

Appendix C  
**Cultural Resources Survey**

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**A Cultural Resources Survey for the  
Gallo Winery Expansion Project  
18000 River Road, Livingston  
Merced County, California**

Eileen Barrow, M.A./R.P.A.

July 22, 2011



**A Cultural Resources Survey for the  
Gallo Winery Expansion Project  
18000 River Road, Livingston  
Merced County, California**

Prepared by:



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July 22, 2011

## **ABSTRACT**

Tom Origer & Associates conducted a cultural resources survey for the Gallo Winery Expansion Project. The project area is located just under 4.5 miles west of downtown Livingston, Merced County, California. This study was requested and authorized by Daniel Kjeldsen, Kjeldsen Biological Consulting, on behalf of E&J Gallo, in compliance with requirements of the County of Merced to obtain a use permit.

This study included archival research at the Northwest Information Center, Stanislaus State University (CCIC File No. 8003 I), examination of the library and files of Tom Origer & Associates, field inspection of the project location, and contact with the Native American community. Field survey found no resources within the study area. Documentation pertaining to this study is on file at the offices of Tom Origer & Associates (File No. 11-46S).

### **Synopsis**

Project: Gallo Winery Expansion Project  
Location: 18000 River Road, Livingston, Merced County, California  
Quadrangle: Turlock, California 7.5' series  
Study Type: Intensive survey  
Scope: 9.5 acres of land  
Finds: none

## **Project Personnel**

**Tom Origer** provided project oversight for this study. Mr. Origer obtained a Master of Arts degree in Anthropology from San Francisco State University in 1983, after obtaining a Bachelor of Arts degree in Anthropology at Sonoma State University in 1974. He has over thirty years of experience in cultural resources management throughout Northern California. His experience includes work that has been completed in compliance with local ordinances, CEQA, NEPA, and Section 106 (NHPA) requirements. Mr. Origer has been teaching archaeological analysis and field archaeology classes at Santa Rosa Junior College since 1979. He is affiliated with the Society for California Archaeology (Presidential duties from April 1998 to April 2001), the International Association for Obsidian Studies (charter member and President from 1990-1992), the Archaeological Institute of America (President of the North Coast Society from 1985 to 1987), the Society for American Archaeology, the Society for Historical Archaeology, and the Register of Professional Archaeologists (#10333).

**Eileen Barrow** has been working in cultural resources management since 2005 and is listed on the Register of Professional Archaeologists (#989269). She has a Master's degree in Cultural Resources Management from Sonoma State University. Mrs. Barrow has worked on dozens of projects designed to satisfy CEQA and Section 106 requirements. She is affiliated with the Society for American Archaeology, the Society for California Archaeology, the Sonoma County Historical Society, and the Cotati Historical Society.

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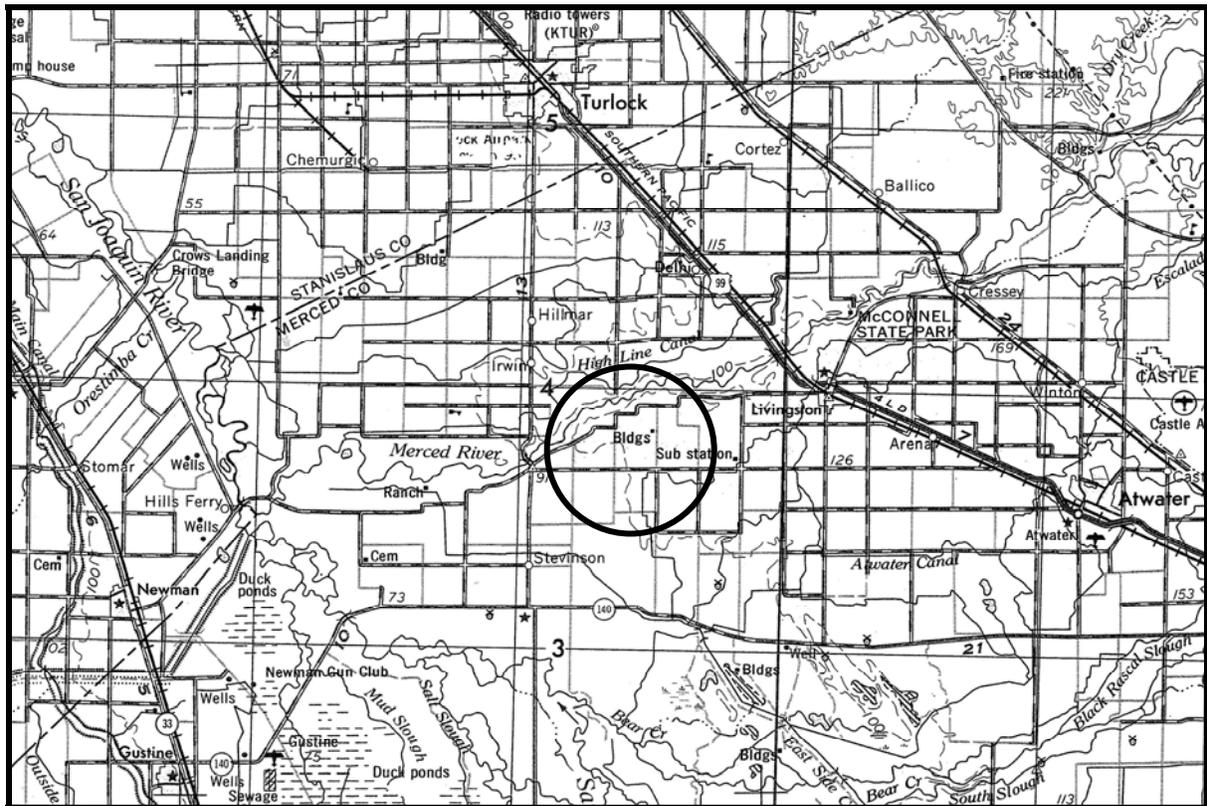
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## INTRODUCTION

