottle fragments, 8 white bottle glass fragments, 1 light green glass jar piece, 40 pieces of plain white improved earthenware ceramic, and 1 large rim of a stoneware crock with buff-colored glaze with blue stripes. Temporally diagnostic bottles and jars included a green oval-shaped jar that is 3 inches (in) tall x 3 in wide x 2 in thick, with a base embossed with "3 (Owens Illinois Mark) 5/ 8" the marker's mark indicate that the jar was manufactured in 1935. A second temporally diagnostic bottle base was colorless and embossed with "178 B/ 21 (Owens Illinois mark) 9". This mark indicates a manufacture of 1939. A third diagnostic bottle base was embossed with "MFD. BY W.J. LATCHFORD CO. LOS ANGELES, CALIF", which was manufactured between 1925-1939. Based on these findings, the refuse scatter appears to date to the 1930s and predates use of the property as an animal shelter by the City. Given the location of the refuse scatter just south of Arbor Avenue, it is likely that these remains represent opportunistic roadside dumping by travelers or local residents.



Figure 5-3. Primary (west) and north façades of the garage building, view facing east.



Figure 5-4. South façade of garage building showing shade structure at center and rear (east) facade, view facing north.





Figure 5-5. Telephone pole (center) and electric transmission line (left) on the subject property, view facing north. The modern steel transmission towers (far right) are located outside of the APE.



Figure 5-6: Overview of historic period refuse scatter, facing southeast.

## Evaluation

The Old Tracy Animal Shelter property at 500 Arbor Avenue does not appear to be eligible for listing in the NRHP.

### *Criterion A*

The garage and associated infrastructure on the property were constructed by the City in 1969 as part of the animal shelter facility. Although the need for new and expanded animal control facilities does align with the general trend of the city's growth during the second half of the twentieth century, no evidence was found to indicate that the construction of the shelter was directly associated with events that are significant in local, state, or national history. Moreover, the scatter of historic period refuse does not appear to be associated with use of the property by the City in the 1960s and 1970s. The refuse is likely the result of an isolated roadside dumping episode and as such cannot be directly associated with events that are significant in local, state, or national history. Therefore, the Old Tracy Animal Shelter is not significant under Criterion A of the NRHP.

### *Criterion B*

The building and associated infrastructure that comprise the Old Tracy Animal Shelter were constructed by the City and its contractors, not by individuals. There is no evidence that the facility has any known direct association with the productive lives of important individuals. Furthermore, the isolated refuse scatter on the property that dates to the 1930s cannot be tied to any known individuals or important persons who lived in the area in the early part of the twentieth century. Therefore, the subject property does not appear to be eligible for listing in the NRHP under Criterion B.

### *Criterion C*

The Old Tracy Animal Shelter property consists of a simple, garage with minimal Modern elements and associated infrastructure. The garage building is a simplistic and utilitarian and does not appear to exhibit any significance as an example of a particular architectural style, type, or method of construction. Additionally, there is no known architect, and the utilitarian and pedestrian nature of this building indicates that it is unlikely to reflect the work of a master architect. The associated road and telephone and transmission lines are also of common construction and materials and do not exhibit any architectural or engineering merits that would qualify the property as significant. Therefore, the subject property does not appear to be eligible for listing in the NRHP under Criterion C.

### *Criterion D*

The Old Tracy Animal Shelter property is not a significant or likely source of important information regarding history. The extant garage building and associated features on this property does not have any likelihood of yielding important information about historic construction materials or technologies. In addition, the artifacts that comprise the refuse scatter are common throughout the Delta and have limited information potential. Therefore, it is not eligible for listing in the NRHP under Criterion D.



### 5.2.2 Eastside Channel Segment (21-687-03)

A historic period Eastside Channel runs along the eastern edge of the APE. This segment of the drainage channel is 0.25 mile in length and consists of an earthen ditch that measures approximately 70 ft in width with a depth of approximately 8 to 10 ft (Figure 5-7). A modern transmission line runs parallel to the eastern side of the channel before turning west crossing over the channel just south of Arbor Avenue. The structure is part of the City's larger Eastside Channel Watershed stormwater drainage system. This portion of the channel appears to have been constructed circa 1952 and is predominantly surrounded by agricultural and industrial lands.



Figure 5-7. Eastside Channel (21-687-02), facing north.

#### Evaluation

This segment of the Eastside Channel (21-687-02) does not appear to be eligible for listing in the NRHP.

#### *Criterion A*

According to available information, the channel appears to have been originally constructed circa 1952 as a simple gravity drainage channel to shift water north from agricultural fields towards the nearby sloughs and Delta waterways. The subject channel was one of dozens in the immediate area and the subject channel does not appear to exhibit any significant associations with the development of agriculture in the Tracy area. Starting in the 1970s,



improvements to the drainage channel integrated it into the City of Tracy's stormwater management system. As such, it has continued to receive maintenance and upgrades to meet the demands of the system. This channel is not an important engineering project within the history and development of Tracy and is not known to be directly associated with any other important historical events. Therefore, it does not appear to meet NRHP Criterion A.

### ***Criterion B***

Archival research could not identify any individuals or persons responsible for the construction of this segment of the Eastside Channel. Because there is no evidence that the subject channel has any known direct association with the productive lives of important individuals in local, regional, state, or national history, the channel is not eligible under NRHP Criterion B.

### ***Criterion C***

The drainage channel was initially constructed circa 1952 as a typical agricultural drainage ditch. It is a simple gravity fed ditch with earth construction, of which there are hundreds in the surrounding region. As such, it does not appear to rise to a level of significance as an example of this pervasive property type, nor does it embody a specific period or method of construction, or significant example of engineering. Additionally, there is no known builder and is unlikely to reflect the work of a master engineer or builder. Therefore, 21-687-03 does not appear to be eligible for listing in the NRHP under Criterion C.

### ***Criterion D***

The subject channel does not appear to meet NRHP Criterion D for any potential to provide information important to the study of mid-twentieth-century flood control systems. This criterion is typically reserved for archaeological resources, ruins, or rare built-environment features of which little is already known, and that are considered the sole source of historical data. The subject channel would be unable to yield any new information important to the study of flood control systems of their particular type or vintage in local, state, military, or national history. The structure is not the primary source of this information, but rather, the physical manifestation of the knowledge and practice of flood control technology, which was widely applied throughout Delta region.

## 6 MANAGEMENT RECOMMENDATIONS

The results of the cultural resource assessment indicate that there are no historic properties present in the APE. A CCIC records search found no previously recorded archaeological or historic built-environment resources in the APE. A pedestrian survey identified and documented two historic period resources - the Old Tracy Animal Shelter property (21-687-02) and a segment of the Eastside Channel (21-687-03). A significance evaluation of these resources found that neither are recommended as eligible for the NRHP.

Given the minimal extent of ground disturbance associated with the construction of the proposed Project, it is unlikely that significant intact historic period archaeological deposits are extant in the APE.

Based on the findings of the study, PaleoWest recommends a finding of **no historic properties affected** for the proposed undertaking. PaleoWest recommends the following protocols be followed in the event of a post review discovery or if human remains are discovered.

### 6.1 POST REVIEW DISCOVERY PROTOCOL

In the event that potentially significant archaeological materials are encountered during Project-related ground disturbing activities, all work should be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource. In addition, Health and Safety Code 7050.5, and Public Resources Code 5097.98 mandate the process to be followed in the unlikely event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Finally, should additional actions be proposed outside the currently defined APE that have the potential for additional subsurface disturbance, further cultural resource management may be required.

### 6.2 HUMAN REMAINS

In the event that human remains are discovered, the provisions of Section 7050.5(b) of the California Health and Safety Code should be followed.

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 human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.94 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to State law, then the remains would be reinterred with the items associated with the Native American burial on the property in a location not subject to further disturbance.

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## **Appendix A.**

### **SLF Search**



## NATIVE AMERICAN HERITAGE COMMISSION

November 1, 2021

Christina Alonso  
PaleoWest Archaeology

CHAIRPERSON  
**Laura Miranda**  
Luiseño

**Submitted via Electronic Mail**  
**Via Email to: [calonso@paleowest.com](mailto:calonso@paleowest.com)**

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

**Re: Tracy HUD Survey Project, San Joaquin County**

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

Dear Ms. Alonso:

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

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

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

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

COMMISSIONER  
**Sara Dutschke**  
Miwok

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

If you have any questions or need additional information, please contact me at my email address: [katy.sanchez@nahc.ca.gov](mailto:katy.sanchez@nahc.ca.gov).

COMMISSIONER  
**Wayne Nelson**  
Luiseño

Sincerely,

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

EXECUTIVE SECRETARY  
**Christina Snider**  
Pomo

Katy Sanchez  
Associate Environmental Planner

Attachment

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Native American Heritage Commission  
Native American Contacts List  
November 1, 2021**

<p>Buena Vista Rancheria of Me-Wuk Indians Rhonda Morningstar Pope, Chairperson 1418 20th Street, Suite 200 Me-Wuk / Miwok Sacramento ,CA 95811 rhonda@buenavistatribe.com (916) 491-0011 Office (916) 491-0012 Fax</p>	<p>Muwekma Ohlone Indian Tribe of the SF Bay Area Monica Arellano, Vice Chairwoman 20885 Redwood Road, Suite 232 Ohlone / Costanoan Castro Valley ,CA 94546 marellano@muwekma.org (408) 205-9714</p>
<p>California Valley Miwok Tribe 14807 Avenida Central Miwok La Grange ,CA 95329 (209) 931-4567 Office (209) 931-4333 Fax</p>	<p>Nashville Enterprise Miwok-Maidu-Nishinam Tribe Cosme A. Valdez, Chairperson P.O. Box 580986 Miwok Elk Grove ,CA 95758-001 valdezcome@comcast.net (916) 429-8047 Voice/Fax (916) 396-1173 Cell</p>
<p>California Valley Miwok Tribe AKA Sheep Rancheria of Me-Wuk Indians of Ca P.O. Box 395 Miwok West Point ,CA 95255 l.wilson@yahoo.com (209) 293-4179 Office</p>	<p>North Valley Yokuts Tribe Katherine Erolinda Perez, Chairperson P.O. Box 717 Ohlone/Costanoan Linden ,CA 95236 Northern Valley Yokuts canutes@verizon.net Bay Miwok (209) 887-3415</p>
<p>Chicken Ranch Rancheria of Me-Wuk Indians Lloyd Mathiesen, Chairperson P.O. Box 1159 Miwok - Me-wuk Jamestown ,CA 95327 lmathiesen@crtribal.com (209) 984-9066 (209) 984-9269</p>	<p>The Confederated Villages of Lisjan Corrina Gould, Chairperson 10926 Edes Avenue Ohlone/Costanoan Oakland ,CA 94603 cvltribe@gmail.com (510) 575-8408</p>
<p>Ione Band of Miwok Indians Sara A. Dutschke, Chairperson 9252 Bush Street Miwok Plymouth ,CA 95669 consultation@ionemiwok.net (209) 245-5800 (209) 256-9799</p>	<p>Wilton Rancheria Jesus G. Tarango Jr., Chairperson 9728 Kent Street Miwok Elk Grove ,CA 95624 jtarango@wiltonrancheria-nsn.gov (916) 683-6000 Office (916) 683-6015 Fax</p>

**Native American Heritage Commission  
Native American Contacts List  
November 1, 2021**

Wilton Rancheria  
Steven Hutchason, THPO  
9728 Kent Street  
Elk Grove, CA 95624  
shutchason@wiltonrancheria-nsn.gov  
(916) 683-6000 Ext. 2006  
(916) 683-6015 Fax

