

## **Appendix D Cultural Resources Review Memorandum**



October 23, 2023

Ingrid Supit, P.E., Principal Engineer - Capital Project Delivery  
Metropolitan Transportation Commission  
Bay Area Metro Center  
375 Beale Street Suite 800  
San Francisco, CA 94105

## **Cultural Resource Review for the Proposed Napa Forward Intersection Improvements Project, Rutherford and Oakville, Napa County, California**

Dear Ms. Supit:

A cultural resources review for the Proposed Napa Forward Intersection Improvements Project (Project) has been completed. This letter presents the results of both the archaeological survey and the architectural survey conducted in the study area. The Project is located in Napa County with improvements proposed at two intersections: SR 29/SR 128 (St. Helena Highway/Rutherford Road) in the community of Rutherford, and SR 29/Oakville Cross Road in the community of Oakville. This review was conducted to assist in compliance with the California Environmental Quality Act (CEQA). Daniel Woodward, M.A. RPA, conducted the archaeological investigations and Kate Umlauf, Architectural Historian, conducted the built environment investigations under the supervision of Architectural Historian Camilla McDonald.

In summary, archaeologists conducted a pedestrian survey to determine if buried components of six archaeological sites extended horizontally into the Area of Direct Impact (ADI). Each site was subjected to surface inventory and subsurface testing to identify the presence of buried features and cultural deposits. No subsurface deposits of the six sites were encountered within the ADI.

A total of 12 built environment resources were surveyed within the Study Area. Of these resources, one had been previously listed in the National Register of Historic Places (NRHP), one had been previously determined eligible for listing in the NRHP, and one had been previously determined not eligible for listing in the NRHP. Of the remaining nine resources, none are eligible for listing in the NRHP or California Register of Historic Resources (CRHR).

A determination of no significant impacts with mitigation to cultural resources is recommended for the Proposed Napa Forward Intersection Improvements Project.

### **Project Description**

SR 29 is one of the two major north-south corridors that connect the cities of Calistoga, St. Helena, Yountville, Napa, and American Canyon within Napa County. It is a primary freight, agricultural, and commuting corridor, which also accesses the San Francisco Bay Area and Sacramento as well as nearby Solano and Lake counties. As the gateway to the Napa Valley Wine Country, SR 29 is a main route that brings tens of thousands of tourists to the region each year. Within the Project limits, SR 29 between Whitehall Lane and Oakville Cross Road experiences heavy congestion during peak periods. The existing SR 29 corridor is uncontrolled within the Project. Traffic on SR 29 is not required to stop,

creating a continuous traffic flow and leaving no gap for vehicles to make turns from side streets. Therefore, vehicles at many of the side-street stop-controlled intersection approaches along the corridor experience difficulty turning onto SR 29.

To improve the operation and safety of SR 29 at the intersections of Oakville Cross Road and Rutherford Road, MTC, in cooperation with the Napa Valley Transportation Authority (NVTA) and the California Department of Transportation (Caltrans), proposes a single-lane roundabout at the intersection of SR 29 and Oakville Cross Road and a traffic signal and/or other traffic calming measures at the intersection of SR 29/Rutherford Road.

### **Study Area**

A Study Area was established as the entire project footprint, including direct and indirect effects and cultural resource boundaries. The archaeology-specific areas of the Study Area include the Area of Direct Impact (ADI) footprint and boundaries of approximately six (known) archaeological sites.

### **Methodology**

#### ***Records Search and Background Research***

An archival records search conducted on September 17, 2021, was consulted for this study. The records search was completed to determine if archaeological sites or built environment resources had been previously recorded within the study area or if the study area had been previously surveyed. The request was fulfilled on September 30, 2021. Records examined included archaeological site files and maps, the National Register of Historic Places, Historic Property Data File, California Inventory of Historic Resources, and the California Points of Historic Interest. As a result of this request, the project team gathered reporting from previously conducted cultural resource surveys in the Study Area, NRHP registration forms for previously listed properties, historic property files, Office of Archaeology and Historic Preservation (OAHP) inventory forms, Historic Resources Inventory forms, and Department of Parks and Recreation (DPR) 523 forms of previously recorded properties.

The file search revealed that 30 previous cultural resources investigations had been conducted in the Study Area. The ADI contains six previously documented archaeological resources, one of which has been determined eligible for the NRHP; the remaining five resources were not evaluated. The file search revealed three built environment resources in the Study Area, one of which was listed on the NRHP, one of which was eligible for listing in the NRHP and one of which was not eligible for listing in the NRHP (Table 1). The public disclosure of archaeological site locations is prohibited by Section 304 of the National Historic Preservation Act of 1966. Therefore, information relating to the nature and location of archaeological sites is not presented in this letter.

TABLE 1: PREVIOUSLY RECORDED BUILT ENVIRONMENT RESOURCES IN PROJECT STUDY AREA

NAME	CITY	EVALUATION
Napa Valley Wine Train/ Former Napa Valley Railroad Line/Rutherford Railroad Depot	Rutherford	Not NRHP Eligible (6Y) Needs Evaluation for CRHR
Durant House	Oakville	NRHP Eligible (3S)
Oakville Grocery/ Durant & Booth General Merchandise	Oakville	Listed in NRHP and CRHR

To develop contexts and informed discussions regarding the eligibility of unsurveyed and previously unevaluated historic resources in the Study Area, the project team conducted background research on environmental and ethnographic attributes of the Project vicinity. This included the prehistoric and historic background of the area as well as the history of the wine industry and the transportation history associated with the railroad and St. Helena Highway. Local research was conducted at the Napa County Historical Society and Napa County Assessor’s Office.

***Tribal Outreach***

WSP submitted a Sacred Land File (SLF) search request to the Native American Heritage Commission (NAHC) in September 2021. Results were returned by Cameron Vella of the NAHC on June 20, 2022.

Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (I.e., AB.52) requires CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes.

The results of the SLF search were positive, and the NAHC also provided a list of Native American Contacts who may have information regarding Tribal Cultural Resources in the vicinity. Pursuant to AB 52, letters were sent to the contacts provided by the NAHC on August 18, 2022, and two replies were received. Only one Native American group replied with interest in the project, Chairman Gabaldon of the Mishewal Wappo Tribe. Follow-up coordination and emails were sent regarding the project.

***Archaeological Resources***

Site specific contexts were developed for the six sites that were the subjects of this study (P-28-000015/CA-NAP-1, P-28-0000399/CA-NAP-515, P-28-0000580/CA-NAP-705H, P-28-583/CA-NAP-708, P-28-584/CA-NAP-709, P-28-0000709/CA-NAP-852H). DPR 523 Forms were completed for each site.

**P-28-000015/CA-NAP-1/H “Goddard Site”**

Site P-28-000015/CA-NAP-1/H was originally recorded in 1921 as the “Goddard Site” and is a large, and well-known “mound site”. The site was expanded in 1985 to include a lithic scatter. The site has been subject to surface survey and/or surface collection, as well as data recovery numerous times.

The portion of site P-28-000015/CA-NAP-1/H mapped within the ADI has been disturbed

by highway construction and maintenance. Outside the ADI, ground leveling, vandalism, fence construction, grape planting and eventual vine growth have caused other severe impacts to the site. Other developments, such as transmission line and gas utility construction have also disturbed the site (Busby et al. 1992). The portion of the site within the ADI is located where a drainage ditch runs parallel to the road along the site's southwestern boundary. The current SR-29 alignment intersects the site at the western and northwestern most portions of the site boundary. The site has not been formerly evaluated for the NRHP, though it has been the subject of abundant amounts of research.

A surface manifestation exists within the ROW, but the artifacts noted are historic fragments that have no association to the prehistoric component. The functional interpretation that can be assessed by the range of materials present is that the artifacts represent debris dumping and road-side toss events that have been subsequently disturbed and mostly destroyed.

#### **P-28-00003999/CA-NAP-515**

Site P-28-0000399/CA-NAP-515 was originally recorded in 1977 during a survey for a proposed widening of SR-29 (Meacham 1977). At that time, it was documented as a sparse surface scatter of obsidian flakes and possible flake tools. The site was recorded as a 46x3-meter area within the planted grapevines. The site has not been formerly evaluated for the NRHP.

The site is mapped within 5 meters of the ADI. The site has been disturbed by continued agricultural disturbances, including ground leveling, fence construction, grape planting, and eventual vine growth. In 1977 (Meacham), the provenience of the site was noted as irrelevant since the site was redistributed by agricultural activities and road construction.

There was no evidence of an archaeological deposit within the portion of the site that is in the ADI that would allow the determination of the horizontal or vertical extent of the site. No periods of occupation were represented. Diagnostic prehistoric artifacts were not located and the portion of the site within the ADI contained no artifacts.

#### **P-28-0000580/CA-NAP-705H**

Site P-28-0000580/CA-NAP-705H was originally recorded as the "Chinese Site" by Oman et al (1985b). The 1985 map that was prepared for that documentation says that the boundary of this site is subject to change due to plowing at this site resulting in a dispersed and redeposited surface manifestation. Artifact scatter in the N/NW corner of the site (located Ming Gei food containers including Four Seasons, Three Circles, and Dragonfly, and some Celadon makes it the "Chinese Site"). This site has no formal evaluation.

The site is noted as being subject to frequent discing with a 30cm disturbance that frequently redistributes any cultural material horizontally and vertically. The 1992 site record notes that the historic debris is spread around "considerably" by plowing and that most of the historic material is noted near a stump in the NW corner of the site that is no longer present. The only artifacts that they noted were a single piece of green glass and a

single Napa Valley obsidian flake on the surface, restricted to the ROW. They declared the Chinese artifact scatter destroyed.

Subsurface profiles showed no indications of a buried archaeological deposit within the portion of site P-28-0000580/CA-NAP-705H that is also within the ADI. There was no available data to determine a prehistoric tradition or period of occupation. The site has been extensively disturbed by the existing SR-29 alignment and various utility lines.

#### **P-28-0000583/CA-NAP-708**

Site P-28-0000583/CA-NAP-708, also known as “Shown’s Site or the “Shone Site”, was recorded by Oman et al. (1985c) who found a sparse lithic scatter, but with a high tool to flake ratio. The site was recorded in 1986 by Bieling et al. of the Sonoma State University, Cultural Resources Facility for a Caltrans proposed widening and turn lane addition project along SR 29. They found a low-density scatter of obsidian flakes that were noted as showing evidence of alluvial redeposition and disturbance from agricultural discing (i.e., edge rounding and patination, disc scars). Bieling, in a 1986 letter to Caltrans, stated that the site deposits lack spatial and temporal integrity and that the cultural materials are a surface manifestation caused by the “redeposition from other deposits, and casual intermittent use of the area by people during the last 2000 years”. Subsequent survey for the Rural Roads Inventory did not relocate the site with the highway ROW (Leach-Palm et al. 2007). The site has not been formally evaluated for CRHR or NRHP eligibility.

The subsurface profiles showed no indications of a buried archaeological deposit within the portion of site within the ADI. There was no available data to determine a prehistoric tradition or period of occupation. The site has been extensively disturbed by the existing SR-29 alignment and various utility lines.