This report describes a cultural resources survey for the Gallo Winery Expansion Project. The study area is located at 18000 River Road, Livingston, Merced County, California (Figure 1). This study was requested and authorized by Daniel Kjeldsen, Kjeldsen Biological Consultants on behalf of E&J Gallo, in compliance with requirements of the County of Merced for a use permit to expand an existing vineyard. Documentation pertaining to the study is on file at Tom Origer & Associates (File No. 11-46S).

## REGULATORY CONTEXT

The California Environmental Quality Act (CEQA) requires that cultural resources be considered during the environmental review process. This is accomplished by an inventory of resources within a study area and by assessing the potential that cultural resources could be affected by development.



**Figure 1. Project vicinity** (adapted from the 1962 San Jose 1:250,000-scale USACE map).

This cultural resources survey was designed to satisfy environmental issues specified in the CEQA and its guidelines (Title 14 CCR §15064.5) by: (1) identifying all cultural resources within the project area; (2) offering a preliminary significance evaluation of the identified cultural resources; (3) assessing resource vulnerability to effects that could arise from project activities; and (4) offering suggestions designed to protect resource integrity, as warranted.

## **Resource Definitions**

Cultural resources are classified by the State Office of Historic Preservation (OHP) as sites, buildings, structures, objects and districts, and each is described by OHP (1995) as follows.

**Site.** A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

**Building.** A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail, or a house and barn.

**Structure.** The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

**Object.** The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.

**District.** A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

## **Significance Criteria**

When a project might affect a cultural resource, the project proponent is required to conduct an assessment to determine whether the effect may be one that is significant. Consequently, it is necessary to determine the importance of resources that could be affected. The importance of a resource is measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852(a)) as listed below. A resource may be important if it meets any one of the criteria below, or if it is already listed on the California Register of Historical Resources or a local register of historical resources.

An important historical resource is one which:

1. Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. Is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values.
4. It has yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, eligibility for the California Register requires that a resource retains sufficient integrity to convey a sense of its significance or importance. Seven elements are considered key in considering a property's integrity: location, design, setting, materials, workmanship, feeling, and association.

Additionally, the OHP advocates that all historical resources over 45 years old be recorded for inclusion in the OHP filing system (OHP 1995:2), although the use of professional judgment is urged in determining whether a resource warrants documentation.