Miwok



## **Appendix B. Survey Photos**



Overview of 21-0687-01 looking north



Overview of 21-0687-01 looking west





Abandoned building looking northeast



Overview of channel looking north





Site overview of ground visibility looking north



Site overview of general vegetation looking south





Site overview looking west from south end



Site overview of disturbance looking southwest

# **Appendix C.**

## **Department of Parks and Recreation**

### **523 Forms**

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

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Other Listings \_\_\_\_\_  
Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 13

\*Resource Name or #: (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

**P1. Other Identifier:** City of Tracy Old Animal Shelter

\*P2. Location: ☐ Not for Publication ☒ Unrestricted \*a. County: San Joaquin

\*b. USGS 7.5' Quad Union Island, Calif. T 2S; R 5E; unsectioned wetlands; \_\_\_ ¼ of \_\_\_ ¼ of Sec \_\_\_; M.D. B.M.

c. Address 370-500 Arbor Avenue City Tracy Zip 95304

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 639200mE / 4181073 mN

e. Other Locational Data: APN 212-23-005

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

The 27.5-acre property is owned by the City of Tracy and is the former location of the City's Animal Shelter. The irregular shaped narrow parcel is situated within a predominantly industrial and agricultural area near the outskirts of Tracy. It is accessed to the north from Arbor Avenue (historically Arbor Road) and is immediately west of the City's wastewater treatment plant. The property is bounded by Arbor Avenue (north), a railroad spur line alignment (west), drainage ditch (east), and E. Larch Road (south). The property is primarily undeveloped with a meandering access road extending north-south through parcel, utility poles, as well as a single garage building towards the south end of the property. Former animal shelter buildings were demolished in 2015-2016 and are no longer extant. The historic period property at 500 Arbor Avenue is the former location of the City's Animal Shelter. The irregular-shaped narrow parcel is situated within a predominantly industrial and agricultural area near the outskirts of Tracy. The resource includes an extant garage building, a paved road that runs south from Arbor Avenue, utility poles, and a refuse scatter.

(See Continuation Sheet).

\*P3b. Resource Attributes: (List attributes and codes) HP4-Ancillary Building, HP9-Public Utility Building

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

P5a. Photo or Drawing



**P5b. Description of Photo:** (view, date, accession #) Photograph 1. Primary (west) and north façades of the garage building, view facing east. (Sept. 21, 2021).

Ca. 1969 (Tracy Press June 25, 1969).

\*P7. Owner and Address:

City of Tracy, 333 Civic Center Plaza, Tracy, CA 95376

\*P8. Recorded by: (Name, affiliation, address)

D. Herrick, PaleoWest  
1870 Olympic Boulevard, Suite 100  
Walnut Creek, CA 94596

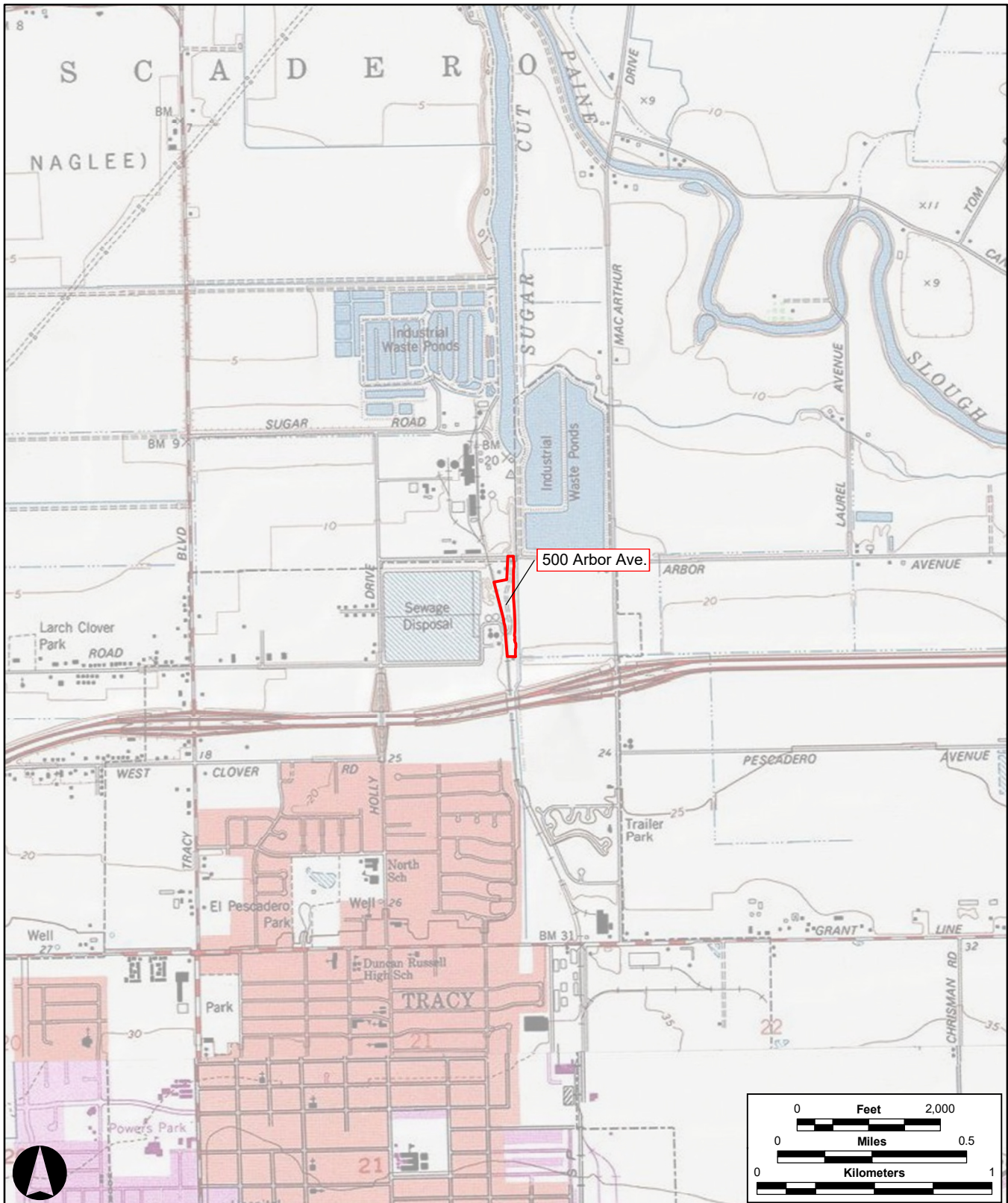
\*P9. Date Recorded: Sept. 21, 2021

\*P10. Survey Type: Intensive

\*P11. Report Citation: PaleoWest, "Tracy HUD Survey, Tracy, San Joaquin County, California" (October 1, 2021).

\*Attachments: ☐ NONE ☒ Location Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):











**BUILDING, STRUCTURE, AND OBJECT RECORD**

Page 4 of 13

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

B1. Historic Name: City of Tracy Animal Shelter; 370 Arbor Road

B2. Common Name: 500 Arbor Avenue

B3. Original Use: Animal Shelter

B4. Present Use: Vacant

\*B5. Architectural Style: Utilitarian, Modern

\*B6. Construction History: (Construction date, alterations, and date of alterations) Extant garage building likely constructed ca.1969. Old Animal Shelter building constructed 1969, but demolished in 2015-2016. Other animal shelter buildings were constructed at the south end of the property in 1980s and 1990s, but also demolished in 2015-2016.

\*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: \_\_\_\_\_

Original Location: \_\_\_\_\_

\*B8. Related Features: surrounding fence, access road, and utility poles(other former shelter buildings all demolished 2016)

B9a. Architect: unknown

\*B10. Significance: Theme None

Area Tracy, San Joaquin County, CA

Period of Significance None

Property Type Municipal/ Animal Control

Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The property at 500 Arbor Avenue does not appear to meet the criteria for listing in the National Register of Historic Places (NRHP). The building and associated property do not appear to exhibit historical significance under any significance criteria. This property has been evaluated in accordance with 36 Code of Federal Regulations (CFR) Section 60.4 and 36 CFR Section 800.4(c). Therefore, the property does not appear to be a "historic property" under Section 106 of the National Historic Preservation Act (NHPA). (See Continuation Sheet).

B11. Additional Resource Attributes: (List attributes and codes)

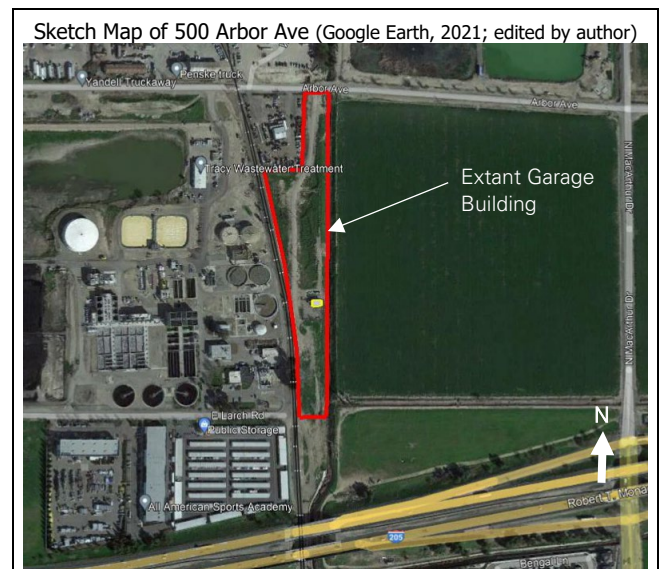
\*B12. References: See footnotes included in the continuation sheets for references

B13. Remarks:

\*B14. Evaluator: Daniel Herrick, M.H.C. PaleoWest

\*Date of Evaluation: September 21, 2021

(This space reserved for official comments.)



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 5 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

**\*P3a. Description (continued):**

Constructed circa 1969, the single-story garage lies at the southern end of the property. Other buildings associated with the Old Tracy Animal Shelter were demolished in 2015-2016 and are no longer extant. The garage features concrete masonry unit (CMU) block construction, a simple rectangular footprint, and is capped with a flat roof with overhanging open eaves with fascia boards (**Photographs 1 & 2**). The primary (west) façade features two metal seam garage doors set within a single opening that extends the width of the facade; a thick wood header sits above the door opening. Both the north and south façades feature two, small evenly spaced aluminum siding windows with security bars. The remainder of the façades are defined by the grid pattern of the CMU construction, although the south façade features a canopy structure with wood posts and corrugated sheet metal roof extending from the building. The rear (east) façade lacks fenestration and exhibits the grid pattern of the CMU construction throughout.

The property also features paved two-lane asphalt access road and an alignment of former telephone poles and electric transmission poles (**Photograph 3**). The three telephone poles on the property are simple, wood poles that extend north from garage building and parallel the paved access road towards Arbor Avenue. Potentially constructed circa 1969 along with the former animal shelter buildings, the telephone poles are no longer wired though some remnants of the former telephone lines were seen at several locations. A small transmission line is also found on the property and consists of four wood poles with wood cross arms. The transmission line runs in a north-south direction paralleling the access road; it connects to a modern transmission line east of the APE along Arbor Avenue.

A historic period refuse scatter measuring 50 ft x 25 feet is located at the northern portion of the property just south of Arbor Avenue and adjacent to a paved road (**Photograph 4**). The scatter consists of more than 100 fragments of colorless bottle body glass, 40 brown bottle glass fragments (some of which may have been from a broken bleach bottle), 5 cobalt blue bottle fragments, 8 white bottle glass fragments, 1 light green glass jar piece, 40 pieces of plain white improved earthenware ceramic, and 1 large rim of a stoneware crock with buff-colored glaze with blue stripes. Temporally diagnostic bottles and jars included a green oval-shaped jar that is 3 inches (in) tall x 3 in wide x 2 in thick, with a base embossed with "3 (Owens Illinois Mark) 5/ 8" the marker's mark indicate that the jar was manufactured in 1935. A second temporally diagnostic bottle base was colorless and embossed with "178 B/ 21 (Owens Illinois mark) 9". This mark indicates a manufacture of 1939. A third diagnostic bottle base was embossed with "MFD. BY W.J. LATCHFORD CO. LOS ANGELES, CALIF", which was manufactured between 1925–1939. Based on these findings, the refuse scatter appears to date to the 1930s and predates use of the property as an animal shelter by the City. Given the location of the refuse scatter just south of Arbor Avenue, it is likely that these remains represent opportunistic roadside dumping by travelers or local residents.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 6 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update



**Photograph 2.** South façade of garage building showing shade structure at center and rear (east) facade, view facing north (Sept. 21, 2021).