#### **P-28-0000584/CA-NAP-709**

Site P-28-0000584/CA-NAP-709 was recorded as the “Sullivan/RR Site” by Oman, Schuster, and Noble (1985d). The site was described then as a sparse prehistoric obsidian debitage, and artifact scatter. Notes on integrity from the original recording note that the area had dense gravel and had been disturbed by disking up to a depth of 30 centimeters (cm). The report for the project noted that the site was not able to be located after a subsequent disking in 1986. Douglass and Origer (2005) during a Caltrans District 4 Rural Road Inventory found no archaeological evidence within the highway ROW during their visit to the site as a part of the Caltrans District 4 Rural Roads Inventory but found “a few flakes noted in the railroad gravel”. This site has no formal evaluation.

There is no evidence of an archaeological deposit within the portion of site P-28-0000584/CA-NAP-709 that is located within the current ADI. There was no ability to determine the horizontal or vertical extent of the site because of the absence of archaeological material. No periods of occupation were represented. Diagnostic prehistoric artifacts were not located. No artifacts were observed within the portion of the site within the ADI.

## **P-28-0000709/CA-NAP-852H**

Site P-28-0000709/CA-NAP-852H was originally recorded in 1993 as the “Eastern Historic Site” and was recorded as a historic-period refuse and trash scatter dating to around the turn of the twentieth century (Loyd and Origer 1993). Continued agricultural disturbances, including ground leveling, fence construction, grape planting and eventual vine growth have likely caused impacts to the site. There were no artifacts present or cultural deposits detected in the ROW of the current project or any previous project. This site has no formal evaluation.

There is no evidence of an archaeological deposit within the portion of site P-28-0000709/CA-NAP-852H located within the current ADI. Due to the lack of archaeological material, there was no ability to determine the horizontal or vertical extent of the site. No periods of occupation were represented. Diagnostic prehistoric artifacts were not located. No artifacts were observed within the portion of the site within the ADI. There were no artifacts available for analysis and it is impossible to determine site formation processes. There is significant evidence of disturbance by modern agricultural practices, specifically vineyard maintenance and road construction and maintenance.

### ***Built Environment Resources***

The following statements provide brief descriptions of each eligible or listed resource identified within the Study Area.

The **Oakville Grocery** is listed in the NRHP at the local level of significance under Criterion A for its association with events that have made a significant contribution to the broad patterns of our history in the area of commerce (NR #93000664, listed June 22, 1993). The grocery is also a historical resource for the purposes of CEQA. Locally, the Oakville Grocery is one of the only surviving examples of a 1920s mercantile. Its period of significance is ca. 1921- 1940. The resource boundary is the building and the southwest quarter of the Napa County Assessor’s Parcel Number 031-020-010-000, which has historically been associated with the building, excluding non-contributing resources. At the time of listing in 1993, the building had a moderate degree of exterior integrity and a high degree of interior integrity that as a whole conveyed a strong sense of feeling, time, and place. Exterior contributing elements include the stucco façade, façade fenestration, stepped parapet roof with false exposed rafters and detailing, hipped full-façade porch clad in asphalt shingles, four square stucco porch columns set on wood bases, side elevation fixed wood windows, corrugated metal roofing, galvanized metal sheeting at the south elevation, and a cutaway corner at the south elevation. Interior contributing elements include walls and ceiling clad in V-joint tongue and groove siding, narrow tongue and groove flooring, refrigeration unit, and original floor plan. An attached stone building at the northwest corner of the building is also retained. The building was dismantled and restored in 2012, maintaining its historic integrity (Weber 2020:90). In 2018 a number of new buildings were constructed east of the grocery, and these new buildings are non-contributing to the property.

The **Durant House** is eligible for the NRHP at the local level of significance under

Criterion C as an example of rural interpretation of the Italianate style of architecture. Its period of significance is 1885, the year it was constructed. The house is also a historical resource for purposes of CEQA. The historic resource boundary includes the building and the northwest quarter of the Napa County Assessor's Parcel Number 031-020-010-000, which has historically been associated with the building. Contributing elements include its L-shaped plan with single-story corner porch, square single-story bay window, low-pitched hipped roof, cornice bracketing, one-over-one wood-sash windows, chamfered porch supports, and concrete-capped stone gate posts. Noncontributing elements include the remodeled interior (2019) and standing-seam metal roofing (2019).

### **Summary and Recommendations**

A records search review and tribal outreach were conducted for the Project. The records search identified six archaeological resources and 12 built environment resources within the Study Area. One archaeological site was identified within the project ADI.

Outreach letters were sent to tribal organizations on the NAHC contact-list on August 18, 2022, and two replies were received. Only one Native American group replied with interest in the project, Chairman Gabaldon of the Mishewal Wappo Tribe. Follow-up coordination and emails were sent regarding the project.

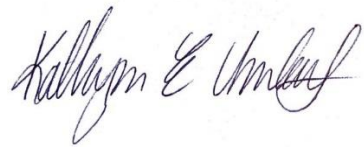
Archaeological investigations were conducted on the six archaeological resources identified in the Study Area. One archaeological site was identified in the ADI. No ground disturbing activities are proposed to take place in the recorded locations of the sites. To avoid impacts to the site in the ADI, fencing will be installed around Site P-28-000015 to protect it in place.

Built Environment investigations identified 12 resources in the Study Area. Of these resources, one had been previously listed in the NRHP, one had been previously determined eligible for listing in the NRHP, and one had been previously determined not eligible for listing in the NRHP. Of the remaining nine resources, none appear eligible for listing in the NRHP or CRHR. All properties listed in or eligible for the NRHP and CRHR are considered historical resources under CEQA. Potential impacts are only expected at the Oakville Grocery. The property will therefore be monitored for vibration damage during construction to ensure the protection of the historic property. It will be protected in place.

A determination of no significant impacts with mitigation to cultural resources is recommended for the Proposed Napa Forward Intersection Improvements Project.

Kind regards,



A handwritten signature in black ink, appearing to read "Kate Umlauf". The signature is written in a cursive, flowing style.

Kate Umlauf  
Architectural Historian

Attachments: AB52 Tribal Consultation Letter and Responses

# **State Route 29 (SR 29) Improvements at Rutherford Road and Oakville Cross Road Intersections**

NAPA COUNTY, CALIFORNIA

## **AB52 Tribal Consultation Letter and Responses**

# **Initial Notification Letters**



**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

Bay Area Metro Center  
375 Beale Street, Suite 800  
San Francisco, CA 94105  
415.778.6700  
www.mtc.ca.gov

*Alfredo Pedroza, Chair*  
Napa County and Cities

8/18/2022

*Nick Josefowitz, Vice Chair*  
San Francisco Mayor's Appointee

**Daniel Gomez**

*Margaret Abe-Koga*  
Cities of Santa Clara County

**Cachil Dehe Band of Wintun Indians of the Colusa Indian Community  
3730 Highway 45**

*Eddie Abn*  
San Francisco Bay Conservation and  
Development Commission

**Colusa, CA 95932**

*David Canepa*  
San Mateo County

**RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd**

*Cindy Chavez*  
Santa Clara County

**Dear Chairman Gomez:**

*Damon Connolly*  
Marin County and Cities

*Carol Dutra-Vernaci*  
Cities of Alameda County

The Metropolitan Transportation Commission (MTC) in cooperation with California Department of Transportation (Caltrans) District 4 and Napa Valley Transportation Authority (NVTa), is conducting environmental studies for a proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). The proposed project is located along a 2.2-mile segment of State Route 29 (SR-29) in an unincorporated area of Napa County (See Figure 1). Currently, neither of these intersections are signalized and only have stop signs on the streets intersecting SR-29. Traffic on SR-29 is not required to stop, creating a continuous traffic flow and leaving no gap for side streets to make turns. Therefore, vehicles at many of the side-street stop-controlled intersection approaches along the corridor experience difficulty turning onto SR-29.

*Dina El-Tawansy*  
California State Transportation Agency

*Victoria Fleming*  
Sonoma County and Cities

*Dorene M. Giacomini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

*Sam Liccardo*  
San Jose Mayor's Appointee

*Nate Miley*  
Alameda County

*Gina Papan*  
Cities of San Mateo County

*David Rabbitt*  
Association of Bay Area Governments

*Hillary Ronen*  
City and County of San Francisco

*Libby Schaaf*  
Oakland Mayor's Appointee

*James P. Spering*  
Solano County and Cities

Caltrans is the lead agency responsible for Section 106 of the National Historic Preservation Act and MTC is the lead agency for California Environmental Quality Act (CEQA) compliance on this project. As part of State and Federal regulations the MTC is assisting Caltrans by notifying the Native American community of the proposed project. Please consider this letter and preliminary project information as the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). Please respond within 60 days, pursuant to PRC 21080.3.1(d) if you would like to consult on this project.

*Amy R. Worth*  
Cities of Contra Costa County

A record search of the Sacred Lands File by the Native American Heritage Commission (NAHC) did indicate that the search was positive for the presence of Native American cultural resources for the project area.

*Vacant*  
U.S. Department of Housing and Urban  
Development

*Theresa W. McMillan*  
Executive Director

Caltrans and the MTC would like to afford you with an opportunity to communicate concerns you might have regarding places within the project area that may be important to your community. Caltrans requests your participation in the identification and protection of cultural resources, sacred lands, or other heritage sites within the above described project area with the understanding that you or other members of the community might possess specialized knowledge of the area.

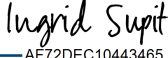
*Alix Bockelman*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

If you or any of your tribal members have any questions or concerns regarding this project, please contact me at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or you may also contact Caltrans District Native American Coordinator, Kathryn Rose at (510)504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Sincerely,

DocuSigned by:  
  
AF72DEC10443465...

Ingrid Supit

Principal Engineer, Capitol Project Delivery

IS:EC

AB52\_MTC\_SR29\_v2\_2W430\_MTC.docx

Attachments: Project Location Map and Draft Project Footprint



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*Vacant*  
U.S. Department of Housing and Urban  
Development

*Therese W. McMillan*  
Executive Director

*Alix Bockelman*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

8/18/2022

Donald Duncan  
Guidiville Indian Rancheria  
P.O. Box 339  
Talmage, CA 95481

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd

Dear Chairperson Duncan:

The Metropolitan Transportation Commission (MTC) in cooperation with California Department of Transportation (Caltrans) District 4 and Napa Valley Transportation Authority (NVTa), is conducting environmental studies for a proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). The proposed project is located along a 2.2-mile segment of State Route 29 (SR-29) in an unincorporated area of Napa County (See Figure 1). Currently, neither of these intersections are signalized and only have stop signs on the streets intersecting SR-29. Traffic on SR-29 is not required to stop, creating a continuous traffic flow and leaving no gap for side streets to make turns. Therefore, vehicles at many of the side-street stop-controlled intersection approaches along the corridor experience difficulty turning onto SR-29.


Caltrans is the lead agency responsible for Section 106 of the National Historic Preservation Act and MTC is the lead agency for California Environmental Quality Act (CEQA) compliance on this project. As part of State and Federal regulations the MTC is assisting Caltrans by notifying the Native American community of the proposed project. Please consider this letter and preliminary project information as the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). Please respond within 60 days, pursuant to PRC 21080.3.1(d) if you would like to consult on this project.