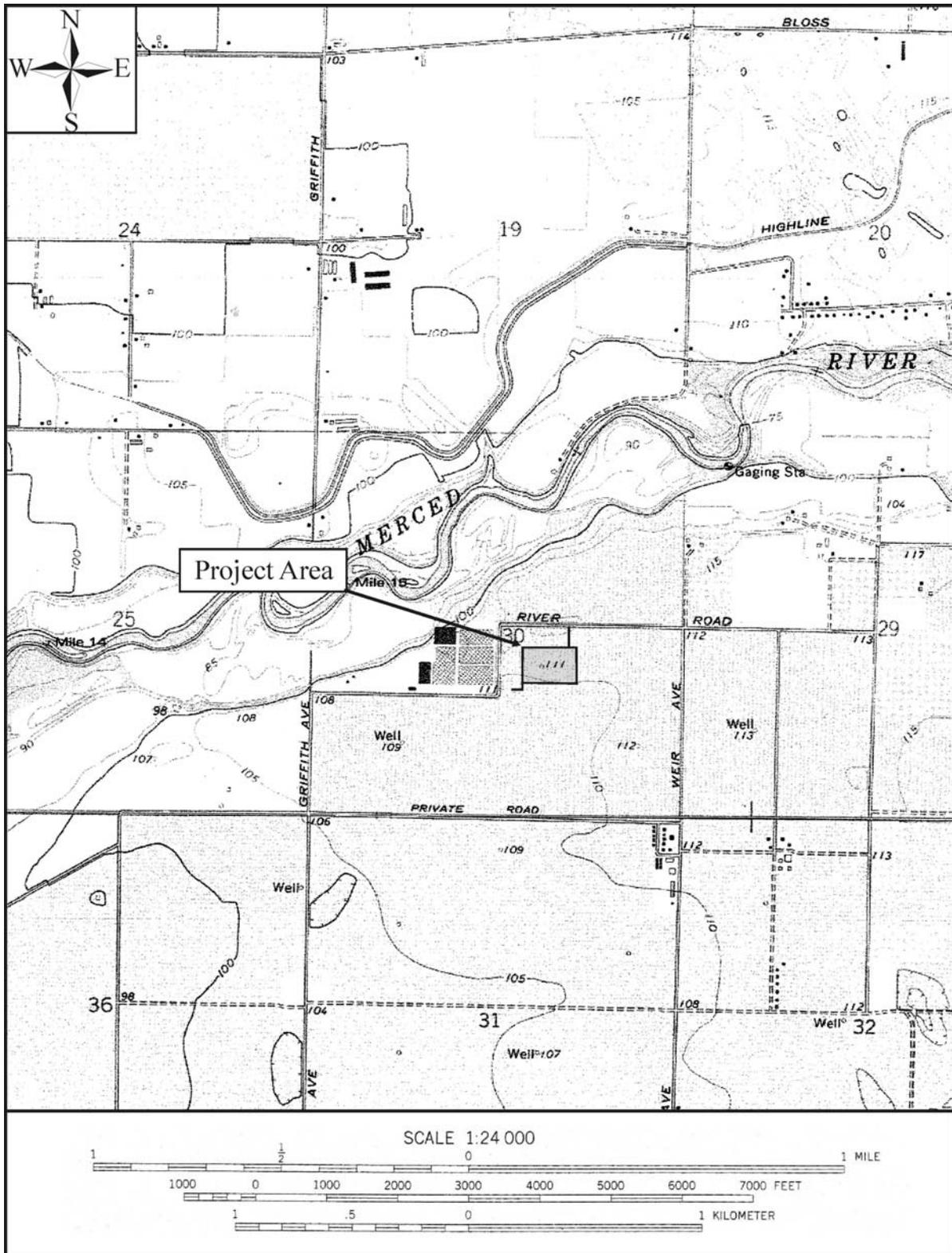
## **PROJECT SETTING**

### **Study Area Location and Description**

The study area consists of 9.5 acres and is located in north central Merced County, just under 4.5 miles west of the city of Livingston, as shown on the Turlock 7.5' USGS topographic map (Figure 2). The project proponent is seeking to expand the existing vineyard located at 18000 River Road.

Soils in the study area consist of Delhi Series soils (United States Department of Agriculture 2011). These are excessively drained soils on dunes. These soils are very deep and are formed in wind-modified alluvium derived from granitic rock sources. These units are suitable for irrigated crops, orchards, and vineyards.

The project area includes well-drained soils which could have supported a variety of plants that would have served as food and cover for animals. Fresh water resources were available at the Merced River located just over 1500 feet to the northwest. The presence of these attributes suggests that the study area would have been suitable to prehistoric occupants as a place to live, gather resources, and hunt.



**Figure 2. Study location** (adapted from the 1961 [photorevised 1976] Turlock and the 1961 [photorevised 1987] Stevinson 7.5' USGS topographic map).