**Photograph 3.** Primary (west) and north façades of the garage building, view facing east (Sept. 21, 2021).



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 7 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update



Photograph 5. Overview of historic period refuse scatter, facing southeast (Sept. 21, 2021).

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 8 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

\*B10. Significance (continued):

**HISTORIC CONTEXT**

Development of Tracy, California

Following the discovery of gold in the foothills of the Sierra Nevada in 1848, thousands of migrants came to California hoping to strike rich in the gold camps that were formed over the following years. While some took overland routes from the eastern states, many arrived in San Francisco, where they would then disembark for the gold fields interspersed along the foothills. To reach the southern mining camps, many would travel from San Francisco via stagecoach routes through the Altamont Pass, which extended to Stockton through the area of present-day Tracy. An initial settlement known as Mountain House was founded in 1849, which served as a popular stagecoach stop along one of these routes.<sup>1</sup> Located in proximity to Old River and the multiple estuaries throughout the San Joaquin-Sacramento River Delta, settlers began to recognize the agricultural potential for the Tracy area. Often, after failing to strike rich in the gold fields, many began to establish farms and ranches throughout the Sacramento and San Joaquin valleys. The area near present-day Tracy was no different, as more agricultural settlements were established throughout the second half of then nineteenth century. Additionally, coal was discovered in 1856 in the hills near Tracy at a location called Corral Hollow. This resulted in a burst of growth in the area as several mines were established in the area and began shipping tons of coal throughout the state.

In 1869, the Central Pacific Railroad constructed a new rail alignment which extended from Sacramento to San Francisco via Stockton and the Altamont Pass. Additional rail lines were constructed in the following years as new industries and communities required additional transportation services. In 1878, a new branch line was constructed to provide an alternative route to the original Altamont Pass. At the junction of the two lines, a new branch stop was founded and named "Tracy Junction, after Lathrop J. Tracy, a railroad director and relative of Central Pacific Railroad president Leland Stanford. The branch stop quickly became a center of the railroads operations, as well as an important shipping center for agricultural products and coal produced in the Corral Hollow mines. In 1894, under the shortened name of "Tracy," the town became the new headquarters for regional railroad operations.

The town of Tracy continued to grow through the late nineteenth and early twentieth centuries, and was officially incorporated as a city in 1911. While many of the residences were employed by the railroad, agriculture continued to be an essential industry in the Tracy area. The importance of agriculture to the local and regional economy increased as new irrigation districts formed in the area resulted in new water conveyance systems, providing farmers alternatives to the original dry crops that were less dependent on consistent water access. Sugar Beets were introduced to the Delta area, which in turn lead to the foundation of a sugar beet refinery in 1917, which was located north of Tracy and immediately north of the Project area. Initially run by the Sugar Pacific Company, it was eventually transferred to the Holly Sugar Company, which continued to operate it over the following decades. In 1930, the company constructed a shipping canal that provided immediate access to the Old River.

In 1941, with the U.S. entering into World War II, the U.S. Army founded the Sharpe Army Depot near Tracy. The expansive facility was used as a central agricultural shipping facility in support of the war effort in the Pacific Theater. It became a major employer in Tracy and continued to build upon the city's importance as a transportation and shipping center, particularly for agricultural goods. Like most places throughout California, Tracy grew exponentially in the post-war years. With the expanding population, Tracy began to annex and expand into the surrounding areas with major annexations starting in the 1940s and continuing throughout the 1960s. Tracy continued to grow in the remaining decades of the twentieth century and into the twenty first century, primarily as a bedroom community for

<sup>1</sup> The following section is derived from De Novo Planning Group, "Holly Sugar Sports Park, Public Draft EIR," prepared for the City of Tracy (August 31, 2009), 3.5-3 to 3.5-5. Any additional sources used will be cited accordingly.



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 9 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

the greater Bay Area. This trend has become increasingly pronounced as high housing prices in the Bay Area has shifted many to migrate further in search of affordable housing.

Property History

The subject property at 500 Arbor Avenue is a largely undeveloped, irregularly shaped parcel along Arbor Avenue at the northeast corner of Tracy, California. The property itself appears to have been largely undeveloped for much of the initial decades of the twentieth century, as did much of the surrounding area, which is illustrated in a U.S. Geological Survey (USGS) topographic map from 1914.<sup>2</sup> However, in 1917, the Pacific Sugar Company opened a sugar beet refinery on the north side of Arbor Avenue, which started to change the area surrounding the subject property from exclusively agricultural to increasingly industrial. The refinery, later owned by Holly Sugar Company, was a fixture of the community for most of the twentieth century and experienced noteworthy success during the interwar and post-war periods.<sup>3</sup> In addition to multiple expansions of their refinery facilities, the Holly Sugar Company was responsible for major alterations to the landscape within the immediate setting of the subject property, including the construction of large retention ponds and the 1930 construction of Sugar Cut, which is an approximately 1.25-mile linear canal that provided a shipping channel directly from the refinery to Old River, Grant Line Canal, and the broader Sacramento-San Joaquin River Delta.<sup>4</sup> The refinery was also serviced by a railroad spur line, likely constructed in 1917, the remnants of which parallel the subject property along the western perimeter of the parcel boundaries.

In 1957, the area around Arbor Avenue and the subject property, was annexed by the City of Tracy. The Arbor annexation included much of the industrial area surrounding the subject property, excluding the Holly Sugar Refinery.<sup>5</sup> A portion of these annexed lands were already used by the City for its sewage treatment plant, which was initially constructed during the late 1940s on the property immediately west of the subject property. As Tracy grew throughout the second half of the twentieth century, both in terms of residents and industrial capacity, the wastewater treatment plant was expanded multiple times to accommodate the new demands.

Similar to these properties, the subject property was also owned by the City and developed for municipal. Contemporaneous newspaper articles show that the property at 500 Arbor Avenue, sometimes addressed as 370 Arbor Road, was used for the City's Animal Shelter. The exact date where the use of an animal shelter was first introduced to the subject property is unknown. Publications suggest that the site was already being used for animal control in the 1960s.<sup>6</sup> It is possible that the first animal shelter was constructed on the property following the broader Arbor Annexation by the City. An aerial photograph from 1957 shows a series of buildings located on the subject property at this time (**Figure 1**). It is also possible that the animal control use may have been initiated prior to 1957, although no substantive evidence of this was found during this survey effort. Only references to the "old dog pound" and descriptions of the pre-existing wooden building were included during the promotion of plans for the new facility in 1968.<sup>7</sup> Regardless of the exact date of the initial animal shelter use at the subject property, the City was pursuing a new facility to be constructed at the subject property by the mid-1960s.

<sup>2</sup> USGS, "Union Island, California" Topographic Map (1914).

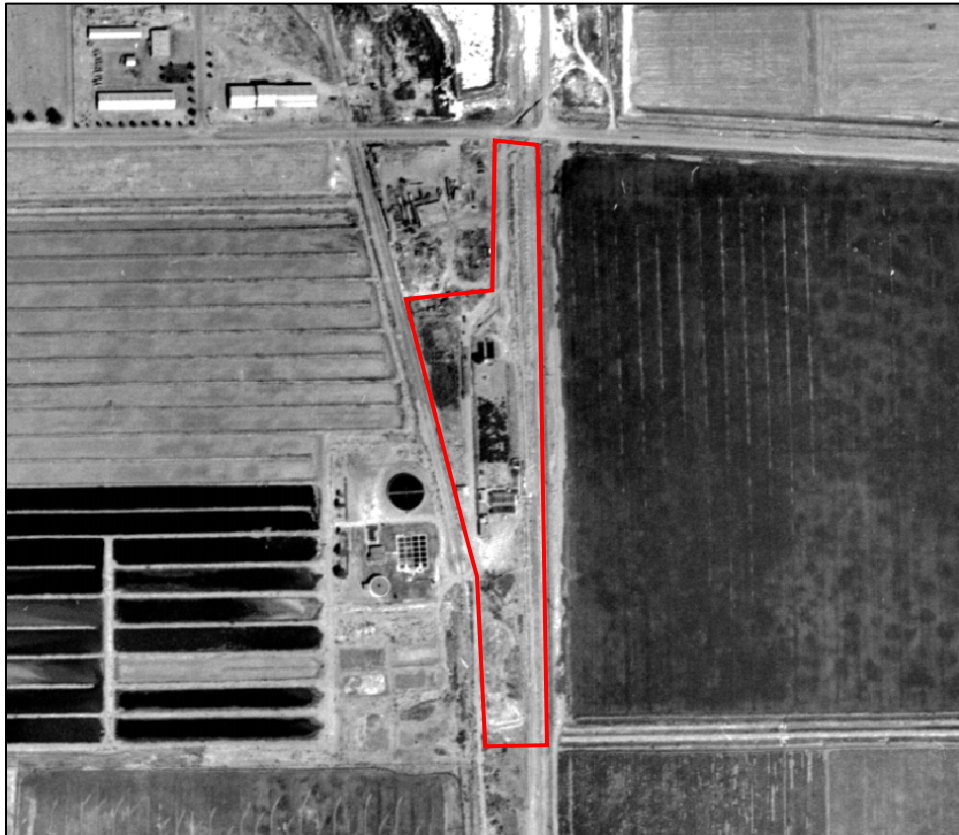
<sup>3</sup> Sam Matthews, "The Sweetest Era in Tracy History," *Tracy Press* September, 29, 2017.

<sup>4</sup> Ibid.

<sup>5</sup> "500 Arbor Ave" City of Tracy GIS Viewer, accessed September 30, 2021, <https://www.arcgis.com/apps/webappviewer/index.html?id=4887f49856a846f4923ee99275b335bf>.

<sup>6</sup> "Higher Dog Pound Charges Proposed," *Tracy Press*, November 4, 1963.

<sup>7</sup> "City Council to Consider Bids on New Dog Pound," *Tracy Press*, November 6, 1968.



**Figure 1.** 1957 aerial photograph with the subject property highlighted. Note the buildings and structures, which may have been the initial animal shelter facilities on the property (UCSB Aerial Photograph Library, edited by author).

In 1968, the City allocated \$14,000 for the construction of a new animal shelter and pound on the property.<sup>8</sup> The new building was completed on May 23, 1969. The main shelter building, which cost over \$15,000 to construct and furnish, was celebrated as a new and humane facility to house the City's animal control operations.<sup>9</sup> Constructed of CMU block, the simple building featured ten kennel spaces that provided house animals both inside and outside spaces, the latter of which involved a series of shaded enclosures along the exterior façade of the building. Additionally, the building featured a decompression chamber and crematory, which was considered a humane and state-of-the-art for animal euthanasia procedures at that time. Still, Animal Control staff were celebrated in local newspapers for their efforts to find new homes for many of the pets that were recovered and had no known owner.<sup>10</sup>

While contemporaneous accounts of the new shelter facility do not discuss the extant garage building or any other buildings or structures on the property, a photograph of the facility soon after its construction in 1969 shows striking similarities to the extant garage building at 500 Arbor Avenue, including CMU block construction, flat roof with overhanging eaves and fascia, and sliding aluminum windows (Figure 1). These similarities suggest that the garage was likely constructed ca.1969 as an accessory building to house City Animal Control vehicles, such as the van also

<sup>8</sup> Ibid.

