



# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470



IN REPLY REFER TO:

LC-2632  
ENV-3.00

JUN 30 2005

CMX

JUL 05 2005

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. James Garrison  
State Historic Preservation Officer  
Arizona State Parks  
1300 West Washington  
Phoenix, Arizona 85007

Subject: Wellton-Mohawk Title Transfer - Response to State Historic Preservation Officer (SHPO) Letter Dated June 22, 2005

Dear Mr. Garrison:

This letter is written to address comments in your letter dated June 22, 2005 (enclosed). Your letter was written in response to our letter dated May 20, 2005 requesting concurrence on eligibility determinations and our finding of adverse affect for the Wellton-Mohawk Title Transfer (letter dated May 20, 2005 enclosed). Those items requiring clarification are addressed herein. The Bureau of Reclamation would also like to take this opportunity to reiterate our position on various points of concern including the Native American comment period, adequacy of survey design and sampling methods, and the status of on-going tribal consultation.

Response to SHPO's comment #5: The SHPO concurred on the eligibility of 58 of 65 sites on non-transfer lands. The 58 eligible sites are listed in Table 1 of our letter. We are now requesting your concurrence on the *non-eligibility* on the following seven sites:

<u>Site No.</u>	<u>Description</u>	<u>Prehistoric/Historic (P/H)</u>
• X:3:421	Mining	H
• X:7:139	Rock Features	P
• X:7:30	Cleared Areas	P
• X:7:80	Trails/Mining	P/H
• X:7:81	Cleared Areas	P
• X:7:86	Mining	H
• X:7:87	Mining	H

Response to SHPO's comment #6: SHPO withheld final determination on the eligibility of 24 of 46 sites remaining in the Area of Potential Affect (APE) because: 1) few tribal comments have been received on the Traditional Cultural Properties (TCPs) Report; and 2) some groups,

particularly the Fort Yuma Quechan Tribe, previously declared that all sites are TCPs. This opinion was documented in the TCP report.

Unfortunately, this position was not well-supported by elders or tribal representatives during the four site visits conducted in conjunction with the TCP inventory. Furthermore, tribal representatives failed to divulge substantive information during any of the 20 consultation meetings held since 2002. For that reason, Reclamation advised its consultant, Statistical Research Inc. (SRI), to follow National Park Service Bulletin 38 guidelines when making eligibility recommendations. In consultation with SHPO, Reclamation urged SRI to associate traditional Yuman practices (e.g., dancing and singing at petroglyph and intaglio sites) with locations bearing place names. In the Wellton-Mohawk area, the Gila and Muggins Mountains have Yuman names and are considered important for their association with Yuman creation beliefs. Furthermore, the creation of the world and the cremation of the first Yuman, respectively, are significant events in Yuman historic traditions, and qualifies related sites for eligibility under Criterion a (see pages 49-54 in TCP report). These sites are also considered eligible under Criterion d for their information potential.

In response to tribal concerns, Reclamation and Wellton-Mohawk Irrigation and Drainage District (WMIDD) removed 2,124 acres of the most culturally sensitive lands in the Gila and Muggins Mountains from the APE. This decision removed 65 sites, including 24 potential TCPs, from the title transfer.

In our May 20, 2005 letter, we asked for SHPO's concurrence on the eligibility of 24 of 46 sites remaining in the project area (Table 2 in our letter). We currently are asking for your concurrence on the eligibility of one additional mining site, AZ X: 8:41, which raises the eligible sites in the project area to 25, all under Criterion d. We also are asking for your concurrence on the following 21 non-eligible sites:

