

APPENDIX D

Native American Consultation

July 19, 2006

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Debbie Pilas-Treadway
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, Ca 95814

Subject: Cultural Resource Investigations for the Proposed Feather River Levee Setback Project, Yuba County, California

Dear Ms. Treadway

The Three Rivers Levee Improvement Authority is assessing three alternatives to correct deficiencies on the existing left (east) levee of the Feather River and the left (south) levee of the Yuba River, a project which will require approval from the U.S. Army Corps of Engineers. As outlined by the Advisory Council on Historic Preservation (ACHP) in regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Section 800.2(c)(2), federal agencies, are required to consult with Indian tribes that attach religious and traditional significance to historic properties that may be affected by an undertaking [Section 101(d)(6)(A)]. Moreover, historic properties of religious and cultural significance to Indian tribes may be eligible for listing in the National Register, and Section 101(d)(6)(B). On behalf of the Army Corps of Engineers we are bringing this project to your attention in order to solicit input and concerns

Three alternatives are being assessed for the project. The first would consist of strengthening the existing levees in areas which are highlighted on the attached maps. Alternatives 2 and 3 would consist of strengthening portions of the existing levee as well as replacement of a portion with a new levee, setback to the east, and depicted by the red and green alignments depicted on the attached maps. The Area of Potential Affects (APE) for this undertaking consists of the existing levee, 300 foot rights-of-way for the proposed new levees, lands between the existing levee and proposed realignments which would be subjected to seasonal flooding, and as yet to be defined borrow pit locations. Construction will involve excavations up to 10 meters in depth and grading using heavy equipment.

Preliminary records search information indicates the location of one site adjacent to the easternmost proposed levee realignment, and two others in the vicinity. All three sites are known to contain human remains within an occupational matrix, and indicate the potential for other cultural sensitive locales to be present.

We would appreciate any additional information you can provide regarding prehistoric, historic, or ethnographic Native American land use, and contemporary Native American values that may be present near or within the project area. We would also like to request a search of the NAHC Sacred Land files.

Please send via mail or facsimile a listing of local Native American groups or representatives at your earliest convenience, so that we may contact appropriate

UNITED STATES

EUROPE

AUSTRALIA

ASIA



individuals and include their concerns and any additional information in the planning process.

If you have any questions or comments feel free to contact me at my office. I can be reached by email at deisr@edaw.com, or by phone at 916-414-5878. I look forward to hearing from you soon.

Sincerely,

Richard W. Deis
Project Archaeologist

Enclosures: Copies of Nicholas and Olivehurst Quad Maps

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
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Web Site www.nahc.ca.gov



May 26, 2006

Richard W. Deis
Project Archaeologist
EDAW

Sent by Fax: 916-414-5850
Number of Pages : 2

Re: Proposed Feather River Levee Setback project, Yuba County.

Dear Mr. Deis:

A record search of the sacred land 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. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. 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) 653-4038.

Sincerely,

Debbie Pilas-Treadway
Environmental Specialist III

A handwritten signature in black ink, appearing to read "Debbie Pilas-Treadway", written over the typed name and title.

Native American Contacts
Yuba County
May 25, 2006

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 (530) 257-9691

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

Distribution of this list does not relieve any person of 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 for the proposed Feather River Levee Setback project, Yuba County.