



Cultural Resources and Fish Passage Delivery California Fish Passage Advisory Committee

25 August 2020, 9am-10:15am

- **Christopher Caputo** – Chief, Office of Cultural Resource Studies
- **Althea Asaro** – Associate Environmental Planner (Archaeology), Office of Cultural Resource Studies
- **Sarah Allred** – Branch Chief, Native American Cultural Studies, Division of Environmental Analysis
- **Helen Blackmore** – Branch Chief, Architectural History, Office of Cultural Resource Studies





What are “Cultural Resources”?



What are “Historic Properties”?

- Any prehistoric or historic district, site, building, structure or object included on or determined **eligible for inclusion on the National Register of Historic Places.**
- Meets at least one of 4 Criteria:
 - A/1 Events
 - B/2 People
 - C/3 Design/Engineering/Work of a Master
 - D/4 Information Potential (archaeology)



Compliance Required by Law

- **National Environmental Protection Act (NEPA)**
- **California Environmental Quality Act (CEQA)**
- Section 106 of the **National Historic Preservation Act**
- **California Public Resources Code 5024 (5024 MOU)**
- **Assembly Bill 52 (Tribal Cultural Resources)**
- **California Public Resources Code 5097.98 (Discovery of Native American human remains)**



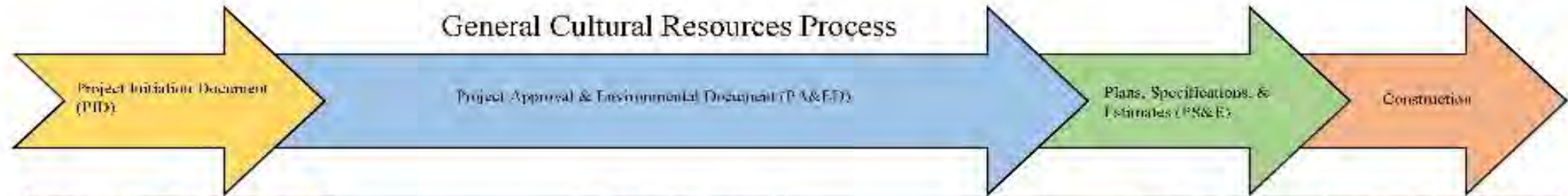
The Purpose of Cultural Resource Compliance is...

- To determine whether significant cultural resources (historic properties) will be affected by the project, and
- To document the process and demonstrate agreement between the parties regarding how effects will be avoided, minimized, or treated (mitigated)