A record search of the Sacred Lands File by the Native American Heritage Commission (NAHC) did indicate that the search was positive for the presence of Native American cultural resources for the project area.

Caltrans and the MTC would like to afford you with an opportunity to communicate concerns you might have regarding places within the project area that may be important to your community. Caltrans requests your participation in the identification and protection of cultural resources, sacred lands, or other heritage sites within the above described project area with the understanding that you or other members of the community might possess specialized knowledge of the area.

If you or any of your tribal members have any questions or concerns regarding this project, please contact me at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or you may also contact Caltrans District Native American Coordinator, Kathryn Rose at (510)504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Sincerely,

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Ingrid Supit  
Principal Engineer, Capitol Project Delivery

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Attachments: Project Location Map and Draft Project Footprint



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San Francisco Mayor's Appointee

**Jose Simon**  
Middletown Rancheria of Pomo Indians  
P.O. Box 1035  
Middletown, CA 95461

*Margaret Abe-Koga*  
Cities of Santa Clara County

*Eddie Abn*  
San Francisco Bay Conservation and  
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Sonoma County and Cities

*Dorene M. Giacomini*  
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Executive Director

*Alix Bockelman*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
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Sincerely,

DocuSigned by:  
  
AF72DEC10443465...

Ingrid Supit  
Principal Engineer, Capitol Project Delivery

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Attachments: Project Location Map and Draft Project Footprint



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8/18/2022

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**Scott Gabaldon**  
Mishewal-Wappo Tribe of Alexander Valley  
2275 Silk Road  
Windsor, CA 95492

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Cities of Santa Clara County

*Eddie Abn*  
San Francisco Bay Conservation and  
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*David Canepa*  
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RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
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*Cindy Chavez*  
Santa Clara County

Dear Chairperson Gabaldon:

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*Carol Dutra-Vernaci*  
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*Dina El-Tawansy*  
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*Victoria Fleming*  
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U.S. Department of Housing and Urban  
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Executive Director

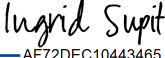
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**Charlene Nijmeh**  
Muwekma Ohlone Indian Tribe of the SF Bay Area  
20885 Redwood Road, Suite 232  
Castro Valley, CA 94546

*Margaret Abe-Koga*  
Cities of Santa Clara County

*Eddie Abn*  
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*David Canepa*  
San Mateo County

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
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Santa Clara County

Dear Chairperson Nijmeh:

*Damon Connolly*  
Marin County and Cities

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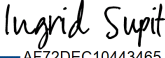
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8/18/2022

Laverne Bill  
Yocha Dehe Wintun Nation  
P.O. Box 18  
Brooks, CA 95606

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
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Deputy Executive Director, Local  
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8/18/2022

Yvonne Perkins  
Yocha Dehe Wintun Nation  
P.O. Box 18  
Brooks, CA 95606

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California State Transportation Agency

*Victoria Fleming*  
Sonoma County and Cities

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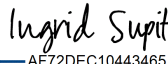
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# Follow Up Notification Letters



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September 28, 2022

Daniel Gomez, Chairman  
Cachil Dehe Band of Wintun Indians of the Colusa Indian Community  
3730 Highway 45  
Colusa, CA 95932

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

Dear Chairman Gomez:

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Sincerely,

DocuSigned by:

*Ingrid Supit*

AF72DEC10443465...

Ingrid Supit

Principal Engineer, Capital Project Delivery

IS:EC  
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Attachments: Project Location Map and Draft Project Footprint

**Figure 1 Project Location**

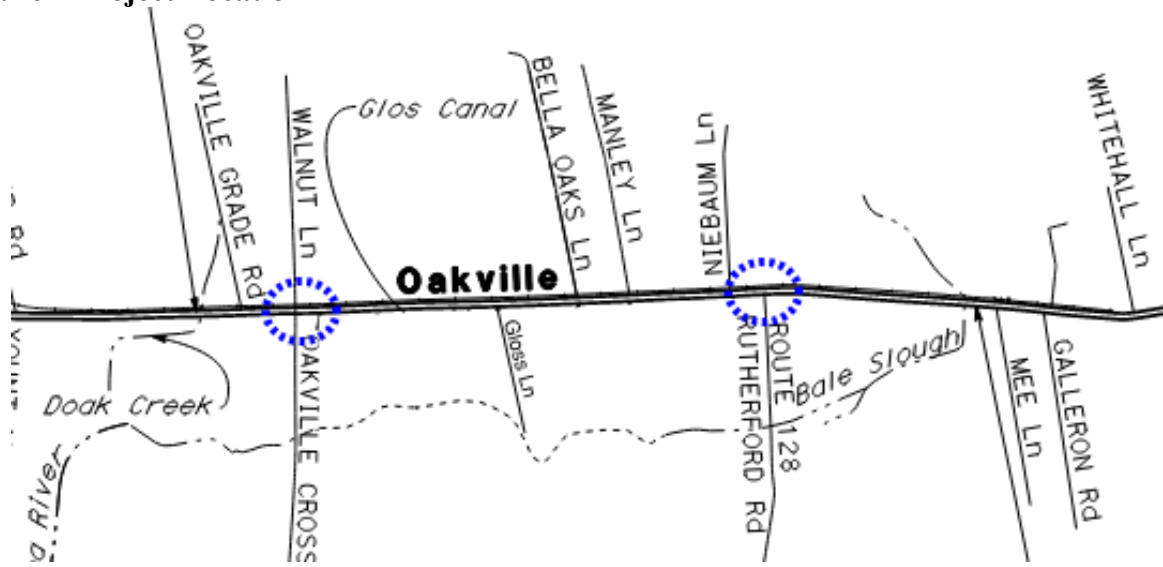
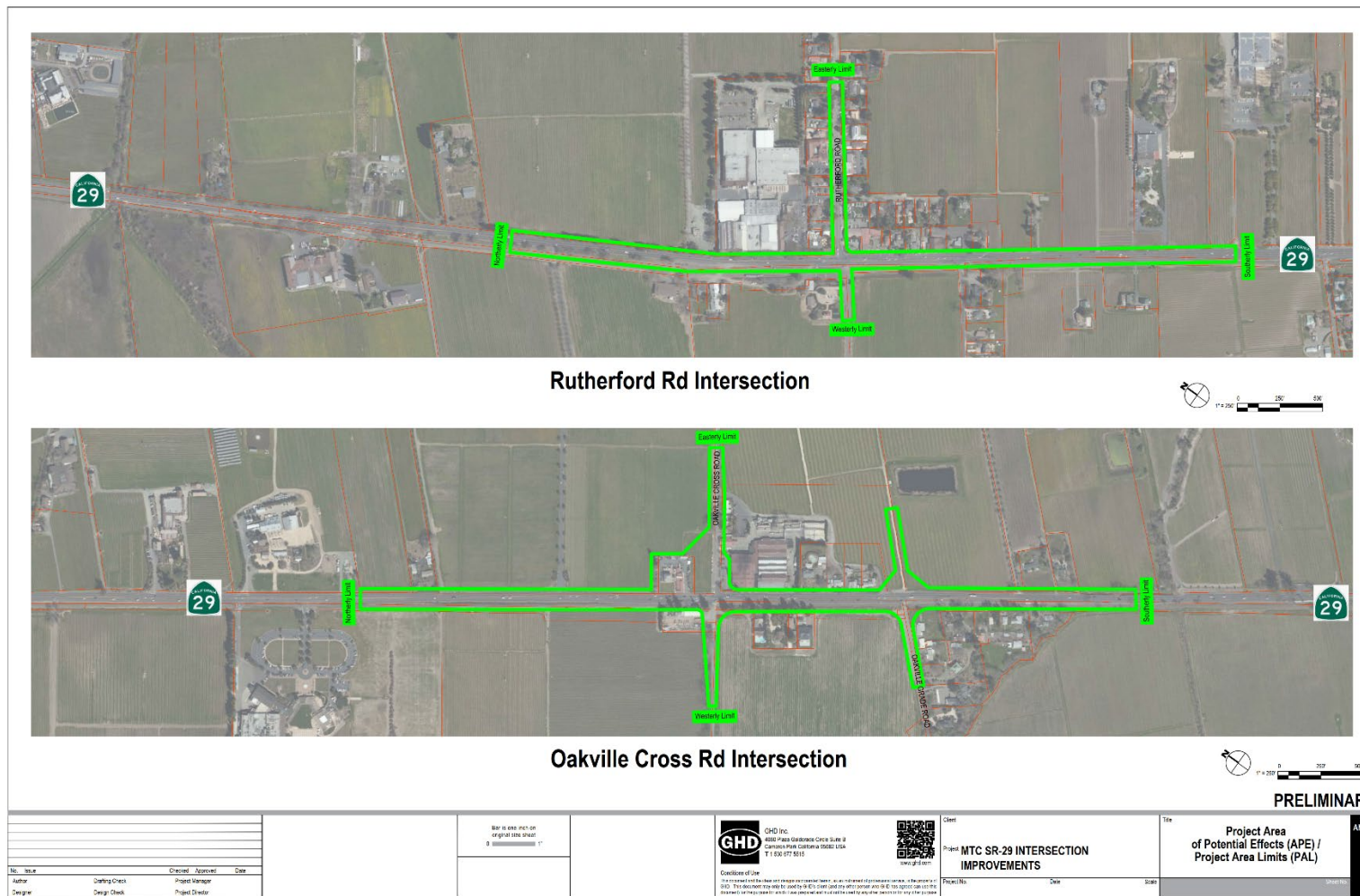


Figure 2 Project Footprint







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*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

Donald Duncan, Chairperson  
Guidiville Indian Rancheria  
P.O. Box 339  
Talmage, CA 95481

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd and Rutherford Rd – Notification of Archaeological Survey

Dear Chairperson Duncan:

On Friday, August 19, 2022, the Metropolitan Transportation Commission (MTC) and Caltrans notified the Native American community of the proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). This notification was a part of the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). There was a request for interested tribal leaders to respond within 60 days (deadline October 18, 2022), pursuant to PRC 21080.3.1(d) if tribes would like to consult on this Project.