<sup>9</sup> Larry Minner, "Wanted: Masters for Homeless Hounds," *Tracy Press* June 25, 1969.

<sup>10</sup> Ibid.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 11 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

pictured below.<sup>11</sup> It also possible that the utility poles on the property, providing electrical and telephone services to the property were installed during this period of ca.1969, although this has not been verified and is largely unknown. While the telephone lines appear to be of this period, the transmission line at the property may have been constructed later.

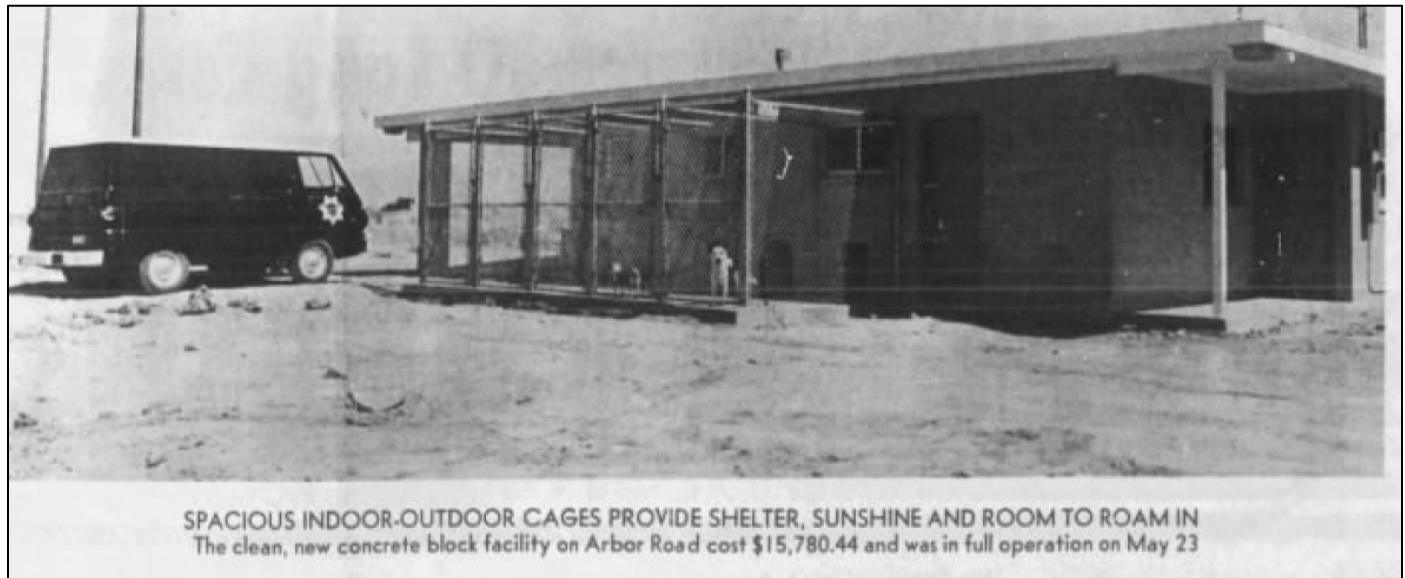


Figure 2. 1969 photograph of the Tracy Animal Shelter, excerpted from the *Tracy Press* June 25, 1969.

Following the construction of the Tracy Animal Shelter at 500 Arbor Avenue, documentation about the property's evolution is limited, particularly during the last decades of the twentieth century. Historic aerial photographs show that new buildings and structures were added to the property, particularly at the southernmost end of the parcel, east of E. Larch road. Presumably, these additional buildings were constructed in the 1980s and 1990s to accommodate expanding needs of the City's Animal Control department and the evolving practices regarding animal control and sheltering practices. However, by the 2010s, the need for a new, modern animal shelter was identified. According to publications from that period, the facility at 500 Arbor Avenue was considered dilapidated and woefully inadequate to meet modern animal care practices.<sup>12</sup> In 2014-2015, a new shelter at 2375 Paradise Road was constructed by the City, which moved its animal control operations from the subject property to the new facility in March 2015.<sup>13</sup>

With Animal Control occupying its new facility, the City considered new plans for the subject property. In September 2015, the City explored potentially reusing the former animal shelter buildings at 500 Arbor Avenue as a new resource center for an increasing homeless population in Tracy. While some advocated for the conversion of the former animal shelter, the consensus was the buildings were too deficient to be effectively remodeled and reused for this purpose.<sup>14</sup> City Council contemplated selling the property, but ultimately decided to demolish most of the animal shelter buildings during the winter of 2015-2016. Today, the property primarily appears to be vacant and undeveloped. Only the ca.1969 garage building remains, as well as the extant utility poles and access road.

<sup>11</sup> "500 Arbor Avenue, Tracy, CA – 1968 Aerial," HistoricAerials.com, accessed September 30, 2021, <https://www.historicaerials.com/viewer>. Photo not included in this DPR 523 record because of copyrights.

<sup>12</sup> "Tracy Animal Shelter Opens" *Tracy Press* March 17, 2015.

<sup>13</sup> Ibid.

<sup>14</sup> Glenn Moore, "Council Confronts Panhandling, Camping," *Tracy Press* September 4, 2015.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 12 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

**EVALUATION**

The Old Tracy Animal Shelter property at 500 Arbor Avenue does not appear to be eligible for listing in the NRHP.

*Criterion A*

The garage and associated infrastructure on the property were constructed by the City in 1969 as part of the animal shelter facility. Although the need for new and expanded animal control facilities does align with the general trend of the city's growth during the second half of the twentieth century, no evidence was found to indicate that the construction of the shelter was directly associated with events that are significant in local, state, or national history. Moreover, the scatter of historic period refuse does not appear to be associated with use of the property by the City in the 1960s and 1970s. The refuse is likely the result of an isolated roadside dumping episode and as such cannot be directly associated with events that are significant in local, state, or national history. Therefore, the Old Tracy Animal Shelter is not significant under Criterion A of the NRHP.

*Criterion B*

The building and associated infrastructure that comprise the Old Tracy Animal Shelter were constructed by the City and its contractors, not by individuals. There is no evidence that the facility has any known direct association with the productive lives of important individuals. Furthermore, the isolated refuse scatter on the property that dates to the 1930s cannot be tied to any known individuals or important persons who lived in the area in the early part of the twentieth century. Therefore, the subject property does not appear to be eligible for listing in the NRHP under Criterion B.

*Criterion C*

The Old Tracy Animal Shelter property consists of a simple, garage with minimal Modern elements and associated infrastructure. The garage building is a simplistic and utilitarian and does not appear to exhibit any significance as an example of a particular architectural style, type, or method of construction. Additionally, there is no known architect, and the utilitarian and pedestrian nature of this building indicates that it is unlikely to reflect the work of a master architect. The associated road and telephone and transmission lines are also of common construction and materials and do not exhibit any architectural or engineering merits that would qualify the property as significant. Therefore, the subject property does not appear to be eligible for listing in the NRHP under Criterion C.

*Criterion D*

The Old Tracy Animal Shelter property is not a significant or likely source of important information regarding history. The extant garage building and associated features on this property does not have any likelihood of yielding important information about historic construction materials or technologies. In addition, the artifacts that comprise the refuse scatter are common throughout the Delta and have limited information potential. Therefore, it is not eligible for listing in the NRHP under Criterion D.

In conclusion, the property at 500 Arbor Avenue does not meet the significance criteria for listing in the NRHP and does not appear to qualify as a "historic property" under Section 106 of the National Historic Preservation Act.



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**LOCATION MAP**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

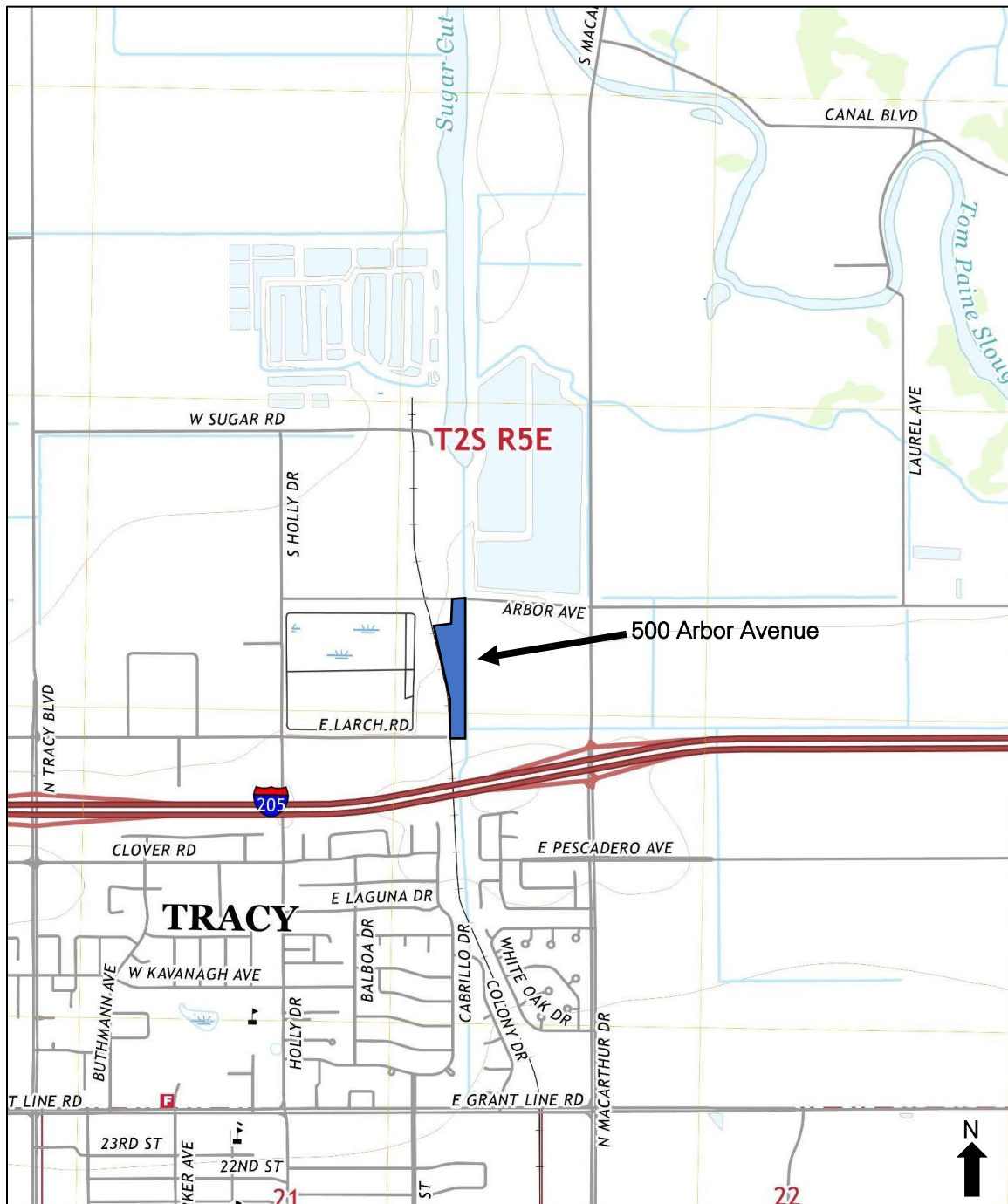
Page 13 of 13

\* Resource Name or # (Assigned by recorder) 500 Arbor Avenue, Tracy, CA

\*Map Name: Union Island, CA

\*Scale: 1:24000

\*Date of map: 2018



## PRIMARY RECORD

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

NRHP Status Code \_\_\_\_\_

Other Listings \_\_\_\_\_

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 11

Resource Name or #: Tracy Eastside Channel - South Arbor Channel Segment

**P1. Other Identifier:** Arbor Avenue Drainage Ditch

**\*P2. Location:** ☐ Not for Publication ☒ Unrestricted

**\*a. County:** San Joaquin

**\*b. USGS 7.5' Quad** Union Island, Calif. T 2S; R 5E; unsectioned wetlands; \_\_\_ ¼ of \_\_\_ ¼ of Sec \_\_\_; M.D. B.M.