Consulting with Interested Parties





Phase	K Phase (Scoping)	0 Phase (Environmental)		1 Phase (Design)	3 and 4 (Construction)														
Description of Cultural activities	Preliminary cultural input	Completes all identification and findings		Cultural commitments included in PS&E	Cultural commitments implemented														
Consultation with interested parties continues throughout all phases																			
Cultural Documents and Review Times	Cultural input memo	<p style="text-align: center;">Screening Memo</p> <p style="text-align: center;">Native American Consultation starts within 14 days of Begin Environmental per AB 52</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Identification documents ASR, XPI, HRER, ASR</p> <p>TPSR (summary of identification, consultation and findings)</p> <p>Properties evaluated (30-day review period with concurrence from SHPO by PID)</p> </td> <td style="width: 5%; text-align: center; vertical-align: middle;">BY PED</td> <td style="width: 50%; vertical-align: top;"> <p>FOE documents ENAE-SC (ESA and/or SCIS) 15-day review period at CSO ENAE-No SC or PAE (15-day review period at CSO) 30-day review period at SHPO</p> <p>MOA (for projects with TAE) (includes proposed mitigation plans)</p> <p>Must have preferred alternative to submit to CSU/SHPO</p> <p>Unlimited review time at CSO Unlimited review time at SHPO</p> <p>CSU/SHPO must sign MOA by PAED</p> </td> </tr> </table>		<p>Identification documents ASR, XPI, HRER, ASR</p> <p>TPSR (summary of identification, consultation and findings)</p> <p>Properties evaluated (30-day review period with concurrence from SHPO by PID)</p>	BY PED	<p>FOE documents ENAE-SC (ESA and/or SCIS) 15-day review period at CSO ENAE-No SC or PAE (15-day review period at CSO) 30-day review period at SHPO</p> <p>MOA (for projects with TAE) (includes proposed mitigation plans)</p> <p>Must have preferred alternative to submit to CSU/SHPO</p> <p>Unlimited review time at CSO Unlimited review time at SHPO</p> <p>CSU/SHPO must sign MOA by PAED</p>	<p>Review PS&E for any changes from RUS</p> <p>Review PS&E package to ensure cultural commitments are included in package and PCR</p>	<p>ESA or SCIS Action Plan, Monitoring, Heritage Recordation (HABS/HAER/HAES), Data Recovery Mitigation, other Mitigation</p>											
<p>Identification documents ASR, XPI, HRER, ASR</p> <p>TPSR (summary of identification, consultation and findings)</p> <p>Properties evaluated (30-day review period with concurrence from SHPO by PID)</p>	BY PED	<p>FOE documents ENAE-SC (ESA and/or SCIS) 15-day review period at CSO ENAE-No SC or PAE (15-day review period at CSO) 30-day review period at SHPO</p> <p>MOA (for projects with TAE) (includes proposed mitigation plans)</p> <p>Must have preferred alternative to submit to CSU/SHPO</p> <p>Unlimited review time at CSO Unlimited review time at SHPO</p> <p>CSU/SHPO must sign MOA by PAED</p>																	
Acronyms	<ul style="list-style-type: none"> • AER (Archaeological Evaluation Report) • APE (Area of Potential Effects) • ASR (Archaeological Survey Report) • CSO (Cultural Studies Office at HQ) • ESA (Environmentally Sensitive Area) • PAE (Finding of Adverse Effect) • ENAE-No SC (Finding of No Adverse Effect without Standard Conditions) • ENAE-SC (Finding of No Adverse Effect with Standard Conditions) • FOE (Finding of Effect) • HABS/HAER/HAES (Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey) • TPSR (Historic Properties Survey Report) • HRER (Historic Resources Evaluation Report) • MOA (Memorandum of Agreement) • SHPO (State Historic Preservation Officer) • SCIS (Secretary of the Interior Standards for the Treatment of Historic Properties) • XPI (Extended Phase One Study) 	<p>Typical time to complete studies</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>• AER</td> <td>4-6 mon</td> </tr> <tr> <td>• ASR</td> <td>1-3 mon</td> </tr> <tr> <td>• ESA/SCIS Action Plans</td> <td>1-3 mon</td> </tr> <tr> <td>• FOE Documents</td> <td>1-3 mon</td> </tr> <tr> <td>• HRER</td> <td>2-4 mon</td> </tr> <tr> <td>• TPSR</td> <td>1-2 mon</td> </tr> <tr> <td>• MOA</td> <td>6-12 mon</td> </tr> <tr> <td>• XPI</td> <td>3-6 mon</td> </tr> </table>		• AER	4-6 mon	• ASR	1-3 mon	• ESA/SCIS Action Plans	1-3 mon	• FOE Documents	1-3 mon	• HRER	2-4 mon	• TPSR	1-2 mon	• MOA	6-12 mon	• XPI	3-6 mon
• AER	4-6 mon																		
• ASR	1-3 mon																		
• ESA/SCIS Action Plans	1-3 mon																		
• FOE Documents	1-3 mon																		
• HRER	2-4 mon																		
• TPSR	1-2 mon																		
• MOA	6-12 mon																		
• XPI	3-6 mon																		





*Work
collaboratively
with Cultural
Resource Staff on
your project*

Tribal Outreach & Consultation in Transportation Development

Sarah M. Allred
Division of Environmental Analysis
Cultural Studies Office
Native American Cultural Studies Branch



Caltrans - Tribal Government Relations

<p>PLANNING AND MODAL PROGRAMS Caltrans Office of Race and Equity (CORE)</p>	<p>PROJECT DELIVERY PROGRAM Division of Environmental Analysis/ Cultural Studies Office</p>
<p>HQ Native American Liaison Branch (NALB) – Lonora Graves</p>	<p>HQ Native American Cultural Studies (NACS) Branch – Sarah Allred</p>
<p>District Native American Liaisons (DNALs)</p>	<p>District Native American Coordinators (DNACs)</p>
<p>Focus:</p> <ul style="list-style-type: none"> • Tribal transportation planning, mobility & safety needs, funding sources, and technical assistance. • Advises the Director on tribal government relations; Primary government to government contact • Addresses Tribal Employment Rights matters. • Administers the Caltrans <i>Native American Advisory Committee</i> (NAAC) Meetings. • Can assist and direct all formal inquiries on tribal government matters. 	<p>Focus:</p> <ul style="list-style-type: none"> • Tribal outreach and consultation on the identification & treatment of archaeological and other tribal cultural properties affected by transportation development. • Compliance with federal and state historic preservation laws related to tribal historic preservation and treatment of archaeological human remains. • Engagement with Tribal Historic Preservation Officers and cultural/traditional leaders for participation in cultural studies. • Coordination with Planning functions to scope potential tribal historic preservation issues during early planning phases.