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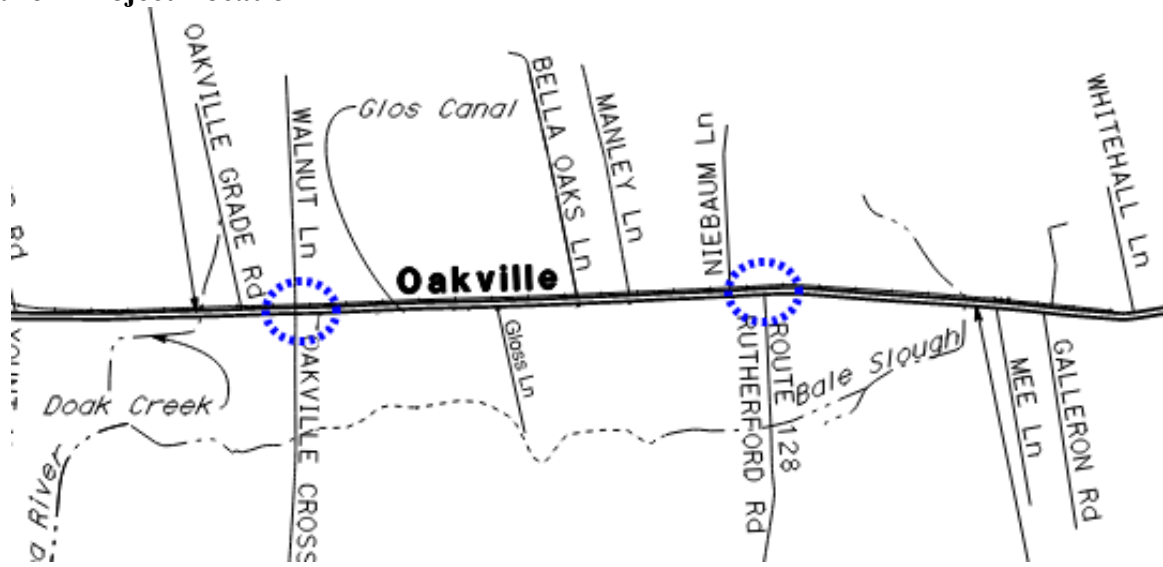
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*Ingrid Supit*  
AF72DEC10443465...

Ingrid Supit  
Principal Engineer, Capital Project Delivery

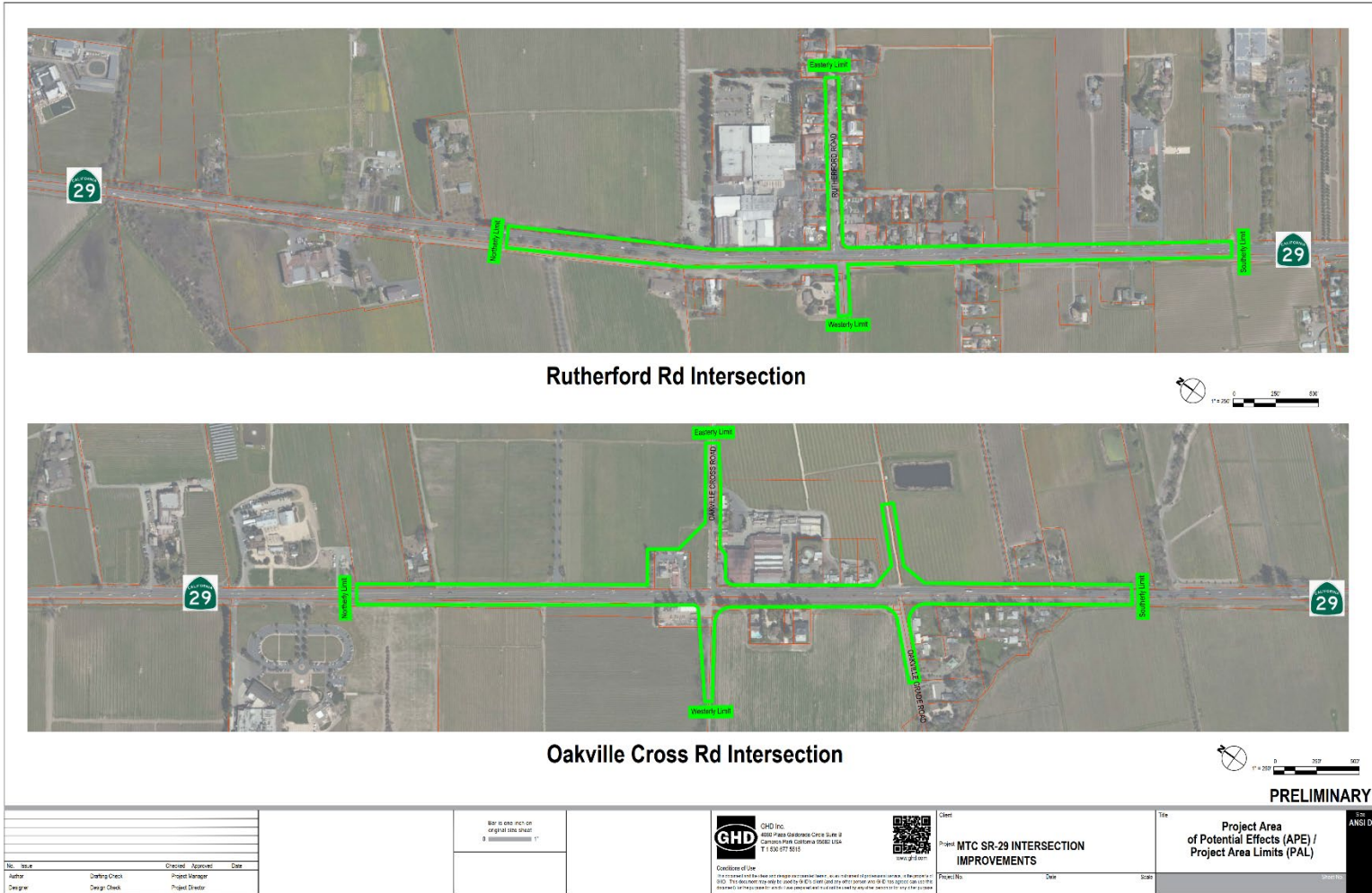
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**Figure 2 Project Footprint**





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Cities of Contra Costa County

*Vacant*  
U.S. Department of Housing and Urban  
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*Alix Bockelman*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

September 28, 2022

Jose Simon, Chairperson  
Middletown Rancheria of Pomo Indians  
P.O. Box 1035  
Middletown, CA 95461

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

Dear Chairperson Simon:

On Friday, August 19, 2022, the Metropolitan Transportation Commission (MTC) and Caltrans notified the Native American community of the proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). This notification was a part of the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). There was a request for interested tribal leaders to respond within 60 days (deadline October 18, 2022), pursuant to PRC 21080.3.1(d) if tribes would like to consult on this Project.

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Sincerely,

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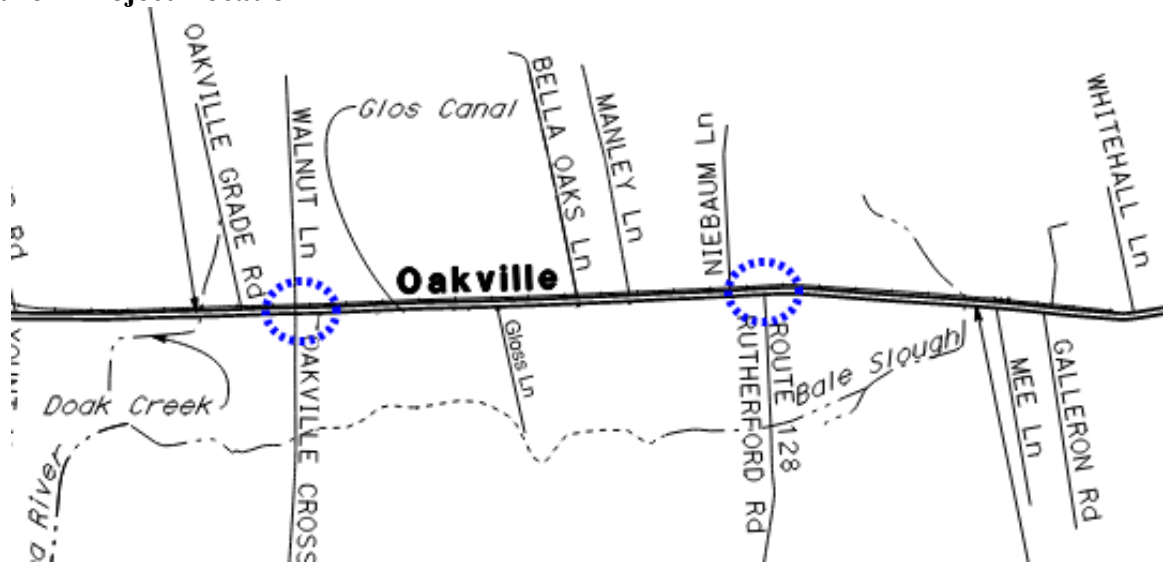
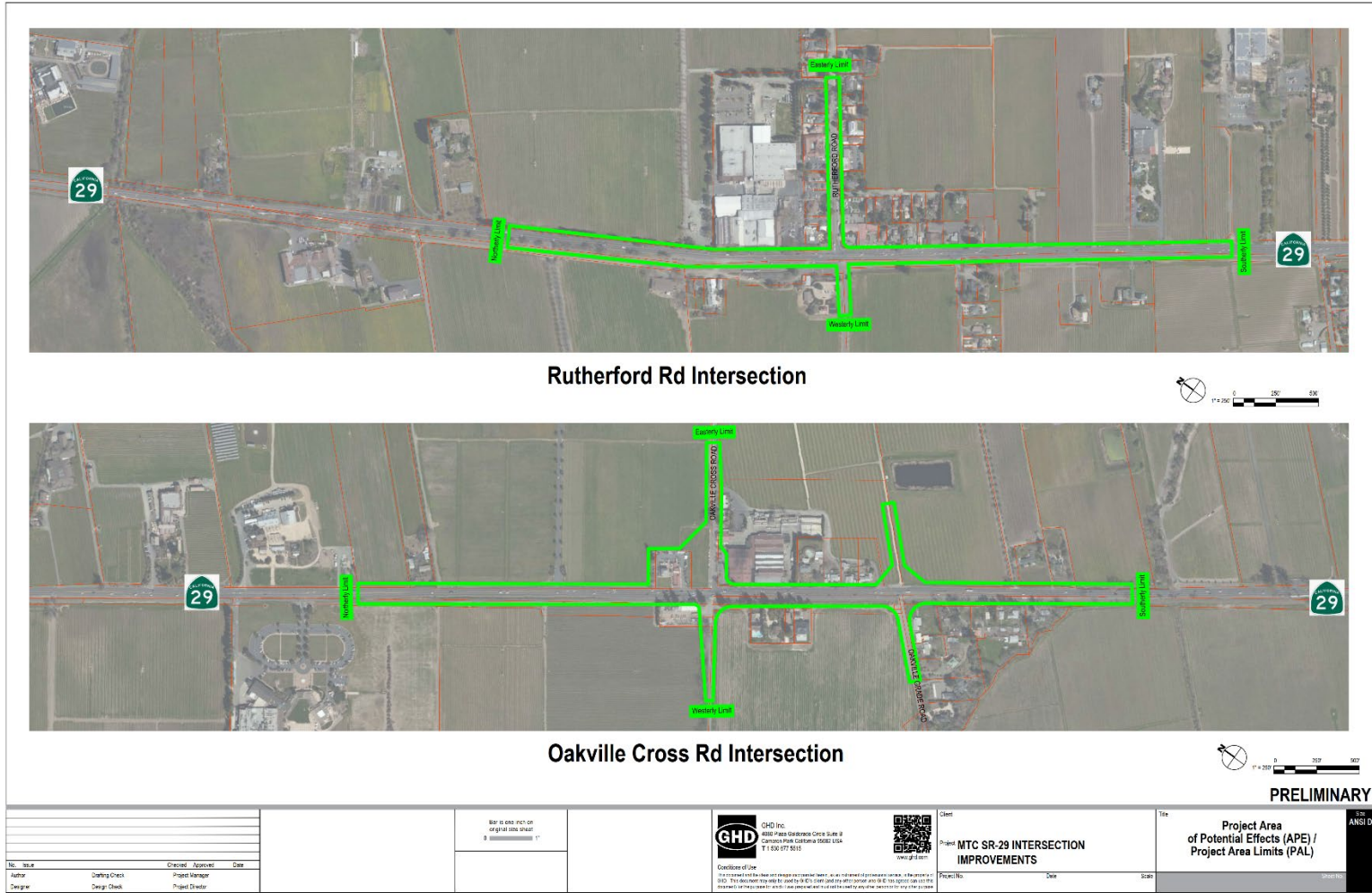