<u>Site No.</u>	<u>Description</u>	<u>Prehistoric/Historic (P/H)</u>
• X:7:101	Mining	H
• X:7:137	Artifact Scatter/Ag	P/H
• X:7:50	Transportation	H
• X:7:57	Agriculture	H
• X:7:58	Agriculture	H
• X:7:74	Artifact Scatter/Ag	P/H
• X:7:75	Cleared Areas	P
• X:7:77	Mining	H
• X:7:92	Mining	H
• X:7:93	Mining	H
• X:7:94	Mining	H
• X:7:95	Mining	H
• X:7:96	Mining	H
• X:7:97	Mining	H
• X:8:39	Cleared Areas	P
• X:8:71	Agriculture	H

- X:8:72          Agriculture          H
- X:8:76          Transportation      H
- X:8:78          Agriculture          H
- Y:2:33          Transportation      H
- Y:5:36          Agriculture          H

You can see from the above list that there are no intaglios or rock art sites in the remaining transfer lands, with the exception of one site, AZ X: 8:70. This rock art site is located on a Reclamation parcel on a small hill surrounded by private land and is not directly associated with the Muggins or Gila Mountains, or any other named place. This site was visited during the March 24, 2005 field visit with tribes. No insights were gained on this specific area as a result of that visit. Although the site is recommended eligible under Criterion d, there is insufficient information to support its eligibility as a TCP under Criterion a. The Gila River Indian Community has recommended avoidance of this site.

#### Level of Effort/Sampling Design

Reclamation believes that a good faith effort was made to locate archaeological sites on transfer parcels per 36 CFR 800.4 (b) (1). In addition to locating the majority of sites in the project area, our stratified sample was designed to locate the types of cultural properties of concern to Native Americans. Archaeologists targeted landforms where sites are known to occur (within 400 meters of the lowest terraces above the river). The Class III portion of the inventory covered approximately 4,540 acres. The sampling design also statistically sampled other landforms deemed less sensitive (e.g., desert pavement and exposed bedrock surfaces). Based on limited tribal comments, the Class II inventory was expanded from 500 to 1,156 acres. An additional 2,283 acres were examined during the historic facilities inventory.

The project area has been reduced since the Class II and III inventories were performed, and the percentage of land sampled has changed. Excluding disturbed land (cultivated, floodplain, and irrigation facilities), 31% of the project area was inventoried (see "Recent Scenario" below). Although there is always potential for buried deposits in plow zones and floodplain contexts, locating them is often difficult. Nonetheless, a good faith effort to locate buried deposits was made by geomorphologist, Ms. Jill Onkin. By studying Landsat photography, soil map units, and digging 31 trenches (totaling 600-meters) in various Gila River contexts, Ms. Onkin assessed the potential for buried sites on transfer land. By her estimate, only 0.5% of the project area has high potential for buried archaeological deposits (see page 5.41 of archaeology report previously provided). Conversely, 82 percent of the project area has little or no potential.

**Original Scenario**, as of August 2003 (5,621 acres inventoried or 27% of undisturbed project area):

57,418 total acres  
(36,930) disturbed  
 20,488 undisturbed acreage

**Recent Scenario**, as of April 2005 (4,125\* acres inventoried or 31% of undisturbed project area). Total acres include 2,124 culturally sensitive acres still in project at time of inventory, minus 8,484 acres of non-Reclamation land discovered during land status verification process:

48,934 total acres  
 (35,779) disturbed acres  
 13,155 undisturbed acreage

\*Approximately 1,450 of 2,124 acres and 2,675 acres of remaining project area (46,810 acres as of April 2005) were inventoried.

Native American Consultation:

As you are aware, consulting tribes were provided 60 days to review the TCP and archaeology reports at their request. Comments were due on the TCP report by April 15, 2005 and comments on the archaeology report were due April 27, 2005. During this period, Reclamation voluntarily reduced the project area by 2,124 culturally sensitive acres. Tribes were promptly sent new maps of the project area and a list of the 46 sites remaining in the project area. As the 60 day comment period neared, several tribes requested additional time. Reclamation extended the comment period to May 15, 2005 for both reports. This allowed an 89 day review period for the TCP report and a 78 day review period for the archaeology report. The Gila River Tribal Community, Yavapai Prescott, and Fort McDowell Yavapai Nation are the only tribes that have commented on the project and site recommendations.