Tribal Outreach & Consultation during Environmental Review/Project Delivery

- ❖ Robust regulatory process, oversight/accountability; rigorous archaeological investigation requirements.
- ❖ Consultation in good faith with Native American tribes is an integral part of that process and a core mandate under federal and state historic preservation laws.
- ❖ Cultural resources investigations/tribal consultation requirements triggered when a project is programmed and funded.
- ❖ Consultation required early and often throughout project delivery, including through construction, when significant tribal properties may be affected, minimally at key project milestones.
- ❖ Goal is engage tribes in the process and have beneficial historic preservation outcomes.





Tribal Engagement Considerations

- ❖ Diversity of tribes in California
- ❖ Recognition of historical circumstances
- ❖ Differing Perspectives: traditional tribal knowledge and scientific archaeological inquiry
- ❖ Importance of Sense of Place; disappearing and non-renewable nature of tribal heritage sites
- ❖ Time and funding pressures of project delivery; no time for meaningful discussion
- ❖ Early coordination helps improve project delivery outcomes





Tribal Government Relations in California

- **Governors' Executive Orders B-10-11 and N-15-19**
 - Directs state agencies to develop collaborative relationships with tribal governments; Formal apology and establishment of Truth & Healing Council.
- **California State Transportation Agency (CalSTA)**
 - Tribal Consultation Policy: Collaboration; Communication; Education; Process; Timely Notice.
- **Caltrans Policy Working with Native American Communities**
 - Director's Policy 19: Working with Native American Communities.
 - Supported by the Department's mission/vision/values
- **State Planning and Conservations Priorities**
 - Many of the State's priorities for land use planning and conservation are highly compatible with tribal interests and values; Opportunities for cross-sector partnerships between and among multiple stakeholders, including tribes, to achieve conservation goals.





Planning Environmental Linkages and Early Coordination with Indian Tribes

FHWA's Planning and Environment Linkages (PEL) Initiative represents a collaborative and integrated approach to transportation decision-making that:

- ❖ Considers environmental, community, and economic goals early in the transportation planning process, and
- ❖ Uses the information, analyses, and products developed during planning to inform the environmental review process.

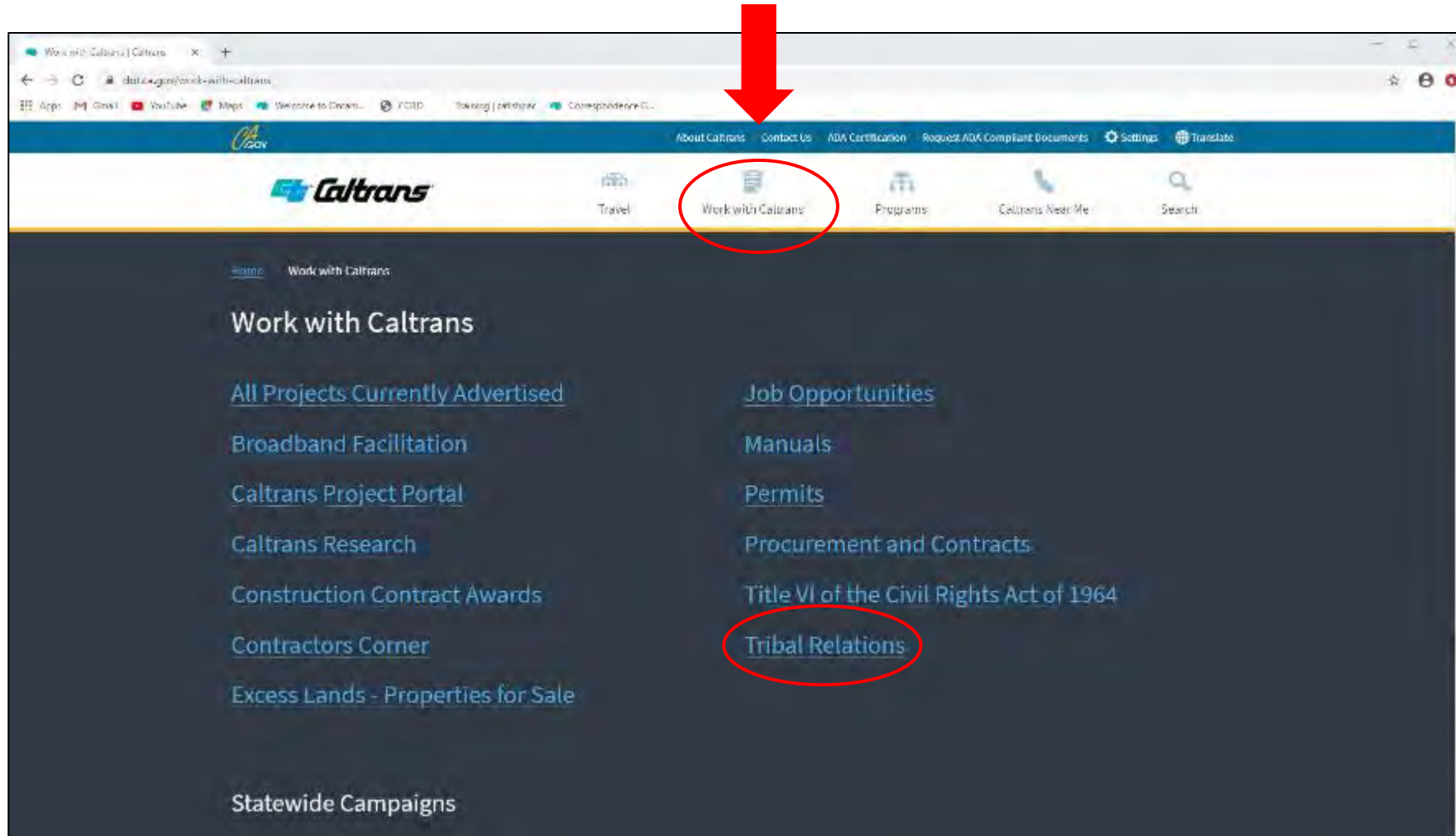
***State and local agencies can achieve significant benefits by incorporating environmental and community values into transportation decisions early in planning and carrying these considerations through project development and delivery.**