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Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

September 28, 2022

Scott Gabaldon, Chairperson  
Mishewal-Wappo Tribe of Alexander Valley  
2275 Silk Road  
Windsor, CA 95492

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

Dear Chairperson Gabaldon:

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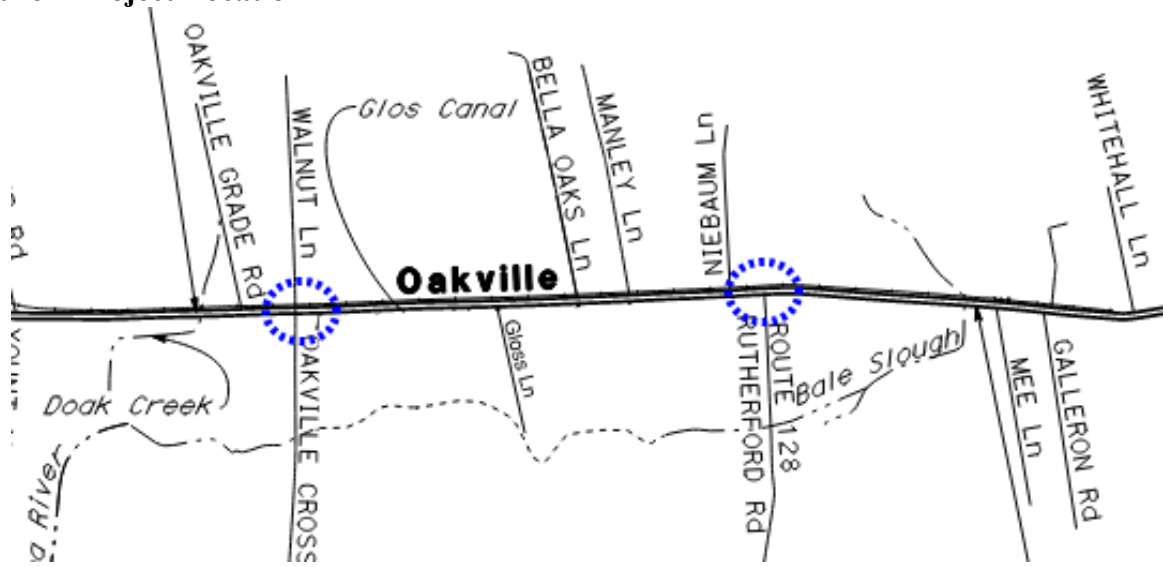
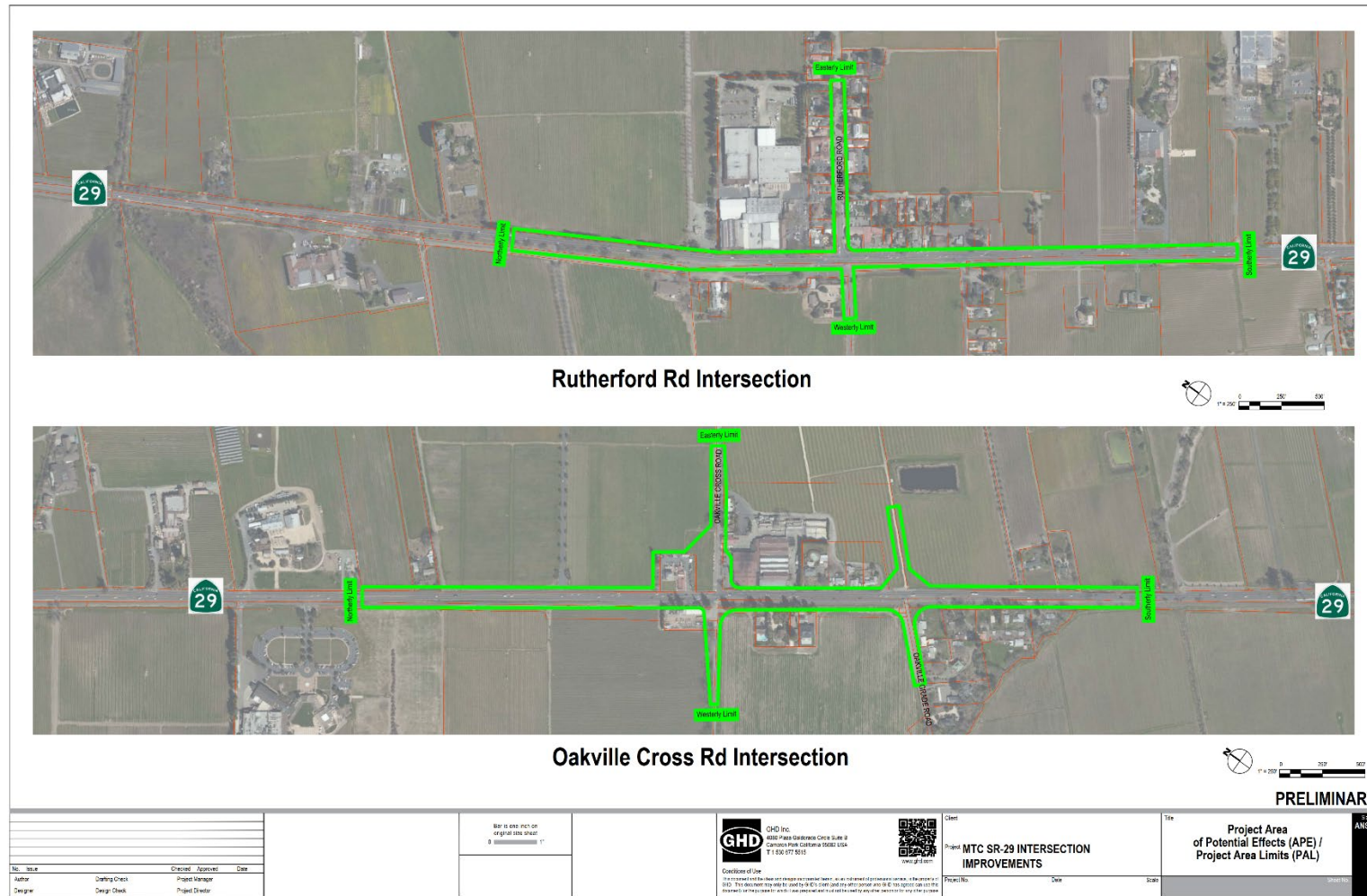


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September 28, 2022

*Nick Josefowitz, Vice Chair*  
San Francisco Mayor's Appointee

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

*Margaret Abe-Koga*  
Cities of Santa Clara County

*Eddie Abn*  
San Francisco Bay Conservation and  
Development Commission

*David Canepa*  
San Mateo County

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

*Cindy Chavez*  
Santa Clara County

Dear Chairperson Nijmeh:

*Damon Connolly*  
Marin County and Cities

*Carol Dutra-Vernaci*  
Cities of Alameda County

*Dina El-Tawansy*  
California State Transportation Agency

*Victoria Fleming*  
Sonoma County and Cities

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*Dorene M. Giacopini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

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Association of Bay Area Governments

*Hillary Ronen*  
City and County of San Francisco

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Solano County and Cities

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*Amy R. Worth*  
Cities of Contra Costa County

*Vacant*  
U.S. Department of Housing and Urban  
Development

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*Therese W. McMillan*  
Executive Director

*Alix Bockelman*  
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*Andrew B. Fremier*  
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Sincerely,

