Appendix G – National Historic Preservation Act Consultation

Introduction

Consultation with the Montana State Historic Preservation Office (SHPO) began with a request for a search of files to identify any historic properties previously recorded within the area of potential effects of the Intake Project (table G.1). This file search request was e-mailed on May 1, 2009. The SHPO responded on May 11, 2009 with a list of determinations of eligibility, previously recorded sites, and a list of cultural resources reports in the area of potential effects.

On October 15, 2009, Reclamation sent a letter to the SHPO continuing consultation on the Intake Project (see below). The letter enclosed detailed information about the location of the proposed federal undertaking, identification of historic properties, and effects determination, and proposed mitigation measures. In addition, Reclamation offered to meet to discuss the proposed federal undertaking.

Table G.1 – File Search Request Sent to Montana SHPO on May 1, 2009.

<table>
<thead>
<tr>
<th>TOWNSHIP</th>
<th>RANGE</th>
<th>SECTION</th>
<th>COUNTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>T18N</td>
<td>R56E</td>
<td>Sections 25, 35, and 36</td>
<td>Dawson</td>
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<tr>
<td>T18N</td>
<td>R57E</td>
<td>Sections 30 and 31</td>
<td>Dawson</td>
</tr>
<tr>
<td>T17N</td>
<td>R56E</td>
<td>Sections 1 and 2</td>
<td>Dawson</td>
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<tr>
<td>T17N</td>
<td>R57E</td>
<td>Section 6</td>
<td>Dawson</td>
</tr>
</tbody>
</table>
Subject: Consultation on Intake Diversion Dam Modification, Lower Yellowstone Project, and Notification of Potential Adverse Effects on Historic Properties

SHPO Project Designation Number: 2009051102

Dear Dr. Baumler:

In compliance with 36 CFR Parts 800.3, 800.4, and 800.5 the U.S. Department of the Interior, Bureau of Reclamation, is continuing consultation on the Intake Diversion Dam Modification, Lower Yellowstone Project. Reclamation and the U.S. Army Corps of Engineers (Corps) are proposing to modify Intake Diversion Dam. Reclamation is the lead Federal agency and is responsible for compliance with the National Historic Preservation Act (36 CFR Part 800.2(a)) for this proposed Federal undertaking. Reclamation and the Corps are currently preparing a draft environmental assessment for the proposed Federal undertaking.

The proposed Federal undertaking is located at Intake, Dawson County, Montana (see enclosure figure 1). The legal descriptions of the undertaking are Township 18 North, Range 56 East, Sections 25, 35, and 36; Township 18 North, Range 57 East, Sections 30 and 31; Township 17 North, Range 56 East, Sections 1 and 2; and Township 17 North, Range 57 East, Section 6 (see enclosure figure 1). Ownership of land in the area of potential effects (APE) is a mixture of federal, state, and private (see enclosure figure 2).

The proposed action is needed to:

- Improve upstream and downstream fish passage for adult pallid sturgeon and other native fish in the lower Yellowstone River,
- Minimize entrainment of pallid sturgeon and other native fish into the Lower Yellowstone Project main canal,
- Continue effective operation of the Lower Yellowstone Project in compliance with the Endangered Species Act, and
- Contribute to restoration of the lower Yellowstone River ecosystem.

Three alternatives are being evaluated in the Intake Diversion Dam Modification, Lower
Yellowstone Project, Draft Environmental Assessment (Intake EA), as described in the enclosure. The Rock Ramp is the preferred alternative, and without mitigation, will result in Adverse Effects to several historic properties. The public has been notified of this proposed Federal undertaking through the National Environmental Policy Act scoping meetings held last fall, and will be given an opportunity to comment on summary cultural resource information in the Intake EA this fall, and to attend public meetings. Along with the public scoping meetings, a total of 25 tribes in the upper Missouri Basin were sent letters notifying them of the proposed project. Follow-up telephone calls were made to each tribe, and none expressed interest in it.

Enclosed is detailed information about the location of the proposed Federal undertaking, alternatives considered, identification of historic properties, effects determination, and proposed mitigation measures. Reclamation is planning to continue consultation with your office, on preparation of a formal memorandum of agreement stipulating the mitigation and treatment plan. If you have any questions about this proposed Federal undertaking or would like to schedule a meeting to discuss it, please feel free to contact me at 406-247-7666.

Sincerely,

WILLIAM B VINCENT
William Vincent
Area Archaeologist

Enclosure

cc: Ms. Sandy Barnum
U.S. Army Corps of Engineers
1616 Capitol Ave,
Omaha, NE 68102

bc: 84-53000 (Lincoln)
DK-5000 (Sorland)
GP-42000 (Coutant)
MT-200, MT-221, MT-227, MT-745

WBR: WVinc...
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