**SUSTAINABLE
HIGHWAYS INITIATIVE**

**PLANNING & ENVIRONMENT
LINKAGES**



Contact Caltrans Tribal Relations Staff



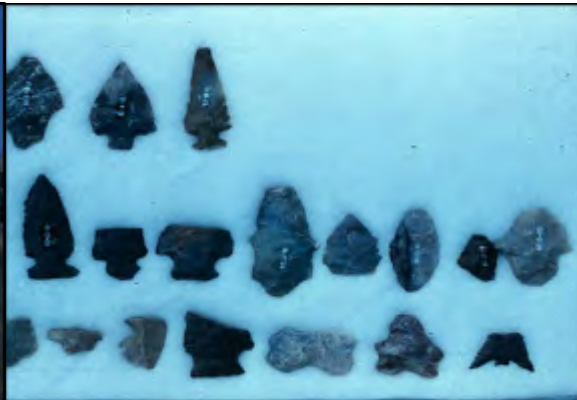
Caltrans Archaeology & Fish Passage Projects

Althea Asaro
Associate Environmental Planner (Archaeology)
Office of Cultural Resource Studies



What are Archaeological Resources

- Finds over 50 years before present
- Types of archaeological resources include:
 - Sites ←
 - Features
 - Artifacts ←
 - Ecofacts
 - Isolates
 - Cultural Landscapes



Caltrans & Archaeology

- Cultural resources
- Often encountered with Caltrans projects
- Caltrans must account for archaeology as part of environmental compliance pathways
- Ground disturbance = key for archaeologists to know early on in the project
- Native American Consultation occurs early and often