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*Ingrid Supit*  
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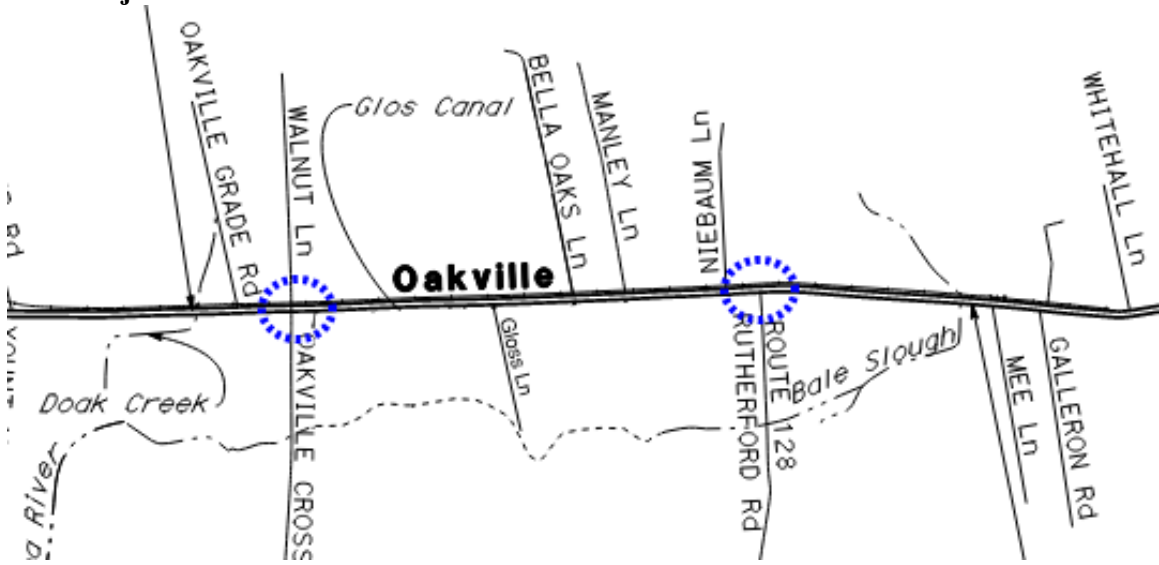
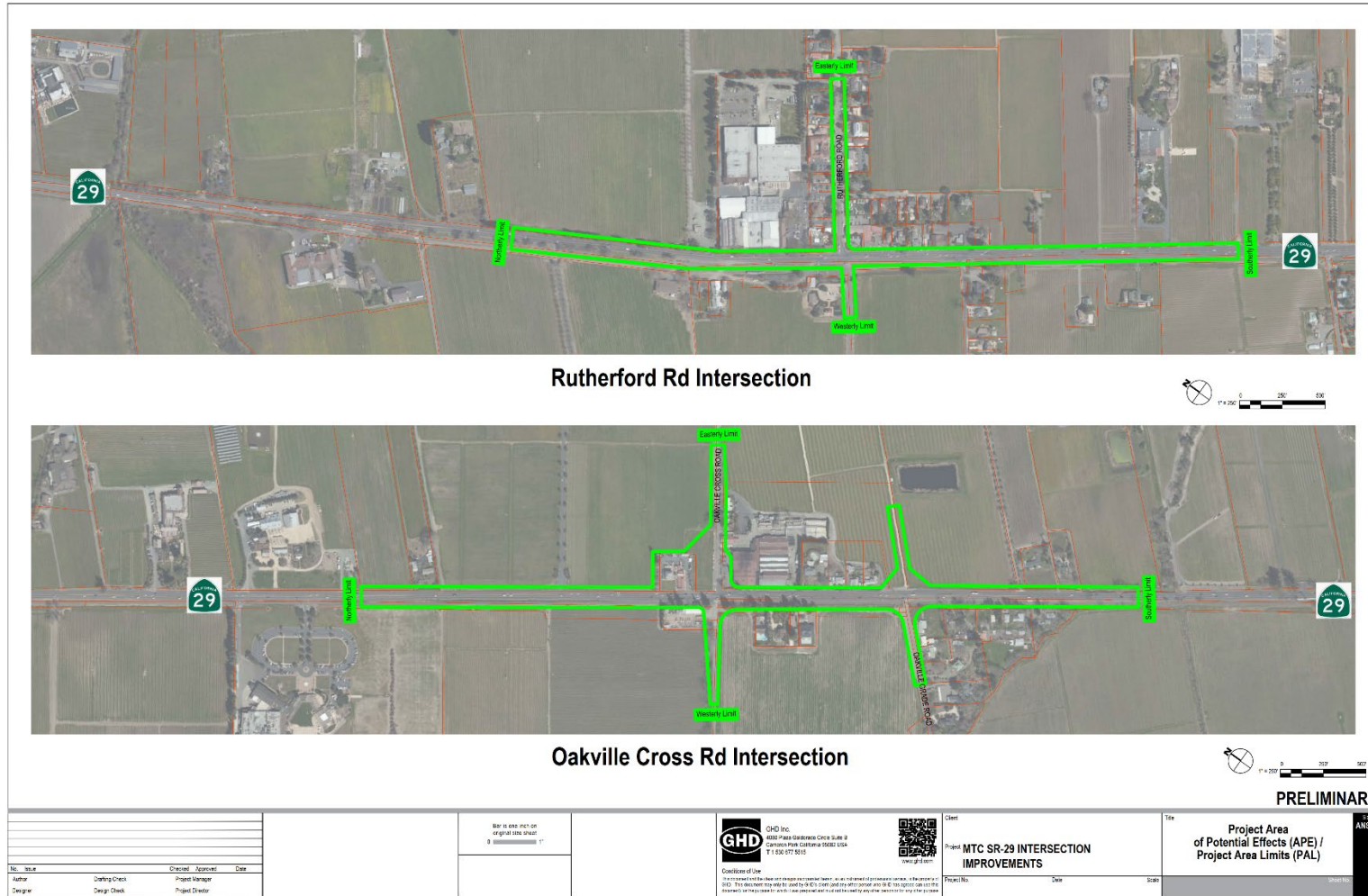


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September 28, 2022

Laverne Bill, Director of Cultural Resources  
Yocha Dehe Wintun Nation  
P.O. Box 18  
Brooks, CA 95606

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

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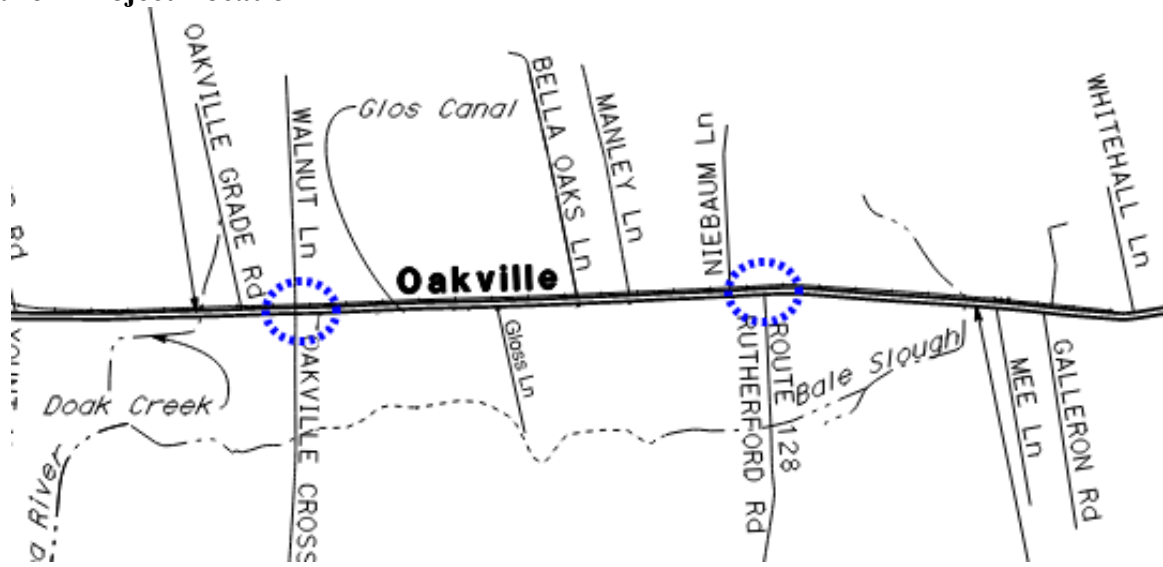
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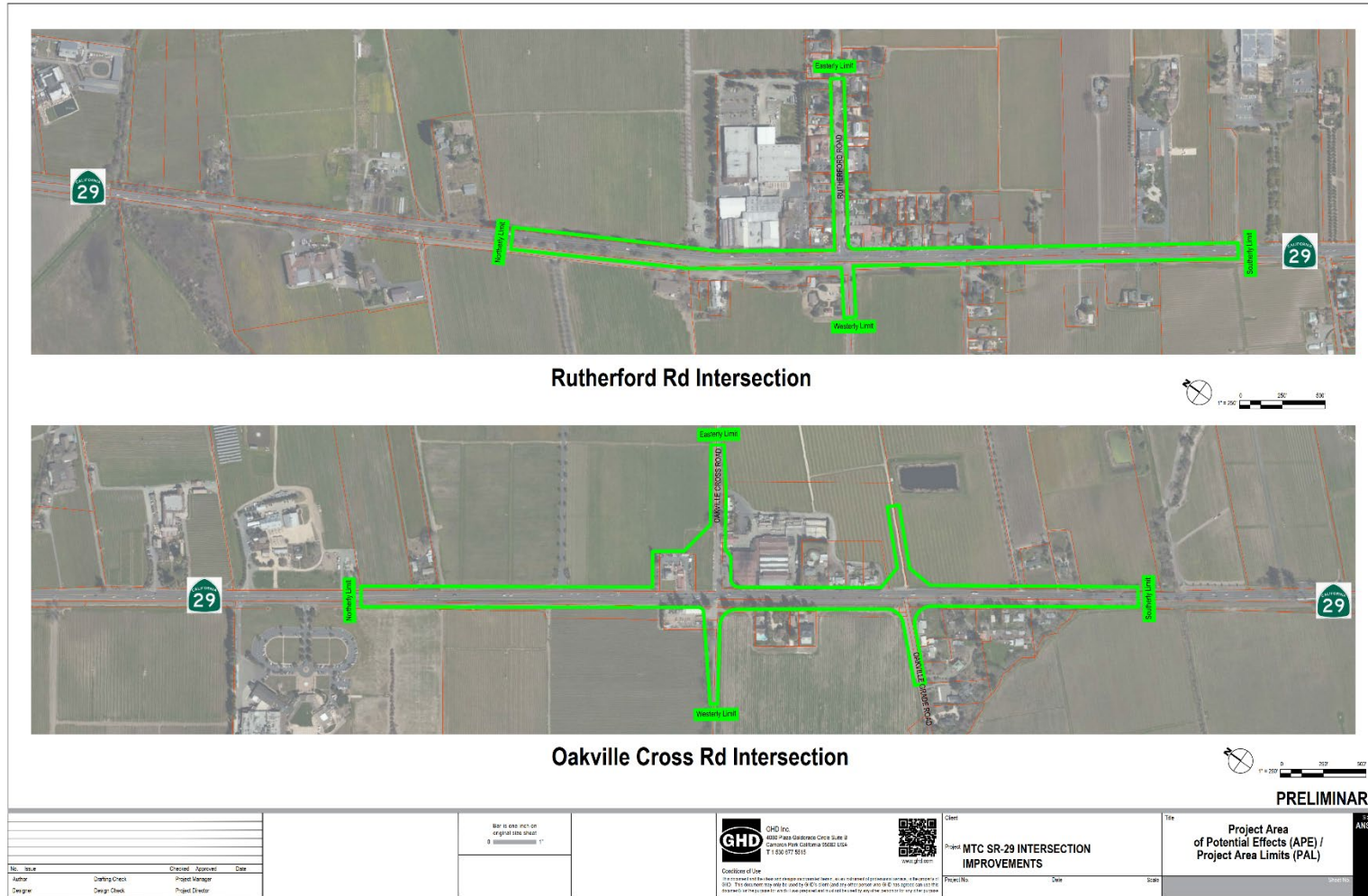
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No. Issue Checked Approved Date Author Design Check Project Manager Project Director		Blank or check mark on or right side sheet @ <a href="#">www.gardens.com</a>	GHD Inc. 4810 West Gadsden Circle Suite 10 Centennial, CO 80112 USA Tel: +1 303 427 5000 <a href="http://www.ghd.com">www.ghd.com</a>	Client <b>MTC SR-29 INTERSECTION IMPROVEMENTS</b>	Title <b>Project Area of Potential Effects (APE) / Project Area Limits (PAL)</b>
PRELIMINARY					



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September 28, 2022

Yvonne Perkins, THPO, Cultural Resources Chairman  
Yocha Dehe Wintun Nation  
P.O. Box 18  
Brooks, CA 95606

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd  
and Rutherford Rd – Notification of Archaeological Survey

Dear THPO, Cultural Resources Chairman Perkins:

On Friday, August 19, 2022, the Metropolitan Transportation Commission (MTC) and Caltrans notified the Native American community of the proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). This notification was a part of the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). There was a request for interested tribal leaders to respond within 60 days (deadline October 18, 2022), pursuant to PRC 21080.3.1(d) if tribes would like to consult on this Project.

Please consider this letter a follow up notification to the August 19th letter that archaeological field surveys are scheduled to be completed in mid-October. The archaeological surveys will involve personnel walking over the property and may involve collecting field data information by digging small test holes and/or units in the ground.

Caltrans and the MTC would like to afford you with an opportunity to communicate concerns you might have regarding places within the Project area that may be important to your community. Caltrans requests your participation in the identification and protection of cultural resources, sacred lands, or other heritage sites within the Project area (see Attachments) with the understanding that you or other members of the community might possess specialized knowledge of the area.