Reclamation was somewhat surprised by a letter sent by President Michael Jackson (Fort Yuma Indian Tribe) to Regional Director, Mr. Robert Johnson. Within a few days, Reclamation received nearly identical letters from the Cocopah Indian Tribe, Fort Mojave Indian Tribe, and Ak-Chin Indian Community (Copies of all tribal letters have been forwarded to SHPO for your review). The scope of their requests included, and also went beyond, cultural resource issues. Although Mr. Johnson was unable to address the tribe at the requested meeting on May 17, 2005, Yuma Area Office Manager, Mr. Jim Cherry scheduled a meeting for June 22, 2005. President Jackson's office has since cancelled and rescheduled the meeting for July 6, 2005. Meanwhile, tribal representatives did not attend consultation meetings in Yuma on May 26, or June 23, 2005. Reclamation asked for SHPO's concurrence on site eligibilities and a finding of adverse affect in our letter dated May 20, 2005.


As of this letter, it has been over four months (135 days) since the beginning of the tribal comment period. SHPO indicated that they would like 30 days to review this submittal and response to the clarifications we have provided to your questions. We are anxious to move forward, however, we will still consider tribal comments received during SHPO's review. Nevertheless, Reclamation feels that a reasonable period for comment has been afforded to the tribes and requests that further extensions of comment periods cannot be accommodated.

We hope that the tribes will continue to participate in the Section 106 process following the July 6, 2005 meeting. Although eligibility recommendations have been made, we will continue to invite their comments on mitigation measures and welcome their participation in development of the Memorandum of Agreement.

In summary, we request SHPO's concurrence on one additional eligible site, AZ X: 8:41 (erroneously omitted from our earlier submittal); the non-eligibility of seven sites on non-transfer lands; and non-eligibility of 21 sites on transfer lands. Reclamation also hopes that SHPO will concur with our recommendations on the 46 sites remaining in the project area, per our letter dated May 20, 2005. We have attempted to answer your questions related to eligibility, under Criterion a, of the 46 sites in the project area. In addition, we have attempted to clarify issues related to the adequacy of the sampling design and Native American comment periods. We are very appreciative of your patience and thoughtful advice throughout this long and continuing process.

If you have any further questions or comments, please feel free to contact Archeologist, Ms. Renee Kolvet, by phone at 702-293-2395 or by email at [rkolvet@lc.usbr.gov](mailto:rkolvet@lc.usbr.gov), or Mr. James Green by phone at 702-293-8519 or by email at [jgreen@lc.usbr.gov](mailto:jgreen@lc.usbr.gov).

Sincerely,



Deanna J. Miller, Director  
Resources Management Office

Enclosures – 2

cc: CMX, LLC  
Attn: Ms. Sheila Logan  
7740 North 16<sup>th</sup> Street, Suite 100  
Phoenix, AZ 85020

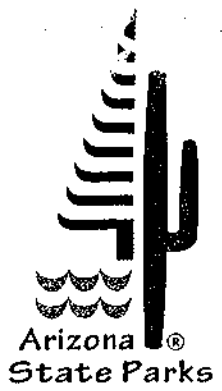


In reply refer to: SHPO-2002-402  
More information requested

8/8/05

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8/9	[Signature]	200
8/9	[Signature]	2600
8/9	[Signature]	2012
		2632
CLASSIFICATION		
PROJECT 1127-2005		
CONTROL NO		
FOLDER ID		
KEYWORD		

FAXE  
8/1/05



August 1, 2005

Deanna J. Miller, Director  
Resource Management Office  
Bureau of Reclamation  
Lower Colorado Regional Office  
P. O. Box 61470  
Boulder City, NV 89006-1470

Janet Napolitano  
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State Parks  
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Kenneth E. Travous  
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Attention: Renee Kolvet, Archaeologist