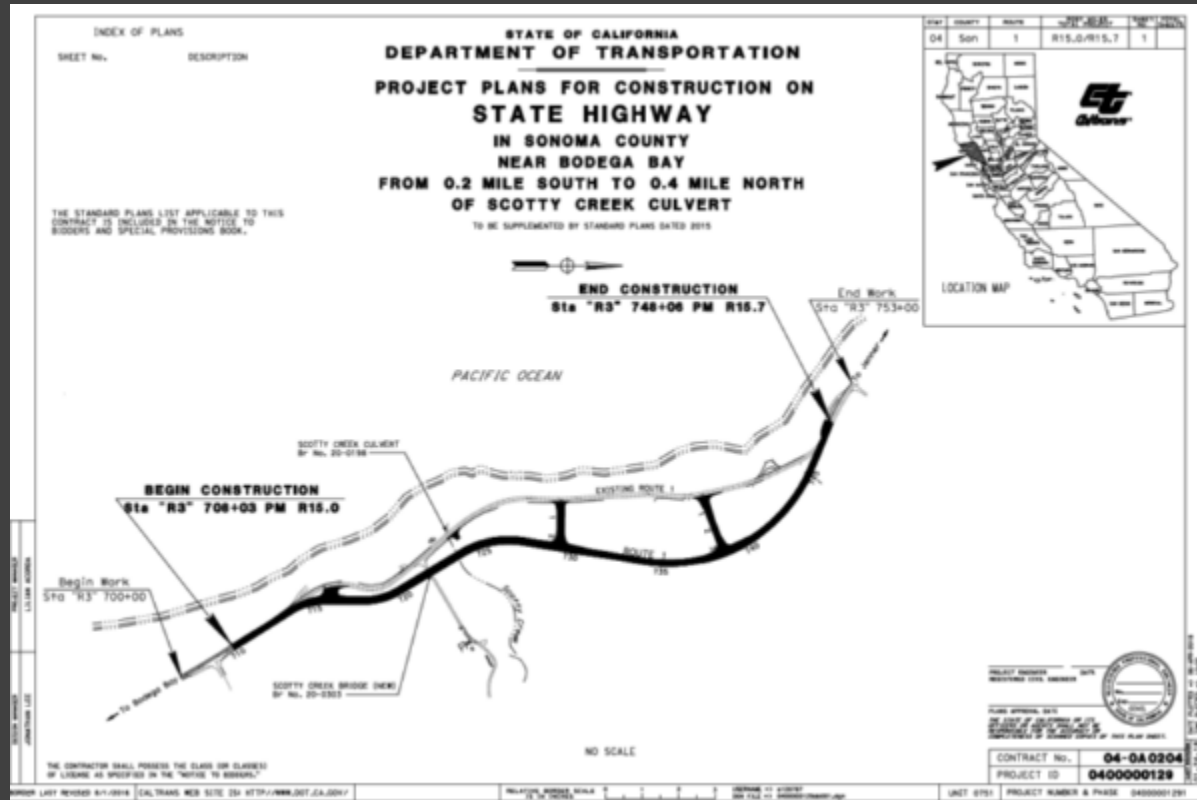


Archaeology & Bridge Projects

- When we excavate for bridge projects, encountering archaeology resources is very possible because:
 - Landform age, archaeological sites in the vicinity, and **proximity to water** factor into the cultural sensitivity of a project area



Gleason Beach/Scotty Creek



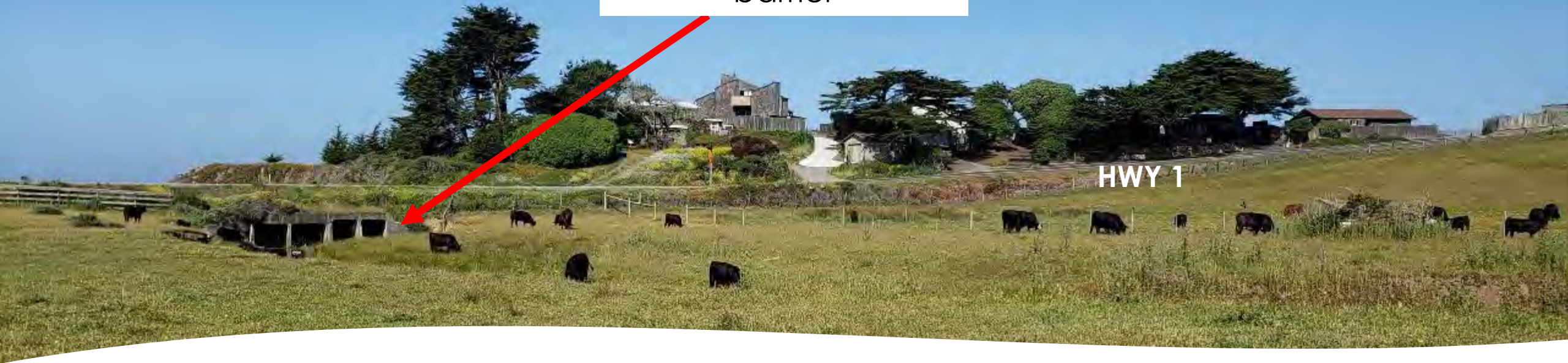
Roadway Realignment Project



Project Location – Sonoma County, HWY 1



Culvert=fish passage
barrier



Gleason Beach/Scotty Creek

- Scotty Creek is funded in the Gleason Beach Roadway Realignment
- Project barrier to ~3.8 miles of habitat for Central CA Coast Steelhead (threatened) and also Central CA Coast Coho (endangered)