If you or any of your tribal members have any questions or concerns regarding this project, please contact me at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or you may also contact Caltrans District Native American Coordinator, Kathryn Rose at (510) 504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Sincerely,

DocuSigned by:

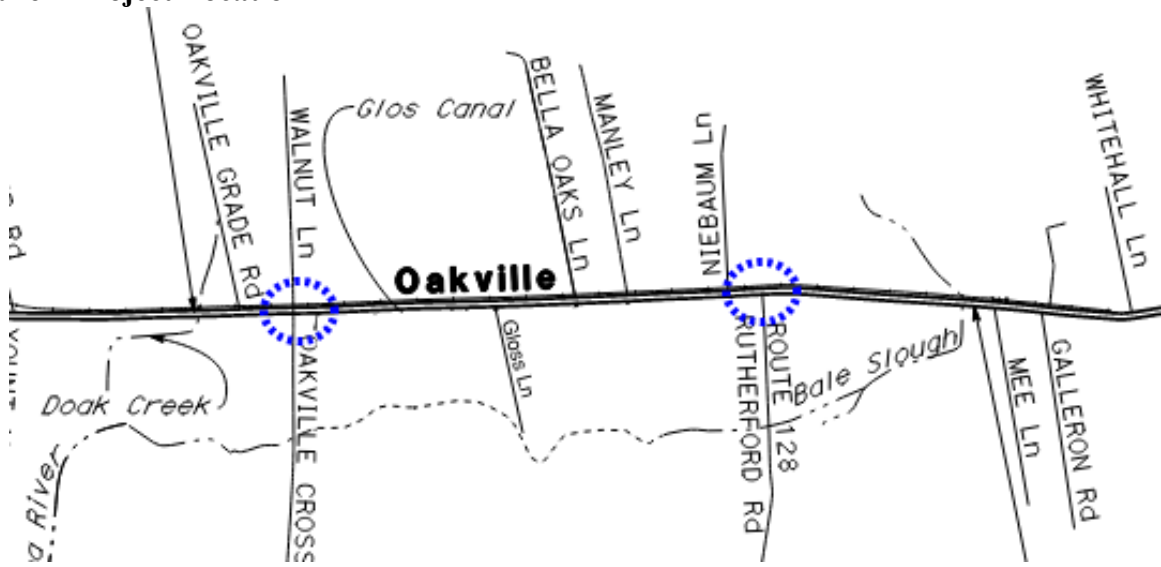
*Ingrid Supit*  
AF72DEC10443465...

Ingrid Supit  
Principal Engineer, Capital Project Delivery

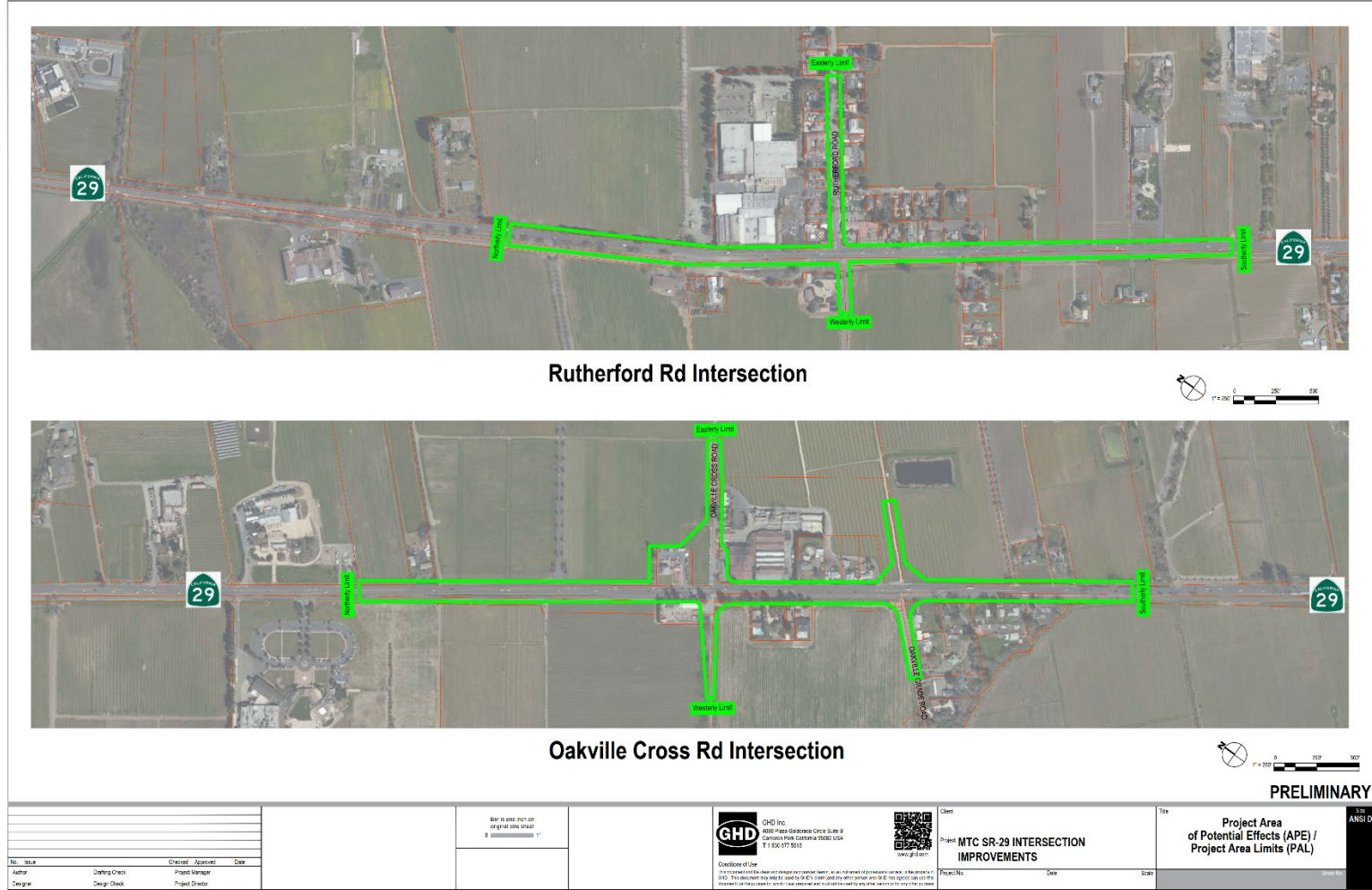
IS:EC  
AB52\_MTC\_SR29\_FollowUp-MTC.docx

Attachments: Project Location Map and Draft Project Footprint

**Figure 1 Project Location**



**Figure 2 Project Footprint**







METROPOLITAN  
TRANSPORTATION  
COMMISSION

Bay Area Metro Center  
375 Beale Street, Suite 800  
San Francisco, CA 94105  
415.778.6700  
www.mtc.ca.gov

September 28, 2022

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Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

Anthony Roberts, Chairperson  
Yocha Dehe Wintun Nation  
P.O. Box 18  
Brooks, CA 95606

RE: State Route 29 (SR-29) Intersection Improvements Project at Oakville Grade Rd and Rutherford Rd – Notification of Archaeological Survey

Dear Chairperson Roberts:

On Friday, August 19, 2022, the Metropolitan Transportation Commission (MTC) and Caltrans notified the Native American community of the proposed project to improve the SR-29 at the intersections of Oakville Cross Road (PM 22.72) and Rutherford Road, also known as SR-128 (PM 24.59). This notification was a part of the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). There was a request for interested tribal leaders to respond within 60 days (deadline October 18, 2022), pursuant to PRC 21080.3.1(d) if tribes would like to consult on this Project.

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If you or any of your tribal members have any questions or concerns regarding this project, please contact me at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or you may also contact Caltrans District Native American Coordinator, Kathryn Rose at (510) 504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Sincerely,

DocuSigned by:

*Ingrid Supit*  
AF72DEC10443465...

Ingrid Supit  
Principal Engineer, Capital Project Delivery

IS:EC  
AB52\_MTC\_SR29\_FollowUp-MTC.docx

Attachments: Project Location Map and Draft Project Footprint

**Figure 1 Project Location**

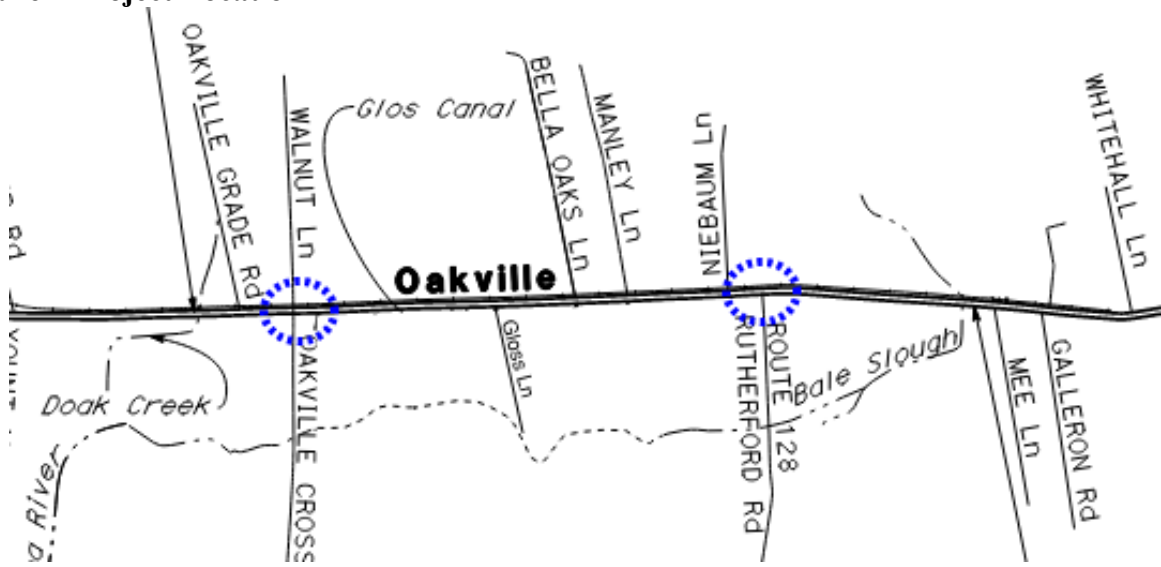
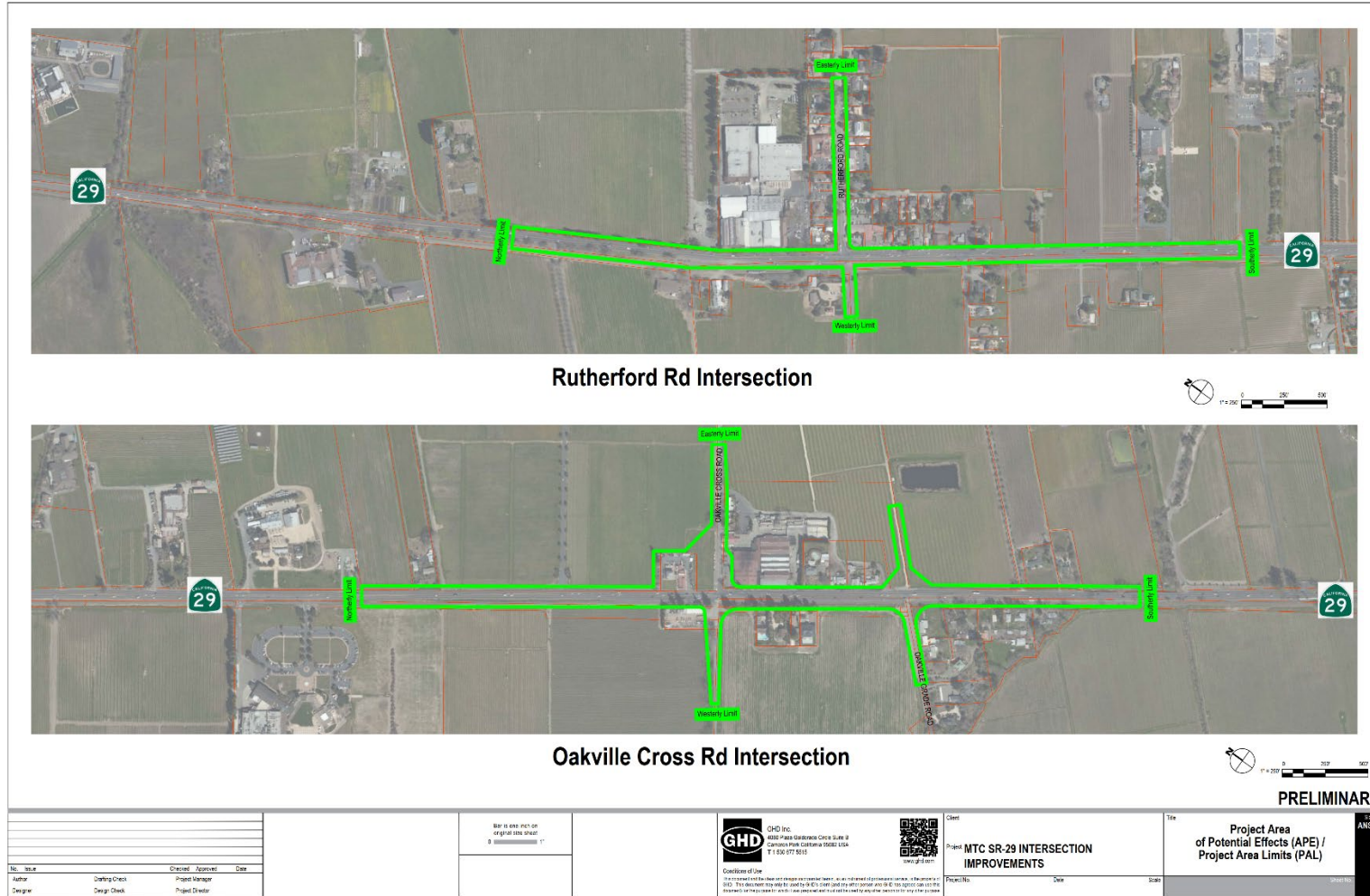