Re: Wellton-Mohawk Title Transfer; BR; SHPO-2002-402 (24595)

Dear Ms. Miller:

Thank you for continuing to consult with our office pursuant to 36 CFR 800 and for your response (received in our office on July 1, 2005) to our June 22 requests for additional information. Your letter answers those items and articulates Reclamation's position on a number of issues raised by Native American consulting parties. The letter described and summarized changes in the project area and a) identified numbers of acres and percent surveyed in the originally defined project area and b) the revised acreage and percent surveyed in the redefined project area. Ms. Kolvet later informed us by phone and email that the revised numbers and the percentage of surveyed areas were not correct and had been changed.

We have reviewed the documentation submitted and attended the July 28<sup>th</sup> meeting among Reclamation, Wellton-Mohawk, Tribes, and SHPO. Because there have been various changes in terms of the parcels involved in the transfer, we request clarification specifically related to the area of potential effect (APE). In the July 28 meeting and in previous meetings, Reclamation stated that 2,124 acres containing 65 sites would be excluded from the title transfer. Your letters of May 23, 2005 and June 30, 2005 request concurrence with Reclamation's determinations of eligibility for these sites pursuant to Section 106 and implementing regulations. Is your intent to include these 2,124 acres and 65 sites as part of the APE for this undertaking or do you intend to exclude them from the undertaking and consult about them as part of a separate Section 110 consultation?

This is important because it will clarify for everybody involved exactly which properties are part of the 106 consultation. It also affects how the consultation proceeds and how agreements and treatment measures are developed. If the 2,124 acres are not part of the APE, we are very interested in continuing to work with Reclamation and Tribes to protect these sites as part of your Section 110 responsibilities.

Letter to Ms. Miller  
August 1, 2005  
Page 2

Wellton-Mohawk Title Transfer


SHPO-2002-402

Please provide your rationale for defining the APE. Also, please provide the percent of acres that have been surveyed within your defined APE.

With regard to eligibility, have the resources identified within the APE been assessed against all historic property categories and by all criteria for evaluation?

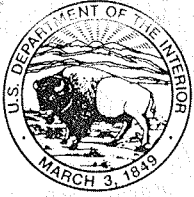
We look forward to hearing from you. I can be reached at (602) 542-7142 or by email at [jmedley@pr.state.az.us](mailto:jmedley@pr.state.az.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Anne Medley", with a long horizontal flourish extending to the right.

Jo Anne Medley  
Compliance Specialist/Archaeologist  
State Historic Preservation Office





# United States Department of the Interior



BUREAU OF RECLAMATION  
Yuma Area Office  
7301 Calle Agua Salada  
Yuma, Arizona 85364

IN REPLY REFER TO:

LC-2632  
YAO-7300  
ENV-3.00

AUG 26 2005

CMX

AUG 30 2005

CERTIFIED - RETURN RECEIPT REQUESTED (7004 1160 0002 5649 0863)

Mr. James Garrison  
State Historic Preservation Office  
Arizona State Parks  
1300 West Washington Street  
Phoenix, AZ 85007

Subject: Treatment of Wellton-Mohawk Irrigation and Drainage  
District (District) Irrigation System Buildings and  
Structures

Dear Mr. Garrison:

Enclosed please find our proposal for the treatment of the individually eligible and unique contributing elements of the District's irrigation system. The irrigation system was inventoried by Statistical Research, Inc., in conjunction with the proposed Wellton-Mohawk Title Transfer project (Thompson and Sterner, 2004). We received your general concurrence on our eligibility determinations in your letter dated April 29, 2005 (enclosed).

As relayed to Ms. Jo Ann Medley and Mr. William Collins, the District would like to demolish four houses (three of which are contributing elements of the Government Camp) prior to execution of the Memorandum of Agreement for the proposed Title Transfer project. This necessitates a separate action for this portion of this Federal undertaking. These houses are in a dilapidated condition and have lead and asbestos issues. Furthermore, the wiring and insulation is insufficient by today's standards. The District maintains that adequate housing is necessary to attract quality employees.