**c. Address** 500 Arbor Avenue **City** Tracy **Zip** 95304

**d. UTM:** (Give more than one for large and/or linear resources) Zone 10S; 639200mE / 4181073 mN

**e. Other Locational Data:** Located immediately east of APN 212-23-005 and west of APN 213-07-001.

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

The subject property is a 0.25-mile drainage channel segment that is part of the broader City of Tracy's Eastside Channel Watershed stormwater drainage system. While much of the larger Eastside Channel and associated outfall channel are concrete lined drainage canals, the subject structure is a simple earth, gravity channel that extends south-north between the E. Larch Road and Arbor Avenue; the broader channel extends from the central portion of Tracy, descending north along MacArthur Drive underneath Interstate-205 into the subject segment and terminating at the Sugar Cut canal located north of the City limits. The subject South Arbor Channel Segment appears to have been constructed ca.1952 and is predominantly surrounded by agricultural and industrial lands, unlike other segments which are in an urban setting (**Photograph 1**). It is a simple, linear channel that is cut into the ground. It is approximately 40 feet wide and has an approximate depth of 7-9 feet from the top of the adjacent levee embankments. The main portion of the channel stream is approximately 10 feet wide with about a 2-foot-deep stream at the time of survey (**Photographs 2 & 3**). The embankments are earthen with mixed vegetation throughout. The channel bottom is also earth. The northern end of the segment crosses underneath Arbor Avenue via a simple metal pipe culvert, whereas the southern end is marked by a connection with parallel ditch that is consistent with the alignment of E. Larch Road. The channel continues south and transitions into the central part of Tracy and the stormwater management system of the Eastside Channel. (See Continuation Sheet for additional photographs).

**\*P3b. Resource Attributes:** (List attributes and codes) HP4-Ancillary Building, HP9-Public Utility Building

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

P5a. Photo or Drawing



**P5b. Description of Photo:** (view, date, accession #) Photograph 1. Subject channel segment, view facing north from south end (Sept.21, 2021).

Ca.1952 (U.S. Geological Survey, Union Island, CA Topographic Map, 1952).

**\*P7. Owner and Address:**

City of Tracy, 333 Civic Center Plaza, Tracy, CA 95376

**\*P8. Recorded by:** (Name, affiliation, address)

D. Herrick, PaleoWest  
1870 Olympic Boulevard, Suite 100  
Walnut Creek, CA 94596

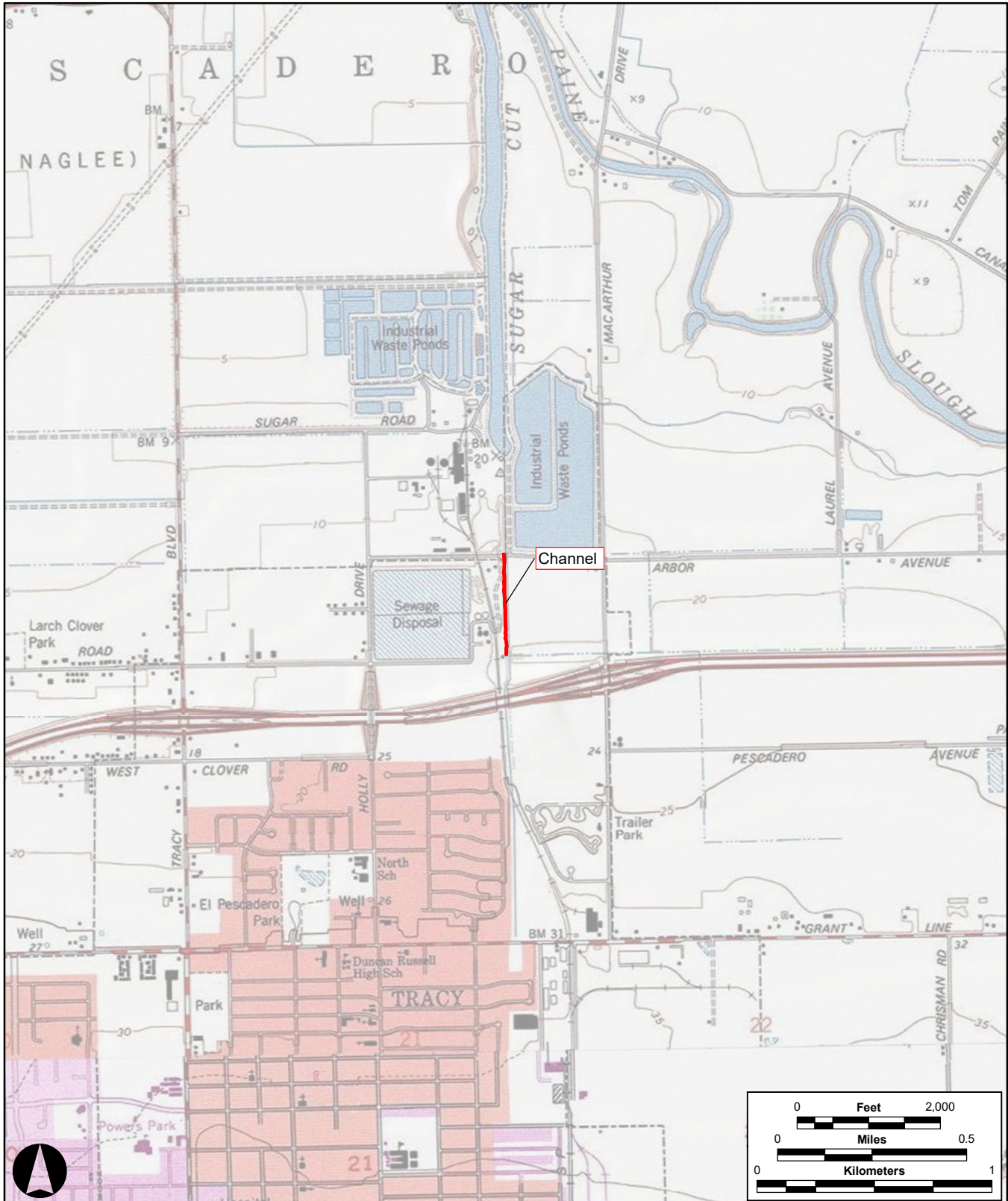
**\*P9. Date Recorded:** Sept. 21, 2021

**\*P10. Survey Type:** Intensive

**\*P11. Report Citation:** PaleoWest, "Tracy HUD Survey, Tracy, San Joaquin County, California" (October 1, 2021).

**\*Attachments:** ☐ NONE ☒ Location Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):









## BUILDING, STRUCTURE, AND OBJECT RECORD

Page 4 of 11

\*NRHP Status Code 6Z

\*Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment

- B1. Historic Name: unknown  
B2. Common Name: Tracy Animal Shelter Drainage Ditch  
B3. Original Use: Agricultural Irrigation and Drainage  
B4. Present Use: Municipal Stormwater Management

\*B5. Architectural Style: Utilitarian

\*B6. Construction History: (Construction date, alterations, and date of alterations) Subject segment appears to have been constructed ca.1952 as an agricultural irrigation and drainage ditch. Appears to have been expanded and integrated into the Tracy stormwater management system and its Eastside Channel and Outfall Channel during the 1970s. Has likely undergone various alterations, although scope and dates are unknown.

\*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: \_\_\_\_\_

Original Location: \_\_\_\_\_

\*B8. Related Features: Culvert underneath Arbor Avenue at north end, broader Eastside Channel Watershed.

B9a. Architect: unknown

\*B10. Significance: Theme None Area Tracy, San Joaquin County, CA  
Period of Significance None Property Type Irrigation/Water Conveyance Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject drainage channel near 500 Arbor Avenue does not appear to meet the criteria for listing in the National Register of Historic Places (NRHP). The subject structure segment does not appear to exhibit historical significance under any significance criteria under either registration program. This property has been evaluated in accordance with 36 Code of Federal Regulations (CFR) Section 60.4 and 36 CFR Section 800.4(c). Therefore, the structure does not appear to be a "historic property" under Section 106 of the National Historic Preservation Act (NHPA). (See Continuation Sheet).

B11. Additional Resource Attributes: (List attributes and codes)

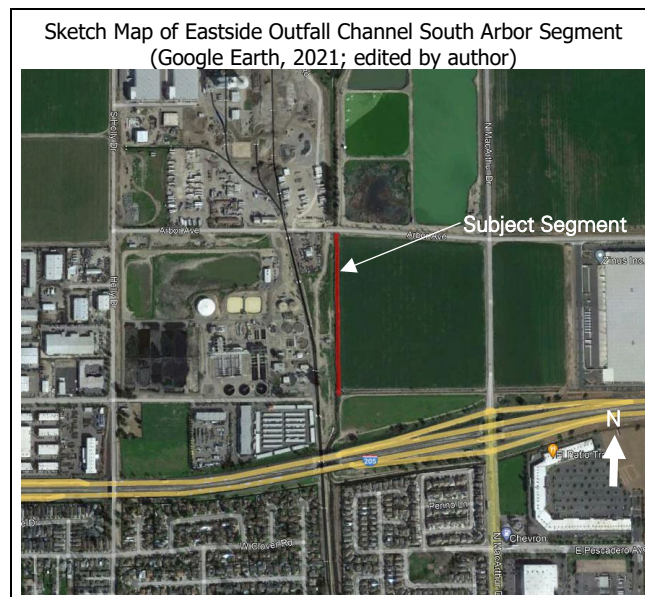
\*B12. References: See footnotes included in the continuation sheets for references

B13. Remarks:

\*B14. Evaluator: Daniel Herrick, M.H.C. PaleoWest

\*Date of Evaluation: September 21, 2021

(This space reserved for official comments.)





State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 5 of 11

\* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

\*P3a. Description (continued):



Photograph 3. Subject channel segment, view facing south from the north end at Arbor Avenue (Sept. 21, 2021).



Page 6 of 11

\* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update



Photograph 3. Subject channel within the main channel, view facing north (Sept. 21, 2021).

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

**HISTORIC CONTEXT**

**Development of the San Joaquin-Sacramento River Delta**

Development of the Delta began in 1850 with the Swamp and Overflow Land Act, which transferred ownership of all swamp and overflow lands, including the Delta marshes, from the Federal government to the State government. This transfer was on condition that the State allocate revenue from land sales towards swamp reclamation, including the construction of levees and drains. Land in the Delta was available for private purchase and state laws enacted in 1855 and 1858 set the acreage limit and price per acre to prevent monopolies and speculation. Reclamation was at the whim of the land holder, resulting in a piecemeal and uncoordinated development.<sup>1</sup>

In 1861, the Board of Swamp-Land Commissioners was developed to manage reclamation projects. The Board failed to implement large-scale reclamation projects or flood-control plans which left it open to political criticism. Five years after its formation, the Board was disbanded and its authority reassigned to county boards of supervisors.<sup>2</sup> In 1868, a new law was adopted that authorized reclamation districts and allowed tax assessments to be supervised at the county level. County boards of supervisors could form reclamation districts, controlled by trustees who were elected by land holders. Acreage limitations were removed allowing large-scale investment in swampland reclamation. By 1871, nearly all delta swampland was in large private holdings.<sup>3</sup>

The first levees within the Delta were hand-built using some horsepower. Most of the laborers were Chinese. The costs of maintaining the levees within the unstable Delta soils became prohibitive. In the late 1870s, steam-powered dredges were introduced to move alluvial soils from the channels for large levee construction at around half the cost of hand-powered labor. By the end of World War I, nearly all of the Delta marshland had been reclaimed, and the number of operating dredges markedly decreased. The transformation of the Delta into the series of channels and

<sup>1</sup> Martin D. Mitchell "Land and Water Policies in the Sacramento-San Joaquin Delta" in *Geographical Review* vol.84 no.4 (1994): 411-412; State of California, Department of Water "Sacramento-San Joaquin Delta Overview" (2007): 2-3.