Ritchie Creek



Culvert Replacement
Project



Project Location – Napa
County, HWY 29



Ritchie Creek

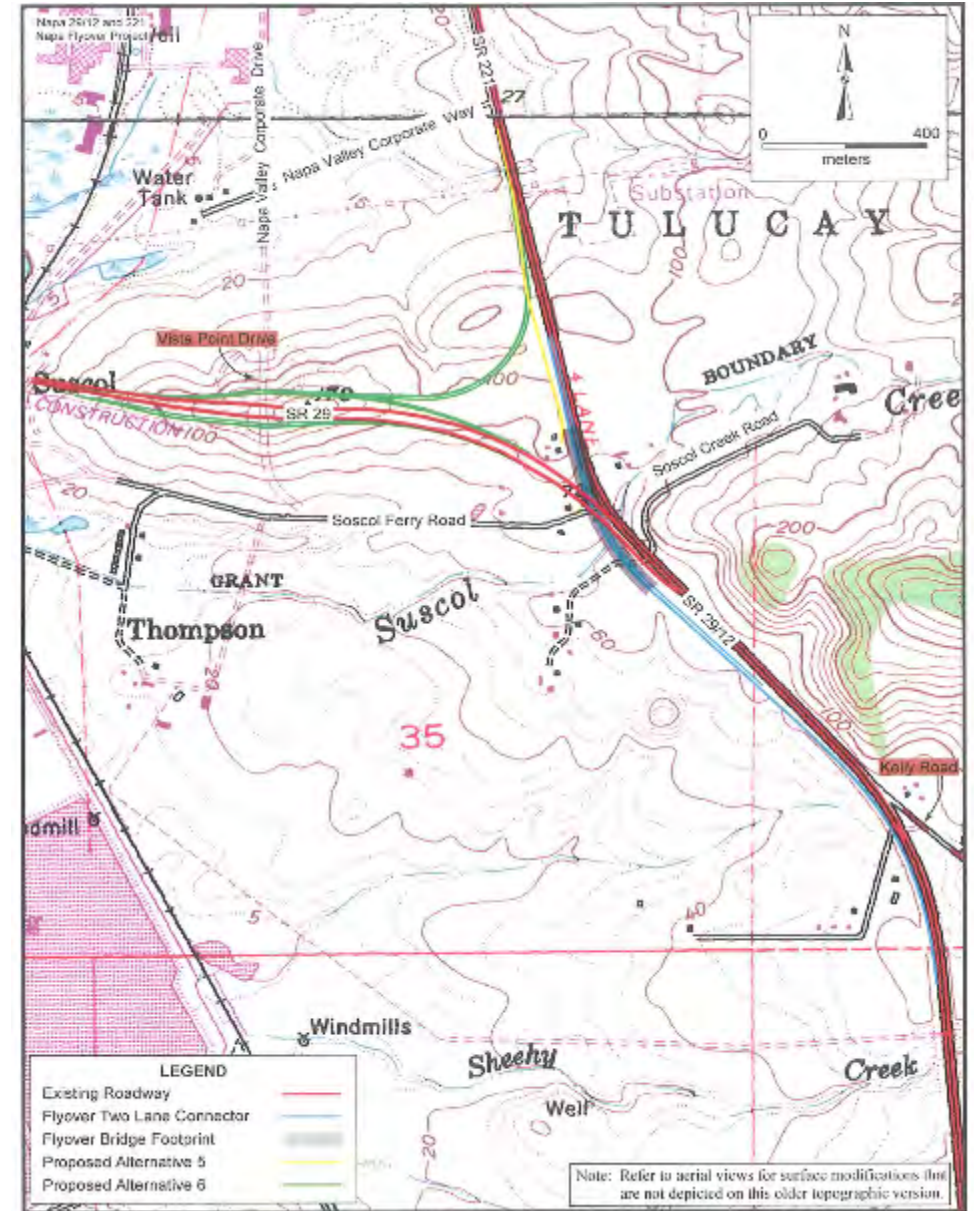
- Current Funded & Active Priority Barrier
- ~2.3 miles of habitat for Central CA Coast Steelhead (threatened)
- Unique project for Caltrans that only exists for fish passage



Suscol Creek



Interchange Improvement Project



Project Location – Napa County, HWYS 29/12/221



Suscol Creek Project

- Barrier for Central California Coast Steelhead (threatened)
- Impacts to archaeological site are occurring from fish passage improvements
- Data recovery is proposed as part of mitigation for adverse impacts to the site





Accounting for Archaeological Sites in Caltrans Projects with Fish Passage

- Protect archaeological sites wherever possible
- Avoidance, minimization, and mitigation of archaeological sites
- Data Recovery Plans with Native American Collaboration



Mitigation for Adverse Effects to Archaeological Resources

- Creative mitigation via collaboration with Native American groups and other parties
- Mitigation measures pass through review & approval processes
- Mitigation measures are different for each project



What Does this Mean for You?