In summary, Reclamation and the District would like to proceed with the proposed treatments in the very near future. Respectfully, we request treatment of the irrigation system be handled as a separate action from the remainder of the proposed Title Transfer project.

**Wellton-Mohawk Irrigation and Drainage District Historic Irrigation System**  
Proposed Treatments (Recording and Photo-Documentation Plan)  
Prepared by R. Kolvet 8/23/05

**1) Report:** Architectural and historic narrative (context) of the Wellton-Mohawk Irrigation and Drainage District (District) as a component of the Gila Project (see Bischoff report on Parker Dam Camp);

- Associated documentation should include: Layouts (maps) of Government Camp and entire irrigation system; and Building/Structure forms (augment those in SRI/District Thompson and Sterner, 2004 report) showing construction dates, architect/builder, and full description of buildings.

**2) Suggested Treatments for Eligible Structures:** The following treatments are proposed for the four individually eligible sites/districts: Wellton-Mohawk Government Camp and Pumping Plants 1-3; and four unique contributing elements: Wasteway No. 1 on the Wellton-Mohawk Canal; self-regulating radial gate check, Dome Canal 1.4; E. Wellton 9.9 radial gate check with drop and relift station; and Texas Hill Canal 2.5. The following documentation is required:

Government Camp and Headquarters:

- Measured Drawings (“as built”) (reproduced on Mylar or cotton bond paper) for the eight floor plans (1G, 2G, 3D, 4D, 5R, 6A, 6B, and 6C) associated with the 21 National Registry of Historic Places (NRHP) eligible houses (Buildings 1-10 and 12-22). Architectural drawings of alterations should be provided for relocated, remodeled barracks. If unavailable, plan view and profile sketches should be prepared.
- Historic Photographs: Historic photographs for each eligible building. If unavailable, one view of each of the eight floor plans will suffice.
- Aerial Photographs of Camp: If available.
- Photo-documentation: Medium format black and white photographs (processed to HABS/HAER standards for archival permanency) and digital photographs (at least 300 dpi in TIF format) of:
  - a) All elevations of 21 building exteriors (no interior shots).
  - b) Street scenes showing relationships of buildings, common areas and administrative areas.

Pumping Plants 1, 2, and 3:

- Measured Drawings: Pumping Plants No. 1, 2 and 3: These plants are nearly identical. Measured drawing for any one of the three buildings should be provided.
- Historic Photographs: Photographs for each pump house, if available. If not, views of at least one of the three buildings should be provided.
- Photo-documentation: Medium format black and white photographs (processed to HABS/HAER standards for archival permanency) and digital photographs (at least 300 dpi in TIF format) of:
  - a) All exterior elevations of the three pump houses.
  - b) Interior shots of ceilings, fixtures, and other unique attributes (e.g., machinery).
  - c) Exterior shots showing location on the landscape.

Wasteway No.1 on the Wellton-Mohawk Canal;  
Self-regulating radial gate check, Dome Canal 1.4;  
E. Wellton 9.9 radial gate check with drop;  
Texas Hill Canal 2.5, relift station.

The following documentation is required for each of the above contributing features:

- Measured Drawings: for all four features.
- Historic Photographs: If available.
- Photo-documentation: Medium format black and white photographs (processed to HABS/HAER standards for archival permanency) and digital photographs (at least 300 dpi in TIFF format) of:
  - a) Shots of different views and components of each structure.
  - b) Overview shots placing structure in context.

**3) Nomination to NRHP:** Prepare Multiple Property Submission for eligible properties (or those that might become eligible) based on a period of significance, 1933-1961.