<sup>2</sup> Ibid.

<sup>3</sup> Mitchell "Land and Water Policies," 414.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 7 of 11      \* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment  
Recorded by: Daniel Herrick, PaleoWest      \*Date: September 21, 2021      ☒ Continuation    ☐ Update

levied islands as it appears today was almost complete.<sup>4</sup>

Development of Tracy, California

Following the discovery of gold in the foothills of the Sierra Nevada in 1848, thousands of migrants came to California hoping to strike rich in the gold camps that were formed over the following years. While some took overland routes from the eastern states, many arrived in San Francisco, where they would then disembark for the gold fields interspersed along the foothills. To reach the southern mining camps, many would travel from San Francisco via stagecoach routes through the Altamont Pass, which extended to Stockton through the area of present-day Tracy. An initial settlement known as Mountain House was founded in 1849, which served as a popular stagecoach stop along one of these routes.<sup>5</sup> Located in proximity to Old River and the multiple estuaries throughout the San Joaquin-Sacramento River Delta, settlers began to recognize the agricultural potential for the Tracy area. Often, after failing to strike rich in the gold fields, many began to establish farms and ranches throughout the Sacramento and San Joaquin valleys. The area near present-day Tracy was no different, as more agricultural settlements were established throughout the second half of then nineteenth century. Additionally, coal was discovered in 1856 in the hills near Tracy at a location called Corral Hollow. This resulted in a burst of growth in the area as several mines were established in the area and began shipping tons of coal throughout the state.

In 1869, the Central Pacific Railroad constructed a new rail alignment which extended from Sacramento to San Francisco via Stockton and the Altamont Pass. Additional rail lines were constructed in the following years as new industries and communities required additional transportation services. In 1878, a new branch line was constructed to provide an alternative route to the original Altamont Pass. At the junction of the two lines, a new branch stop was founded and named "Tracy Junction, after Lathrop J. Tracy, a railroad director and relative of Central Pacific Railroad president Leland Stanford. The branch stop quickly became a center of the railroads operations, as well as an important shipping center for agricultural products and coal produced in the Corral Hollow mines. In 1894, under the shortened name of "Tracy," the town became the new headquarters for regional railroad operations.

The town of Tracy continued to grow through the late nineteenth and early twentieth centuries, and was officially incorporated as a city in 1911. While many of the residences were employed by the railroad, agriculture continued to be an essential industry in the Tracy area. The importance of agriculture to the local and regional economy increased as new irrigation districts formed in the area resulted in new water conveyance systems, providing farmers alternatives to the original dry crops that were less dependent on consistent water access. Sugar Beets were introduced to the Delta area, which in turn lead to the foundation of a sugar beet refinery in 1917, which was located north of Tracy and immediately north of the Project area. Initially run by the Sugar Pacific Company, it was eventually transferred to the Holly Sugar Company, which continued to operate it over the following decades. In 1930, the company constructed a shipping canal that provided immediate access to the Old River.

In 1941, with the U.S. entering into World War II, the U.S. Army founded the Sharpe Army Depot near Tracy. The expansive facility was used as a central agricultural shipping facility in support of the war effort in the Pacific Theater. It became a major employer in Tracy and continued to build upon the city's importance as a transportation and shipping center, particularly for agricultural goods. Like most places throughout California, Tracy grew exponentially in the post-war years. With the expanding population, Tracy began to annex and expand into the surrounding areas with major annexations starting in the 1940s and continuing throughout the 1960s. Tracy continued to grow in the remaining decades of the twentieth century and into the twenty first century, primarily as a bedroom community for

<sup>4</sup> Department of Water Resources, "Delta Overview," 3.

<sup>5</sup> The following section is derived from De Novo Planning Group, "Holly Sugar Sports Park, Public Draft EIR," prepared for the City of Tracy (August 31, 2009), 3.5-3 to 3.5-5. Any additional sources used will be cited accordingly.

Page 8 of 11

\* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

the greater Bay Area. This trend has become increasingly pronounced as high housing prices in the Bay Area has shifted many to migrate further in search of affordable housing.

#### Property History

The subject segment of the Tracy Eastside Outfall Channel appears to have been constructed as an agricultural irrigation and drainage ditch ca.1952. According to available U.S. Geological Survey Maps, the structure was not present in the region at the beginning of the twentieth century, specifically in 1914. The first physical evidence of the subject segment being constructed occurs in a 1952 topographic map, which clearly illustrates the subject segment as part of a larger network of channels and ditches that extends throughout the adjacent agricultural lands (**Figure 1**). While it is possible that the subject structure was constructed at an earlier time, no additional evidence to provide a more certain date of construction has been found at this time. Additionally, the subject segment does not appear to have been part of an irrigation district; it is not clear who constructed the segment, nor the adjacent agricultural channels.

The same 1952 topographic map does show a levee that is consistent with the subject channel segment and extends parallel to a spur railroad line that extended to the Holly Sugar Refinery north of the subject segment. It is possible that the levees and embankments associated with the ditch were constructed as part of flood control measures for the spur line during the earlier decades of the twentieth century, although this is purely speculative.



**Figure 1.** 1956 USGS Topographic Map with subject parcel delineated with red arrow. Note the blue lines connected as part of the larger network and segment limits between Arbor Avenue (north) and the approximate location of E. Larch Road (south) (USGS, edited by author).



Page 9 of 11

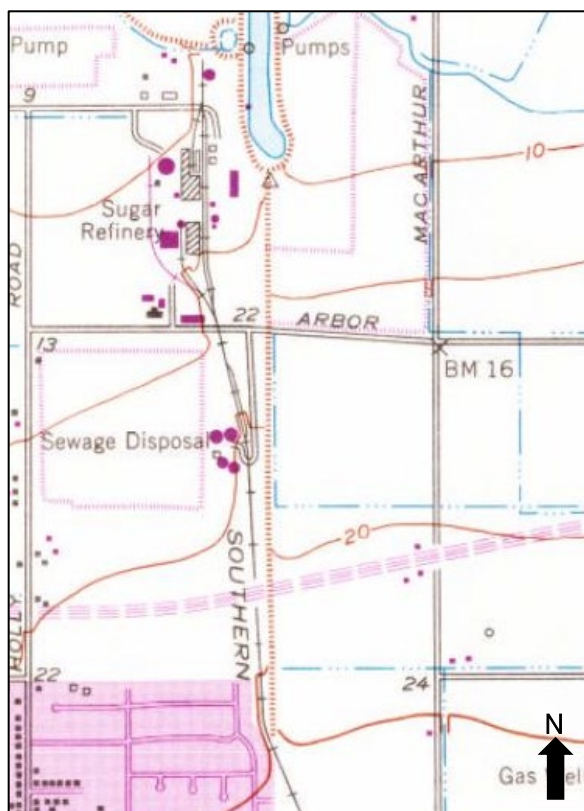
\* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment

Recorded by: Daniel Herrick, PaleoWest

\*Date: September 21, 2021

☒ Continuation ☐ Update

In 1957, the area around the subject segment, was annexed by the City of Tracy. The Arbor annexation included much of the industrial area surrounding the channel, excluding the Holly Sugar Refinery.<sup>6</sup> A portion of these annexed lands were already used by the City for its sewage treatment plant, which was initially constructed during the late 1940s on the property west of the subject channel. As Tracy grew throughout the second half of the twentieth century, both in terms of residents and industrial capacity, the wastewater treatment plant was expanded multiple times to accommodate the new demands. While it is possible that the City acquired the channel during this period of annexation, it does not appear to have resulted in any major changes to the subject segment (). A comparison between 1968 and 1978 topographic maps shows that during the late 1960s, the conditions at the subject segment were largely unchanged from 1952 (Figure 2 & Figure 3). However, by the late 1970s, the subject segment had been integrated into the broader City stormwater management system of the Eastside Channel Watershed as part of the City's Outfall Channel, which was extended north to Sugar Cut.



**Figure 2.** 1968 USGS Topographic Map with subject channel segment outlined (USGS, edited by author).



**Figure 3.** 1978 USGS Topographic Map with subject channel segment outlined (USGS, edited by author).

Despite being integrated into the City's stormwater management system, which features concrete lined channels and more sophisticated forms of water conveyance engineering, the subject segment appears to be largely unchanged as an earthen ditch. Any alterations conducted to the subject channel are unknown, but may have included widening, deepening, and general embankment management.

<sup>6</sup> "500 Arbor Ave" City of Tracy GIS Viewer, accessed September 30, 2021, <https://www.arcgis.com/apps/webappviewer/index.html?id=4887f49856a846f4923ee99275b335bf>.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code \_\_\_\_\_

Page 10 of 11      \* Resource Name or # Tracy Eastside Outfall Channel - South Arbor Channel Segment  
Recorded by: Daniel Herrick, PaleoWest      \*Date: September 21, 2021      ☒ Continuation    ☐ Update

**EVALUATION**

This segment of the Eastside Channel (21-687-02) does not appear to be eligible for listing in the NRHP.

*Criterion A*

According to available information, the channel appears to have been originally constructed circa 1952 as a simple gravity drainage channel to shift water north from agricultural fields towards the nearby sloughs and Delta waterways. The subject channel was one of dozens in the immediate area and the subject channel does not appear to exhibit any significant associations with the development of agriculture in the Tracy area. Starting in the 1970s, improvements to the drainage channel integrated it into the City of Tracy's stormwater management system. As such, it has continued to receive maintenance and upgrades to meet the demands of the system. This channel is not an important engineering project within the history and development of Tracy and is not known to be directly associated with any other important historical events. Therefore, it does not appear to meet NRHP Criterion A.

*Criterion B*

Archival research could not identify any individuals or persons responsible for the construction of this segment of the Eastside Channel. Because there is no evidence that the subject channel has any known direct association with the productive lives of important individuals in local, regional, state, or national history, the channel is not eligible under NRHP Criterion B.