## **Cultural Setting**

Archaeological evidence indicates that human occupation of California began at least 12,000 years ago (Moratto 1984:71). Early occupants appear to have had an economy based largely on hunting, with limited exchange, and social structures based on the extended family unit. Later, milling technology and an inferred acorn economy were introduced. This diversification of economy appears to be coeval with the development of sedentism and population growth and expansion. Sociopolitical complexity and status distinctions based on wealth are also observable in the archaeological record, as evidenced by an increased range and distribution of trade goods (e.g., shell beads, obsidian tool stone), which are possible indicators of both status and increasingly complex exchange systems.

At the time of European settlement, the study area was situated in an area controlled by the Northern Valley Yokuts (Wallace 1978). The Northern Valley Yokuts were hunter-gatherers who lived in rich environments that allowed for dense populations with complex social structures (Kroeber 1925; Wallace 1978). They settled in large, permanent villages about which were distributed seasonal camps and task-specific sites. Primary village sites were occupied throughout the year and other sites were visited in order to procure particular resources that were especially abundant or available only during certain seasons. Sites often were situated near fresh water sources and in ecotones where plant life and animal life were diverse and abundant.

## **STUDY PROCEDURES AND FINDINGS**

### **Archival Study Procedures**

Archival research included examination of the library and project files at Tom Origer & Associates. A review (CCIC File No. 8003 I) was completed of the archaeological site base maps and records, survey reports, and other materials on file at the Central California Information Center (CCIC), Stanislaus State University, Turlock. Sources of information included but were not limited to the current listings of properties on the National Register of Historic Places (National Register), California Historical Landmarks, California Register of Historical Resources (California Register), and California Points of Historical Interest as listed in the Office of Historic Preservation's *Historic Property Directory* (OHP 2011).

The Office of Historic Preservation has determined that structures older than 45 years should be considered potentially important historical resources, and former building and structure locations could be potentially important historic archaeological sites. Archival research included an examination of historical maps to gain insight into the nature and extent of historical development in the general vicinity, and especially within the study area. Maps ranged from hand-drawn maps of the 1800s (e.g., GLO plats) to topographic maps issued by the United States Geological Survey (USGS) and the Army Corps of Engineers (USACE) from the early to the middle 20th century.

In addition, ethnographic literature that describes appropriate Native American groups, county histories, and other primary and secondary sources were reviewed. Sources reviewed are listed in the "Materials Consulted" section of this report.

### **Archival Study Findings**

Archival research found that no cultural resources were recorded within the project area. However, the project area had not been previously surveyed. No sites have been recorded within a one-half mile radius of the project area.

No ethnographic villages are reported in the vicinity of the project area (Wallace 1978).

Historical maps show no buildings or structures within or adjacent to the project area (GLO 1855; USACE 1947; USGS 1917, 1948, 1961, 1962).

### **Native American Contact**

The State of California's Native American Heritage Commission was contacted in writing. A log of contact efforts is provided at the end of this report (Appendix A).

### **Field Survey Procedures**

Field survey was completed by Eileen Barrow on July 15, 2011. Visibility was excellent to fair, with vegetation being the chief hindrance. A hoe was used to clear small patches of vegetation, as needed, so that the ground and sub-soils could be inspected and two auger holes were excavated.

Based on the distribution of known cultural resources and their environmental settings, it was anticipated that prehistoric archaeological sites could be found within the study area. Prehistoric archaeological site indicators expected to be found in the region include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements such as slabs and handstones, and mortars and pestles; bedrock outcrops and boulders with mortar cups; and locally darkened midden soils containing some of the previously listed items plus fragments of bone, shellfish, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

### **Field Survey Findings**

No cultural resources were found during our study.

## **RECOMMENDATIONS**

No cultural resources were identified during this study, and no resource specific recommendations are warranted. Please see recommendation below for accidental discovery procedures.

### **Accidental Discovery**

There is the possibility that buried archaeological deposits could be present and accidental discovery could occur. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds (§15064.5 [f]). Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

The following actions are promulgated in Public Resources Code 5097.98 and Health and Human Safety Code 7050.5, and pertain to the discovery of human remains. If human remains are encountered, excavation or disturbance of the location must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission. The Native American Heritage Commission will identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations regarding the treatment of the remains with appropriate dignity.

## **SUMMARY**

Tom Origer & Associates conducted a cultural resources survey for the Gallo Winery Expansion Project. The project area is located at 18000 River Road, Livingston, Merced County, California. The study was requested and authorized by Daniel Kjeldsen, Kjeldsen Biological Consultants, in compliance with requirements of the County of Merced for a use permit. No cultural resources were found during the course of our survey, and no resource specific recommendations are warranted.