To avoid impacting archaeological sites, Caltrans Archaeologists may ask to explore avoidance and mitigation measures, such as:

- a) Placing new piers in the same footprints;
- b) Limiting ground disturbance and cut/fill activities;
- c) Accommodating excavations to retrieve archaeological data;
- d) Including Tribal monitors during construction.



Built Resources & Fish Passage Projects

Helen Blackmore
Branch Chief, Architectural History
Office of Cultural Resource Studies



Caltrans Historic Bridge Inventory

- Original survey in 1986; updated in 2004, 2010, and 2016
- Now all bridges in California constructed **through 1974** have been surveyed for historic status
- Both on State Highway system and local roads

35C0016	SAN FRANCISQUITO CREEK	0.3 MI N OF I-280	5. Bridge not eligible for NRHP	1950
35C0017	AIRPORT BLVD UNDERPASS	0.1 MI N SAN MATEO AVE	4. Historical Significance not determined	1927
35C0018	PESCADERO CREEK	2 MI E BUTANO CUTOFF	2. Bridge is eligible for NRHP	1937
35C0021	COLMA CREEK	S/O SAN MATEO AVE	5. Bridge not eligible for NRHP	1977
35C0024	PURISMA CREEK	0.1 MI S PURISMA CRK RD	5. Bridge not eligible for NRHP	1987
35C0025	PILARCITOS CREEK	0.25 MI S/O SR 92	1. Bridge is on NRHP	1900
35C0028	SOUTH SAN FRANCISCO OH	0.2 MI. N. OF VALLEY DR.	5. Bridge not eligible for NRHP	1928
35C0029	SAN FRANCISQUITO CREEK	0.01 MI S WOODLAND AVE	5. Bridge not eligible for NRHP	1925

<https://dot.ca.gov/programs/environmental-analysis/cultural-studies/california-historical-bridges-tunnels>



Applicability of the National Register Criteria to Historic Bridges

- Criterion A, for significant contributions to the development of a community or industry.
- Criterion B, very rare.
- Criterion C, for its design, as an early example of a type, or for its association with a master engineer.
- Criterion D, very rare.



Historic Bridge: What this means for you...

- If you're working on a bridge that was determined to be historic, you will have to work closely with Cultural Resource architectural historians to:
 - come up with compatible designs,
 - consider design exceptions, and determine feasibility





Suscol Creek, Part II

- Historic bridge encased by the new roadway bridge.
- Historic Soscol House adjacent to the project.