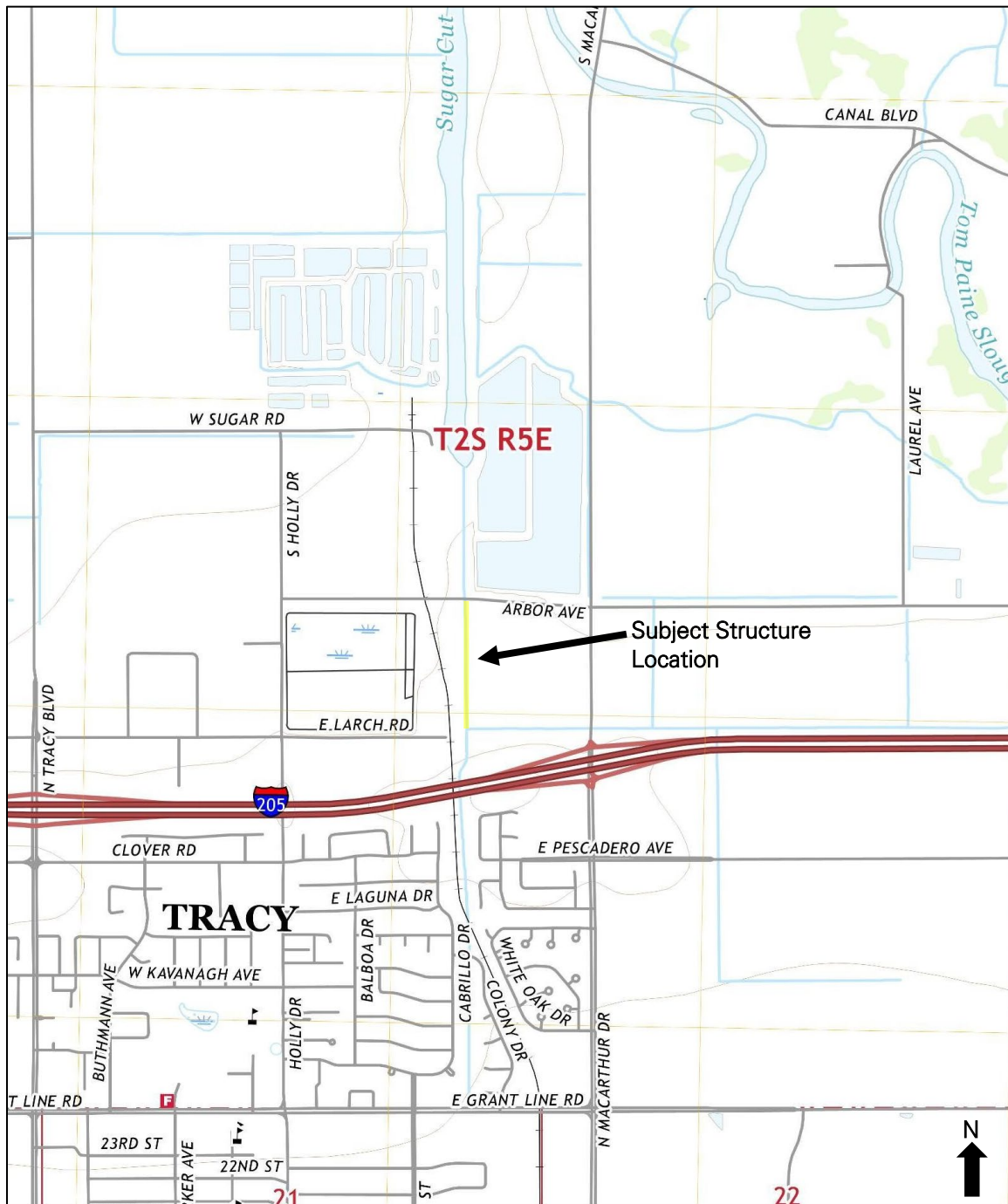
*Criterion C*

The drainage channel was initially constructed circa 1952 as a typical agricultural drainage ditch. It is a simple gravity fed ditch with earth construction, of which there are hundreds in the surrounding region. As such, it does not appear to rise to a level of significance as an example of this pervasive property type, nor does it embody a specific period or method of construction, or significant example of engineering. Additionally, there is no known builder and is unlikely to reflect the work of a master engineer or builder. Therefore, the Eastside Channel does not appear to be eligible for listing in the NRHP under Criterion C.

*Criterion D*

The subject channel does not appear to meet NRHP Criterion D for any potential to provide information important to the study of mid-twentieth-century flood control systems. This criterion is typically reserved for archaeological resources, ruins, or rare built-environment features of which little is already known, and that are considered the sole source of historical data. The subject channel would be unable to yield any new information important to the study of flood control systems of their particular type or vintage in local, state, military, or national history. The structure is not the primary source of this information, but rather, the physical manifestation of the knowledge and practice of flood control technology, which was widely applied throughout Delta region.

In summation, the Tracy Eastside Outfall Channel South Arbor Segment does not appear exhibit historical significance under any of the significance criteria for listing in the NRHP. Therefore, the structure does not appear to qualify as a "historic property" under Section 106 of the National Historic Preservation Act.





## **Section 106 Consultation, September-October 2023**

- **Letter to State Historic Preservation Officer**
- **Letter to Tribes**
- **Tribal Mailing List**
- **Attachments to Letters**
- **Responses to Request for Consultation**



## **Letter to State Historic Preservation Officer**







## Neighborhood Preservation

*A Division of Health Care Services*

Greg Diederich, Agency Director

Chris Becerra, MA III

September 7, 2023

Ms. Julianne Polanco, VIA Electronic  
State Historic Preservation Officer  
Ms. Shannon Pries, Cultural Resources Management Supervisor  
California Office of Historic Preservation  
1725 23<sup>rd</sup> Street, Suite 100  
Sacramento, CA 95816-7100  
916-445-7000

Mail to [CalSHPO@parks.ca.gov](mailto:CalSHPO@parks.ca.gov) and  
[Shannon.Pries@parks.ca.gov](mailto:Shannon.Pries@parks.ca.gov)

Re: Section 106 Consultation for the Tracy Emergency Housing Project  
370 West Arbor Avenue (APN 212223005), Tracy, CA 95304

Dear Ms. Polanco and Ms. Pries:

The City of Tracy requests your review and concurrence with our finding of no significant adverse impact on historic and archaeological resources for the Tracy Emergency Housing Project ("Project") located at 370 West Arbor Avenue in Tracy, California (see site location figures, attached).

On December 16, 2021, the City of Tracy submitted the attached letter for your review and concurrence. The Project Site remains unchanged, however additional project funding has allowed for the facility to increase the number of unhoused individuals that can be served. The 2022 Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) were released on February 23, 2022, and the request for release of funds was submitted to the U.S. Department of Housing and Urban Development (HUD). An updated EA is being produced to reflect the expanded Project scope.

### Project Description

The Project site is currently a largely unimproved and underutilized site owned by the City of Tracy. In the 2022 EA, the proposed Project was evaluated in two phases. Phase I included demolition of existing structures, site preparation, grading, installation, and below-ground infrastructure improvements. Phase II included erection of a sprung structure. Following the release of the 2022 EA, only Phase I was completed and the existing 1,100 square foot vacant structure was demolished. The new EA addresses Phases II, III, and IV. Phase II of the proposed Project including construction of expanded emergency housing, would provide 68 beds. Phase II also includes procurement or rental of restroom, shower, storage, and laundry facilities. Phase III includes the installation of four modular units providing 48 beds and one administrative building. Finally, Phase IV includes installation of eight manufactured dwelling units providing 38 beds and additional shower and restroom facilities.

16988 S. Harlan Road | Lathrop, CA 95330 | T 209 468 3175 | F 209 468 9575

Behavioral Health Services | Correctional Health Services | Emergency Medical Services | Neighborhood Preservation  
| Office of the Medical Examiner | Public Guardian/Conservator | Public Health Services | Veteran Services



The Project would create and operate emergency housing for unhoused individuals in the City of Tracy and south San Joaquin County. The housing facility proposed by the Project is designed to house up to 154 occupants. The main facility is envisioned to consist of a 6,300 sf Sprung high tension membrane style structure providing congregate housing for 68, and supplement structures that will provide non-congregate housing. Self-contained, modular style administration, bathroom, shower, laundry, and food storage/preparation facilities would be constructed around the main facility. The concept and design of the Project allows for flexibility so the main space can be used in multiple ways, depending on the needs of the community, and supporting infrastructure can be scaled if the unhoused population increases.

## **Archaeological Resources**

### ***Area of Potential Effects (APE)***

The archaeological APE for the Project is the project site itself. This APE was determined because any ground disturbing activities would be confined to the Project site and would not occur outside the Project site boundaries.

### ***Findings***

The literature search conducted for the Project site (see attached 2021 Cultural Resource Assessment conducted by PaleoWest) identified three cultural resources within 0.5-mile of the APE. All of the resources date to the historic period and include one archaeological site, one building, and one structure. None of the resources are located in the APE. Kimley-Horn and Associates, Inc. (KHA) prepared an updated Cultural Resources Assessment on August 8, 2023 (see attached 2023 Cultural Resource Assessment conducted by KHA), and no previously identified cultural resources were observed during the survey. The Assessment concluded that there are no eligible cultural resources within the APE. Thus, the Project is unlikely to impact recorded archeological resources.

In the unlikely event that ground disturbing activities uncover previously unknown archaeological resources, the Project applicant would be required to implement the following mitigation measures included in the Cultural Resource Assessment:

**Post Review Discovery Protocol.** In the event that potentially significant archaeological materials are encountered during Project related ground disturbing activities, all work should be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the archaeological resource. In addition, Health and Safety Code 7050.5, and Public Resources Code 5097.98 mandate the process to be followed in the unlikely event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Finally, should additional actions be proposed outside the currently defined APE that have the potential for additional subsurface disturbance, further cultural resource management may be required.

**Human Remains.** In the event that human remains are discovered, the provisions of Section 7050.5(b) of the California Health and Safety Code should be followed.



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 human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.94 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within 24 hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to State law, then the remains would be reinterred with the items associated with the Native American burial on the property in a location not subject to further disturbance.

## **Historic Resources**

### ***Area of Potential Effects (APE)***

The historical architecture direct APE for the Project is the Project site.

### ***Findings***

As part of the Cultural Resource Assessment conducted by PaleoWest for the Project, the National Register of Historic Places (NRHP), the California Office of Historic Preservation Archaeological Determinations of Eligibility, and the Built Environment Resource Director were consulted. There are no listed historic properties, historical resources, or historic landmarks recorded in the APE.

PaleoWest conducted an intensive survey of the APE on September 21, 2021. The survey recorded two cultural resources in the APE. These include the Old Tracy Animal Shelter and the Eastside Channel, a historic built resource. Neither resource appears eligible for listing in the NRHP. A pedestrian cultural resource survey of the APE was conducted by KHA archaeological staff on July 18, 2023. The Eastside Channel located along the eastern edge of the APE was relocated during the survey and is shown to be in a similar condition as when it was recorded by PaleoWest in 2021. The Old Tracy Animal Shelter located within the southern portion of the APE was no longer present on site, and modern temporary housing was constructed in its place. In addition, the remainder of the APE contained a well-travelled

north-south trending gravel road through the center of the APE. Consequently, no previously identified cultural resources were observed during the survey.

### **Tribal Consultation**

The City requested formal consultation on December 16, 2021, with the Tribes that have a current or ancestral interest in the project area. Letters to the Tribes are attached and the comments received from one of the Tribes is also attached. The City is in the process of transmitting to the Tribes the updated Project scope to gauge the Tribes' desires for additional formal consultation.

The City of Tracy seeks the State Historic Preservation Officer's concurrence with our determination of no significant adverse effects based on the findings above.