## **MATERIALS CONSULTED**

Fredrickson, D.

1984 The North Coastal Region. In *California Archaeology*, edited by M. Moratto. Academic Press, San Francisco.

General Land Office

1855 Plat of T6S;R11W. Department of the Interior, Washington, D.C.

Hoover, M., H. Rensch, E. Rensch, W. Abeloe

1966 *Historic Spots in California*. 3rd edition. Stanford University Press. Stanford.

Hoover, M., H. Rensch, E. Rensch, W. Abeloe, and D. Kyle

1990 *Historic Spots in California*. 4th edition, Stanford University Press. Stanford.

2002 *Historic Spots in California*. 5th edition, Stanford University Press. Stanford.

Kroeber, A.

1925 *Handbook of the Indians of California*. Bureau of American Ethnology, Bulletin 78, Smithsonian Institution, Washington, D.C.

Wallace, W.

1978 Northern Valley Yokuts. In *California*, edited by R. Heizer, pp. 462-470. Handbook of North American Indians, Vol. 8, W. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

Moratto, M.

1984 *California Archaeology*. Academic Press, San Francisco.

Office of Historic Preservation (OHP)

1995 *Instructions for Recording Historic Resources*. Office of Historic Preservation, Sacramento.

2011 *Historic Property Directory*. Office of Historic Preservation, Sacramento.

State of California Department of Parks and Recreation

1976 *California Inventory of Historic Resources*. Department of Parks and Recreation, Sacramento.

United States Army Corps of Engineers

1947 Turlock 7.5' quadrangle. Department of the Interior, Washington, D.C.

United States Department of Agriculture

2011 Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov>

United States Geological Survey

1917 Turlock 7.5' quadrangle. Geological Survey, Washington, D.C.

1948 Turlock 7.5' quadrangle. Geological Survey, Washington, D.C.

1961 Turlock 7.5' quadrangle. Geological Survey, Washington, D.C.

1962 Turlock 15' quadrangle. Geological Survey, Washington, D.C.

**APPENDIX A: Native American Contact**

Contact Log  
Correspondence and Maps

**Native American Contact Efforts  
Gallo Winery Expansion Project  
18000 River Road, Livingston, Merced County, California**

<b>Organization</b>	<b>Contact</b>	<b>Letters</b>	<b>Results</b>
Native American Heritage Commission	Katy Sanchez	7/11/11	A fax was received on 7/22/2011 stating that they did not know of any resources within the project area. A list with additional contacts was provided.

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

**NATIVE AMERICAN HERITAGE  
COMMISSION**915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-4082  
Fax (916) 657-5390

July 21, 2011

Eileen Barrow  
Tom Origer & Associates  
P.O. Box 1531  
Rohnert Park, CA 94927Sent by Fax: 707-584-8300  
Number of Pages: 2

RE: Gallo Livingston Project 18000 River Road, Livingston, Merced County

Dear Ms. Barrow:

A record search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file 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.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. 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. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,

A handwritten signature in black ink, appearing to read "Katy Sanchez".

Katy Sanchez  
Program Analyst

**Native American Contact List**  
**Merced County**  
**July 21, 2011**

Southern Sierra Miwuk Nation  
 Jay Johnson, Spiritual Leader  
 5235 Allred Road  
 Mariposa , CA 95338  
 209-966-6038

Miwok  
 Pauite  
 Northern Valley Yokut

Southern Sierra Miwuk Nation  
 Les James, Spiritual Leader  
 PO Box 1200  
 Mariposa , CA 95338  
 209-966-3690

Miwok  
 Pauite  
 Northern Valley Yokut

North Valley Yokuts Tribe  
 Katherine Erolinda Perez  
 PO Box 717  
 Linden , CA 95236  
 (209) 887-3415  
 canutes@verizon.net

Ohlone/Costanoan  
 Northern Valley Yokuts  
 Bay Miwok

Amah Mutsun Tribal Band  
 Edward Ketchum  
 35867 Yosemite Ave  
 Davis , CA 95616  
 aerieways@aol.com

Ohlone/Costanoan  
 Northern Valley Yokuts

Southern Sierra Miwuk Nation  
 Anthony Brochini, Chairperson  
 P.O. Box 1200  
 Mariposa , CA 95338  
 tony\_brochini@nps.gov  
 209-379-1120  
 209-628-0085 cell

Miwok  
 Pauite  
 Northern Valley Yokut

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for proposed Gallo Livingston Project, 18000 River Road, Livingston, Merced County.