Ritchie Creek Part II

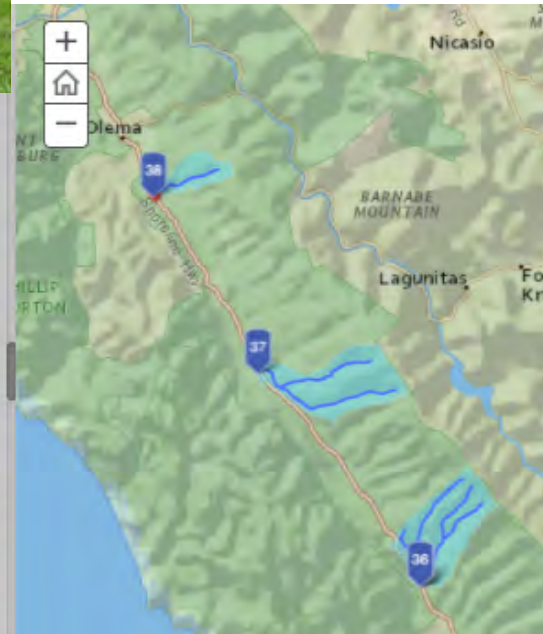
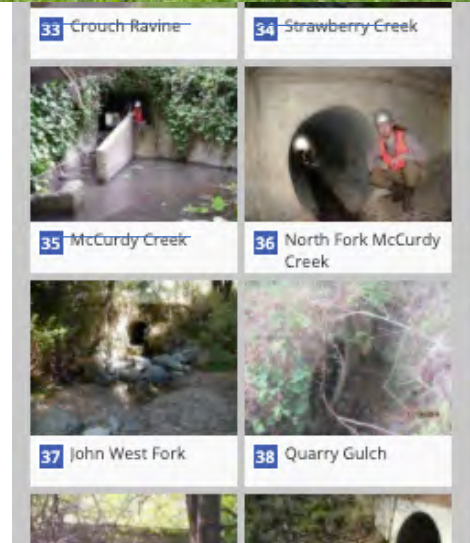
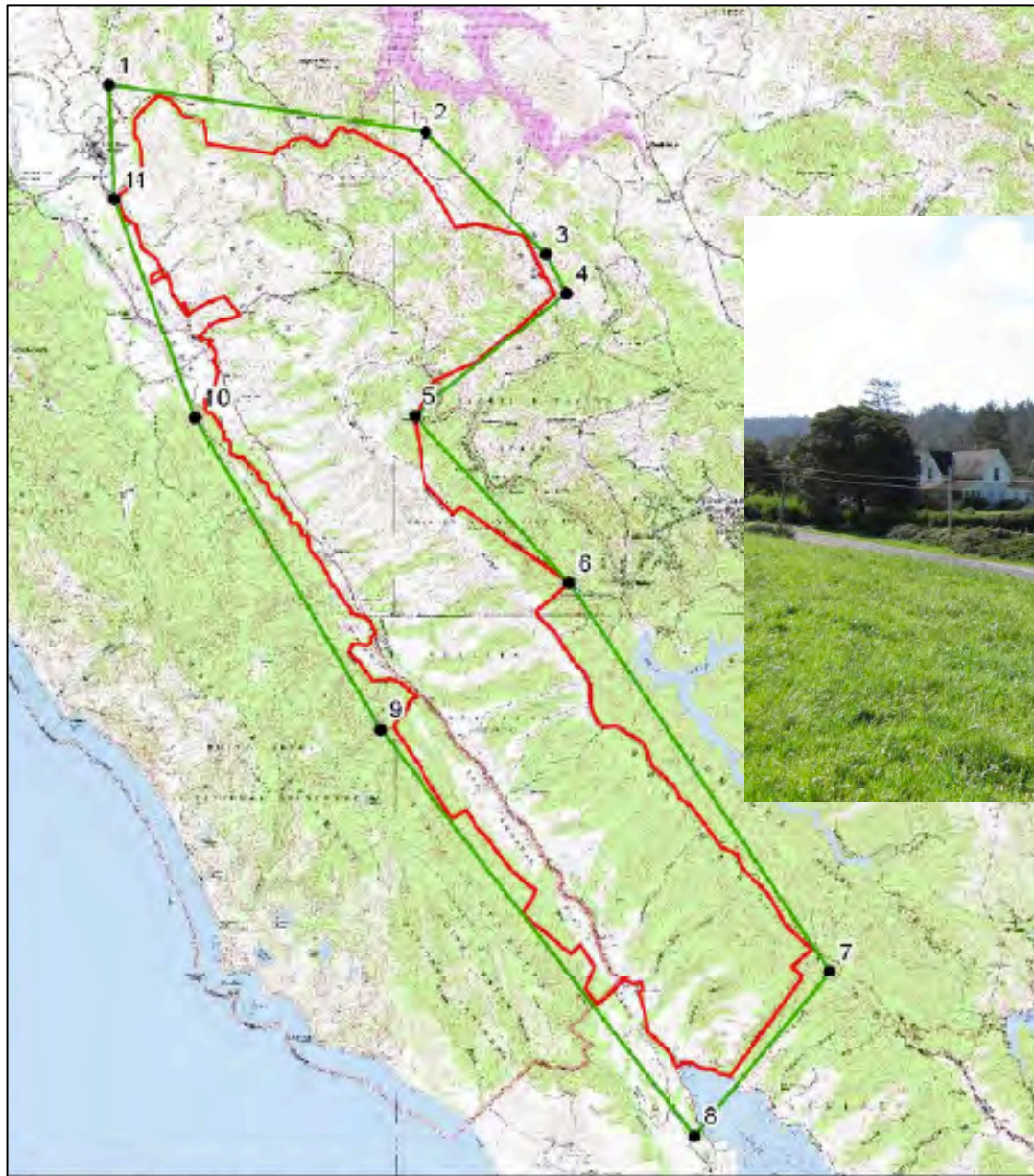
Cavanaugh-Wright Residence: Historic building with contributing features



Olema Valley Diary Ranches Historic District

Contributing features include, but not limited to:

Residences, barns, masonry walls, trees, and roadways





Today's Speakers' Contact Information:

Christopher Caputo – Chief, Office of Cultural Resource Studies, District 4
christopher.caputo@dot.ca.gov

Althea Asaro – Associate Environmental Planner (Archaeology)
Office of Cultural Resource Studies, District 4
althea.asaro@dot.ca.gov

Sarah Allred – Branch Chief, Native American Cultural Studies,
Cultural Studies Office, Headquarters
sarah.allred@dot.ca.gov

Helen Blackmore – Branch Chief, Architectural History, Office of Cultural Resource Studies, District 4
helen.blackmore@dot.ca.gov

THANK YOU