Figure 2 Project Footprint



# Initial Responses Received

From: Andrew Cherna Jr <ACherna@yochadehe-nsn.gov>  
Sent: Monday, August 22, 2022 10:22 AM  
To: Lee, Annie  
Subject: RE: 2W430 - MTC SR-29 INTERSECTION IMPROVEMENTS PROJECT - AB52 Consultation Request - Yocha Dehe Wintun Nation

Annie,

I did not receive the mentioned Project Location Map and Draft Project Footprint.

Thank you,

**Andy Cherna**  
*GIS Analyst*

**Yocha Dehe Wintun Nation**  
PO Box 18 | Brooks, CA 95606  
o 530.796.2805 | c 530.723.2076 |  
[acherna@yochadehe-nsn.gov](mailto:acherna@yochadehe-nsn.gov)  
[www.yochadehe.org](http://www.yochadehe.org)

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From: Laverne Bill <LBill@yochadehe-nsn.gov>  
Sent: Friday, August 19, 2022 10:26 AM  
To: Andrew Cherna Jr <ACherna@yochadehe-nsn.gov>  
Subject: FW: 2W430 - MTC SR-29 INTERSECTION IMPROVEMENTS PROJECT - AB52 Consultation Request - Yocha Dehe Wintun Nation

**Laverne Bill**  
*Director of Cultural Resources*

**Yocha Dehe Wintun Nation**  
PO Box 18 | Brooks, CA 95606  
p 530.796.3400 | c 530.723.3891  
f 530.796.2143  
[lbill@yochadehe-nsn.gov](mailto:lbill@yochadehe-nsn.gov)  
[www.yochadehe.org](http://www.yochadehe.org)

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From: Lee, Annie <Annie.Lee1@wsp.com>  
Sent: Friday, August 19, 2022 9:59 AM  
To: Tribal Historic Preservation Officer <THPO@yochadehe-nsn.gov>  
Cc: Ingrid Supit <isupit@bayareametro.gov>; Erik Chang <echang@bayareametro.gov>; Rose, Kathryn@DOT <kathryn.rose@dot.ca.gov>; Whitmore, Stephanie A. <Stephanie.Whitmore@wsp.com>  
Subject: EA: 2W430 - MTC SR-29 INTERSECTION IMPROVEMENTS PROJECT - AB52 Consultation Request - Yocha Dehe Wintun Nation

[Warning External Sender]

Hello Director Bill, Chairman Perkins, and Chairperson Roberts,

On behalf of the Metropolitan Transportation Commission (MTC), who is assisting Caltrans, I am distributing the official AB52 notification letter which is meant to notify the Native American community of the proposed project.

Please consider this letter and preliminary project information as the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). Please respond within 60 days (by Tuesday October 18, 2022), pursuant to PRC 21080.3.1(d) if you would like to consult on this project.

If you or any of your tribal members have any questions or concerns regarding this project, please contact Principal Engineer of Capitol Project Delivery, Ingrid Supit, at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or Caltrans District Native American Coordinator, Kathryn Rose at (510) 504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Thank you,



**Annie Lee**  
Environmental Planner  
*She/Her*

T+ 1 619-849-5405

WSP  
401 B Street Suite 1650  
San Diego, CA 92101

[wsp.com](http://wsp.com)

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From: scottg mishewalwappotribe.com <scottg@mishewalwappotribe.com>  
Sent: Sunday, August 21, 2022 4:45 AM  
To: Lee, Annie  
Subject: Re: EA: 2W430 - MTC SR-29 INTERSECTION IMPROVEMENTS PROJECT - AB52 Consultation Request - Mishewal-Wappo Tribe of Alexander Valley  
Attachments: image001.png; SR-29\_Sec106-AB52\_Mishewal-Wappo.pdf

Dear Ms. Lee

Thank you for reaching out to us and having our interests at heart, we are familiar with this area it has produced many artifacts in the past, therefore we would request we be involved in all digging aspects of the project.

Best regards,  
Chairman Gabaldon  
Mishewal Wappo Tribe

On Aug 19, 2022, at 9:57 AM, Lee, Annie <[Annie.Lee1@wsp.com](mailto:Annie.Lee1@wsp.com)> wrote:

Hello Chairperson Gabaldon,

On behalf of the Metropolitan Transportation Commission (MTC), who is assisting Caltrans, I am distributing the official AB52 notification letter which is meant to notify the Native American community of the proposed project.

Please consider this letter and preliminary project information as the initiation of Section 106 consultation pursuant to the National Historic Preservation Act and as formal notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. AB 52). Please respond within 60 days (by Tuesday October 18, 2022), pursuant to PRC 21080.3.1(d) if you would like to consult on this project.

If you or any of your tribal members have any questions or concerns regarding this project, please contact Principal Engineer of Capitol Project Delivery, Ingrid Supit, at (415) 778-6691 or via e-mail at [isupit@bayareametro.gov](mailto:isupit@bayareametro.gov), or Caltrans District Native American Coordinator, Kathryn Rose at (510) 504-1937 or via email at [Kathryn.rose@dot.ca.gov](mailto:Kathryn.rose@dot.ca.gov).

Thank you,

**Annie Lee**  
Environmental Planner  
*She/Her*

T+ 1 619-849-5405

WSP  
401 B Street Suite 1650  
San Diego, CA 92101

[wsp.com](http://wsp.com)

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# Final Responses Received

From: Ingrid Supit <isupit@bayareametro.gov>  
Sent: Thursday, October 6, 2022 2:47 PM  
To: Lee, Annie; Whitmore, Stephanie A.  
Cc: Erik Chang  
Subject: FW: SR 29 Intersection Improvements Oakville Grade Rutherford Rd YD-08192022-03  
Attachments: SR 29 Intersection Improvements Oakville Grade Rutherford Rd YD-08192022-03- OTA Defer to Wappo Tribe of Alexander Valley.pdf

Hi Annie,

See attached response letter from one of the tribes regarding our project. They defer the correspondence to the other two groups. Did we have them in our list?

Thanks,  
--Ingrid

---

From: Victoria Delgado <VDelgado@yochadehe-nsn.gov>  
Sent: Thursday, October 6, 2022 2:43 PM  
To: Ingrid Supit <isupit@bayareametro.gov>; 'Rose, Kathryn@DOT' <kathryn.rose@dot.ca.gov>  
Cc: Rebekah Canavesio <RCanavesio@yochadehe-nsn.gov>; Marisela Hernandez <MHernandez@yochadehe-nsn.gov>  
Subject: SR 29 Intersection Improvements Oakville Grade Rutherford Rd YD-08192022-03

**\*External Email\***

Please see the attached letter for Yocha Dehe Wintun Nation's response in regards to the SR 29 Intersection Improvements Oakville Grade Rutherford Rd. Additionally, a hardcopy of the response will be mailed for your records.

If you have any questions, please let us know.

*Kind Regards,*  
**Victoria Delgado**  
*CRD Administrative Assistant*

**Yocha Dehe Wintun Nation**  
PO Box 18 | Brooks, CA 95606  
p 530.796.0118 | c 530.419.9152 | f 530.796.2143  
[vdelgado@yochadehe-nsn.gov](mailto:vdelgado@yochadehe-nsn.gov)  
[www.yochadehe.org](http://www.yochadehe.org)



YOCHA DEHE  
CULTURAL RESOURCES

October 3, 2022

Bay Area Metro Center  
Attn: Ingrid Supit, Principal Engineer, Capital Project Delivery  
375 Beale Street, Suite 800  
San Francisco, CA 94105

RE: SR 29 Intersection Improvements Oakville Grade Rutherford Rd YD-08192022-03

Dear Ms, Supit:

Thank you for your project notification letter dated, September 28, 2022, regarding cultural information on or near the proposed SR 29 Intersection Improvements Oakville Grade Rutherford Rd. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Mishewal Wappo Tribe of Alexander Valley  
Attn: Scott Gadaldon  
2275 Silk Road  
Windsor, CA 95492

Middletown Rancheria  
Attn: Michael Riviera  
PO Box 1035  
Middletown, CA 95461

Please refer to identification number YD - 08192022-03 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

Laverne Bill  
Director of Cultural Resources

cc: Mishewal Wappo Tribe of Alexander Valley