RKolvvet:08/23/05

Dir:7000\Simes\Proposed Treatments of WMIDD Bldgs Encls to 7300-08.006





# United States Department of the Interior



BUREAU OF RECLAMATION  
Yuma Area Office  
7301 Calle Agua Salada  
Yuma, Arizona 85364

IN REPLY REFER TO:

LC-2632

ENV - 3.0

**OCT 26 2005**

CERTIFIED - RETURN RECEIPT REQUESTED (7000 0520 0020 3820 7084)

James Garrison  
State Historic Preservation Office  
Arizona State Parks  
1300 West Washington  
Phoenix, AZ 85007

Subject: Wellton-Mohawk Title Transfer - Reclamation's Response  
to State Historic Preservation Officer (SHPO) (Your  
Letter dated August 1, 2005)

Dear Mr. Garrison:

This letter is in response to questions posed in your above-referenced letter (enclosed) regarding the Area of Potential Effect (APE), Reclamation's Section 110 obligations, and the acreage covered during the cultural inventory of lands proposed for title transfer to the Wellton-Mohawk Irrigation and Drainage District (WMIDD). We are once again requesting SHPO's concurrence on the eligibility of 24 of the 46 sites in the title transfer APE as of April 2005. SHPO has concurred with the eligibility determinations of 58 of the 65 sites under Criterion (d) as stated in your letter dated June 22, 2005 (enclosed). We requested your concurrence on the non-eligibility of the other seven sites in a subsequent letter dated June 30, 2005 (enclosed). Per 36 Code of Federal Regulations, Part 800.5(a)(2)(vii), the transfer of a historic property out of Federal ownership is an adverse effect in the absence of legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance. In light of further reductions in the APE discussed below, 17 potentially eligible sites (see Tables 2 and 3) remain in the title transfer and will be adversely affected.

**Area of Potential Effect (APE):**

There have been three reductions in the project area as a result of land status verifications, tribal comments and agency decisions. To summarize, the original title transfer request

was 57,418 acres. That acreage was reduced to 48,934 acres when a title search revealed that several parcels were privately owned or belonged to the Bureau of Land Management. Following the cultural inventories, Reclamation voluntarily removed 2,124 acres of the most culturally sensitive land leaving 46,810 acres in the title transfer. Most recently, Reclamation and WMIDD decided to remove an additional 62 acres from the APE reducing transfer lands to 46,748 acres. The 62 acres are comprised of four parcels containing seven potentially eligible sites: AZ X:8:48; X:8:50; X:8:51; X:8:52; X:7:76; X:7:78; and X:7:136. Updated maps of the final APE are being prepared and will be forwarded when available.

**Reclamation's Section 110 Responsibilities:**

Section 110 of the National Historic Preservation Act (16 United States Code 470) establishes a Federal agency's responsibility to develop preservation programs and protect historic properties under its ownership and control. Collectively, the 65 eligible sites removed from the title transfer have been removed from Section 106 considerations.

Reclamation acknowledges our continued responsibility under Section 110 to manage these 65 historic properties as well as 12 others recorded during the Wellton-Mohawk Generating Facility inventories. Due to similarities in the character and location of sites on the lower Gila River, the establishment of an archaeological district to protect this cultural landscape may be an option.

In the past, SHPO has encouraged Reclamation to develop a management plan for Antelope Hill. If resources become available, Reclamation will pursue developing a management plan to protect its Federal properties in the Wellton-Mohawk area, including Antelope Hill. We have already agreed to assign site stewards, including Native Americans, to monitor sensitive properties. However, we feel that it would be more appropriate to discuss our Section 110 obligations following the execution of the Memorandum of Agreement (MOA) and following more in-depth discussions on the cooperative management of Reclamation withdrawn lands with the Bureau of Land Management.

**Cultural Inventories:**

The "Archaeological Sample Survey Design", was developed for the original APE of 57,418 acres. Our sampling strategy targeted high-probability areas; in other words, geographic locations where sites are known to occur and/or are likely to be preserved (see enclosed "Inventory and Sampling Strategies").