Thank you for your consideration.  
Sincerely,



Matthew Garber  
Assistant Director  
San Joaquin County

### **Attachments:**

- Site Location Map
- Project Vicinity Map
- 2021 Cultural Resources Assessment
- 2023 Cultural Resources Assessment

## **Letter to Tribes**







EXAMPLE

City of Tracy  
333 Civic Center Plaza  
Tracy, CA 95376

[www.cityoftracy.org](http://www.cityoftracy.org)

September 18, 2023

Corrina Gould, Chairperson  
The Confederated Villages of Lisjan  
10926 Edes Avenue  
Oakland, CA 94603

Re: Tracy Emergency Housing Project located at 370 West Arbor Avenue HUD Program

Dear Chairperson Gould,

The City of Tracy is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Tracy has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Tracy will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

Based on record searches performed to date, we are not aware of any known tribal resources on-site.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area. The project would create and operate emergency housing for unhoused individuals in the City of Tracy and south San Joaquin County. The housing facility proposed by the project is designed to house up to 154 beds. The main facility is envisioned to consist of a Sprung type structure. Self-contained, modular style administration, bathroom, shower, laundry, and food storage/preparation facilities would be constructed around the main facility. The concept and design of the project allows for flexibility so the main space can be used in multiple

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# EXAMPLE

ways, depending on the needs of the community and supporting infrastructure can be scaled if the unhoused population increases.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,

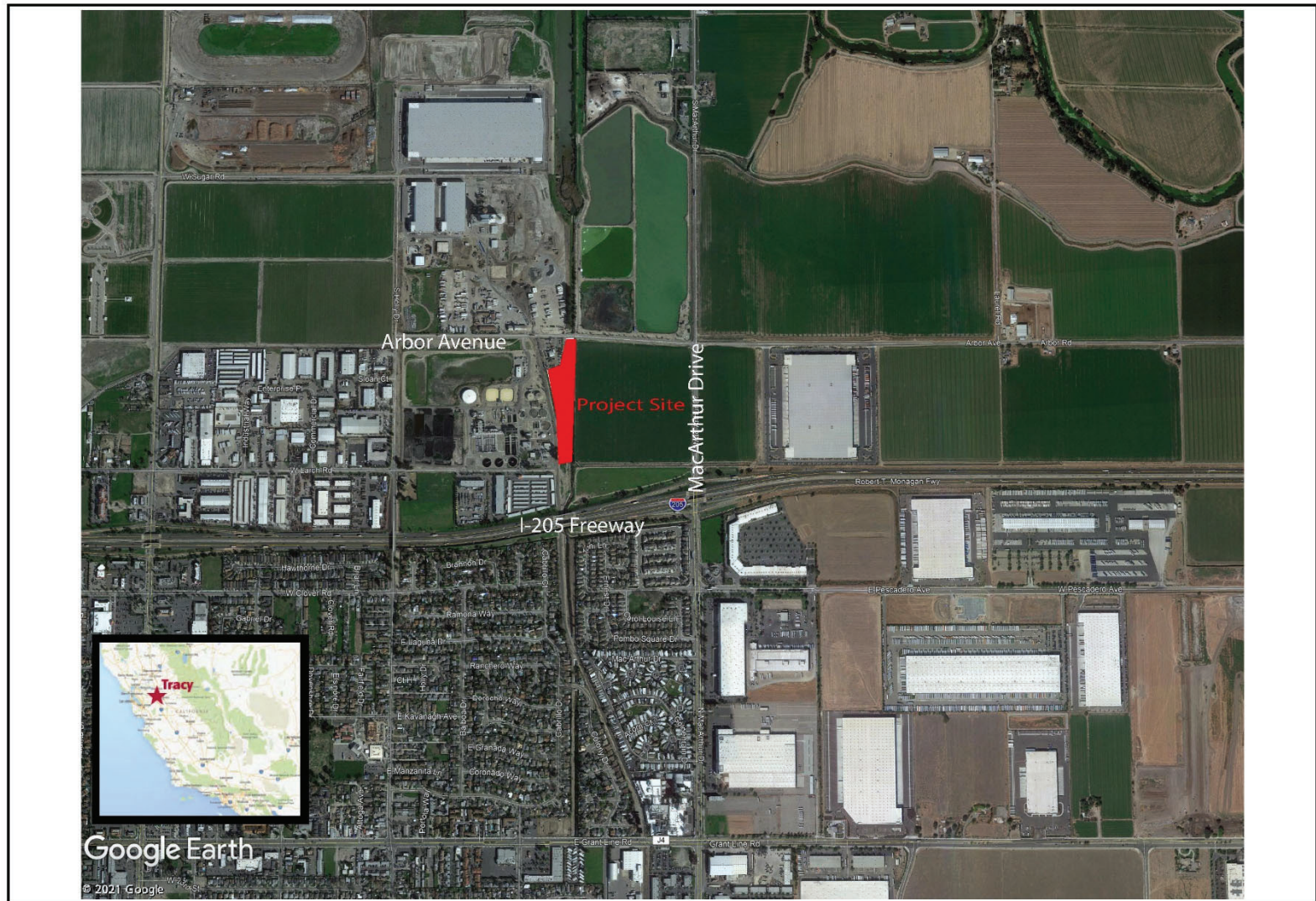


Ilene Macintire  
Senior Civil Engineer, Utilities & Operations  
(209) 831-6378  
[ilene.macintire@cityoftracy.org](mailto:ilene.macintire@cityoftracy.org)

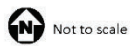
cc: Matt Garber, Assistant Director  
San Joaquin County Health Care Services Agency  
Benton Hall East  
P.O. Box 1020, French Camp, Ca. 95201  
Tel: (209) 468-6672  
Fax (209) 468-5615  
Email: MGarber@sjchcs.org



# EXAMPLE



Source: Google, 2021



**Figure 1: Site Location**  
370 W. Arbor Road, Tracy, CA  
Environmental Assessment



## **Tribal Mailing List**





**Tribe****Contact(s)**

California Valley Miwok Tribe AKA Sheep Ranch Rancheria of Me-Wuk Indians

P.O. Box 395  
West Point, CA 95255

Buena Vista Rancheria of Me-Wuk Indians

Rhonda Morningstar Pope, Chairperson  
Buena Vista Rancheria of Me-Wuk Indians  
1418 20th Street, Suite 200  
Sacramento, CA 95811  
rhonda@buenavistatribe.com

Ivan R. Senock, THPO  
1418 20th Street, Suite 200  
Sacramento, CA 95811  
916-491-0011 ext. 255  
916-491-0012  
ivan@bvtribe.com

California Valley Miwok Tribe

14807 Avenida Central  
LaGrange, CA 95329  
l.wilson@yahoo.com

Chicken Ranch Rancheria of Me-Wuk Indians

Lloyd Mathiesen, Chairperson  
Chicken Ranch Rancheria of Me-Wuk Indians  
P.O. Box 1159  
Jamestown, CA 95327  
lmathiesen@crttribal.com

Ione Band of Miwok Indians

Sara Dutschke, Chairperson  
Ione Band of Miwok Indians  
9252 Bush Street  
Plymouth, CA 95669  
consultation@ionemiwok.net

Muwekma Ohlone Tribe of the SF Bay Area

Monica Arellano, Vice Chairwoman  
Muwekma Ohlone Tribe of the SF Bay Area  
20885 Redwood Road, Suite 232  
Castro Valley, CA 94546  
marellano@muwekma.org

Nashville Enterprise Miwok-Maidu-Nishinam Tribe

Cosme A. Valdez, Chairperson  
Nashville Enterprise Miwok-Maidu-Nishinam  
Tribe  
P.O. Box 580986  
Elk Grove, CA 95758  
valdezcome@comcast.net

North Valley Yokuts Tribe

Katherine Erolinda Perez, Chairperson  
North Valley Yokuts Tribe  
P.O. Box 717  
Linden, CA 95236  
canutes@verizon.net

The Confederated Villages of Lisjan

Corrina Gould, Chairperson  
The Confederated Villages of Lisjan  
10926 Edes Avenue  
Oakland, CA 94603  
cvltribe@gmail.com

Wilton Rancheria

Jesus G. Tarango Jr., Chairperson  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, CA 95624  
[jtarango@wiltonrancheria-nsn.gov](mailto:jtarango@wiltonrancheria-nsn.gov)

Ralph Troy Hatch, THPO/Exe. Director of  
Cultural Preservation  
9728 Kent Street  
Elk Grove, CA 95624  
916-683-6000 ext. 2006  
[rhatch@wiltonrancheria-nsn.gov](mailto:rhatch@wiltonrancheria-nsn.gov)

Steven Hutchason, THPO  
9728 Kent Street  
Elk Grove, CA 95624  
916-683-6000 ext. 2006  
[shutchason@wiltonrancheria-nsn.gov](mailto:shutchason@wiltonrancheria-nsn.gov)

## **Responses to Request for Consultation**





## Ilene Macintire

---

**From:** Lisjan Nation <cvltribe@gmail.com>  
**Sent:** Thursday, October 5, 2023 6:39 PM  
**To:** Ilene Macintire  
**Subject:** Re: Tracy Emergency Housing Project located at 370 West Arbor Avenue HUD Program  
**Attachments:** ~WRD0000.jpg

**Caution:** This is an external email. Please take care when clicking links or opening attachments.

Thank you for reaching out to the Tribe about the proposed project. At this time the Tribe has no further information to supply about the proposed site for this plan. As always we encourage developers in our traditional territories to remain cognizant of the facts that our tribal people lived all over the Bay Area and because of colonization and genocidal practices that reached into the late 19<sup>th</sup> century and early 20<sup>th</sup> Century, it is not always possible to know for certain if you may find cultural resources or burials at sites where you anticipate ground disturbance. The Tribe wishes to be contacted if there are any findings.

'Uni (Respectfully),

***Corrina Gould, Tribal Chair***  
Confederated Villages of Lisjan Nation



On Tue, Oct 3, 2023 at 8:17 AM Ilene Macintire <[ilene.macintire@cityoftracy.org](mailto:ilene.macintire@cityoftracy.org)> wrote:

Dear Chairperson Gould,

The Cultural Resources Technical Report prepared for the upcoming Environmental Assessment includes the Sacred Lands File and the results of the CHRIS records search. You can download these files here [Cultural History Download](#).

The Environmental Assessment has not yet been released for public review. At your request, we can send you notice once the Environmental Assessment has been published. Please let me know if you have any questions.

Thank you,

Ilene Macintire, P.E.

Senior Civil Engineer

City of Tracy- Operations & Utilities

3900 Holly Drive | Tracy, CA 95376

Office (209) 831.6378 Mobile (510) 427-8700

---

**From:** Lisjan Nation <[cvltribe@gmail.com](mailto:cvltribe@gmail.com)>

**Sent:** Wednesday, September 27, 2023 1:22 PM

**To:** Ilene Macintire <[ilene.macintire@cityoftracy.org](mailto:ilene.macintire@cityoftracy.org)>

**Subject:** Re: Tracy Emergency Housing Project located at 370 West Arbor Avenue HUD Program

**Caution:** This is an external email. Please take care when clicking links or opening attachments.

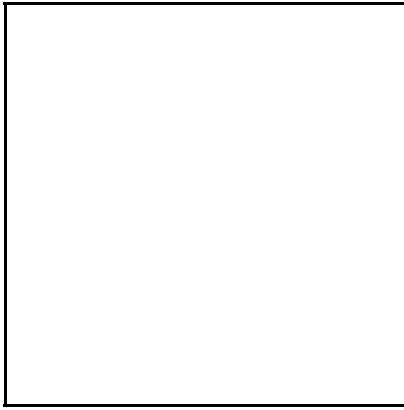
Hello,

Thank you for your email. The Tribe is requesting a copy of the final CHRIS and EIR for this project, along with the SLF from Native American Heritage Commission and any additional archeological reports. Our physical address is: PO BOX 6487 Oakland CA 94603 or if you would prefer to send them electronically, please send them to this email address.

**'Uni (Respectfully),**

***Corrina Gould, Tribal Chair***

Confederated Villages of Lisjan Nation



On Mon, Sep 18, 2023 at 10:06 AM Ilene Macintire <[ilene.macintire@cityoftracy.org](mailto:ilene.macintire@cityoftracy.org)> wrote:

Corrina Gould, Chairperson

The Confederated Villages of Lisjan

10926 Edes Avenue

Oakland, CA 94603

Re: Tracy Emergency Housing Project located at 370 West Arbor Avenue HUD Program

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**Thank you,**



**Ilene Macintire, P.E.**

Senior Civil Engineer

City of Tracy- Operations & Utilities

3900 Holly Drive | Tracy, CA 95376

Office (209) 831.6378 Mobile (510) 427-8700

[ilene.macintire@cityoftracy.org](mailto:ilene.macintire@cityoftracy.org)

cc: Matt Garber, Assistant Director

San Joaquin County Health Care Services Agency

Benton Hall East

P.O. Box 1020, French Camp, Ca. 95201

Tel: (209) 468-6672

Fax (209) 468-5615

Email: MGarber@sjchcs.org