The sampling design was not based on a percentage approach. A large portion of title transfer lands is disturbed by agricultural use, irrigation facilities, or is subsumed by a large, active flood plain (see enclosed photo of the tamarisk-choked Gila River channel surrounded by agricultural land taken from the top of Antelope Hill). Based on the large project area and sizeable surface disturbances, it was prudent that we focus our efforts on locating important cultural resources in undisturbed areas.

However, due to the nature of our survey strategy, removal of lands with high concentrations of cultural sites results in dramatic decreases in inventory coverage when viewed as a percentage of the total project. Table 1 illustrates the corresponding changes. For this reason, Reclamation finds the figures in Column 2 (showing a 41 percent inventory coverage of undisturbed land) to be the most realistic. Column 2 acreage includes the 2,124 acres of highly sensitive and most intensely surveyed lands that were excluded in response to tribal concerns. We maintain that the vast majority of historic properties were located as a result of extensive planning, the use of scientific methods, and Statistical Research Inc.'s extensive experience in this region.

Table 1.

Description of APE	(1) Original Title Transfer:	(2) Exclusion of 8,484 Ac. of Private and BLM Lands:	(3) 2,124 Ac. of Culturally Sensitive Lands Excluded:	(4) Recent Exclusion of 62 Ac. and 7 Sites: (October 2005)
<b>APE:</b>				
Total Acreage	57,418	48,934	46,810	46,748
Less disturbed land	(36,930)	(36,832)	(35,779)	(35,779)
Undisturbed land	20,488	12,102	11,031	10,969
<b>INVENTORY:</b>				
Class II/III	5,900	2,671	1,225	1,161

Table 1. Con't.

Historic Inventory	4,784	2,283	2,283	2,283
Total Acres Inventoried	10,684	4,954	3,508	3,444
PERCENT OF UNDISTURBED LANDS INVENTORIED	52%	41%	32%	31%

**National Register Eligible Sites Remaining in APE or Requiring SHPO Concurrence:**

Reclamation's efforts to minimize the title transfer's effects to historic properties have been on-going. As SHPO is aware, we have received few informative comments from tribes. With the exclusion of the 7 sites (Table 1, Column 4), only 39 sites remain in the title transfer. Of these, 17 are considered National Register eligible. Nine of the 17 sites are prehistoric or have prehistoric components. We nonetheless seek your concurrence on all 24 sites including the 7 sites now outside of the APE listed in Tables 2 and 3, and the non-eligibility of 22 sites in Table 4:

Table 2. Seventeen (17) Eligible Sites Remaining in Title Transfer (SHPO concurrence on eligibility requested)

Site No. (ASM)	Description	P (Prehistoric) H (Historic)	Criterion
FF:9:17	U.S. 80	H	a and d
T:10:84	SPRR, Phoenix Cut-off	H	a and d
X:3:428	Mining	H	d
X:3:433	McPhaul Bridge	H	a and c
X:7:110	Gila-Ligurta 161 kV Line	H	d
X:7:20	Gila Gravity Canal	H	a*
X:7:59	Rock Features	P	d
X:7:73	Rock Features/Agric	P/H	d
X:7:82	Rock Features	P	d
X:7:83	Trail Segments	P	d
X:7:84	Lithic Scatter	P	d
X:8:40	Rock Features	P	d



Table 2. Con't.

X:8:42	Trail Segments	P	D
X:8:70	Rock Art	P	d
X:8:75	Wellton Gunnery	H	a, c, and d
Y:1:142	Habitation Site	P	d
Z:2:40	SPRR Line	H	a and d

\* contributing element of the Wellton-Mohawk Irrigation System

Table 3. Seven (7) Eligible Sites Removed From APE in October, 2005 (SHPO concurrence on eligibility requested)

Site No. (ASM)	Description	P (Prehistoric) H (Historic)	Criterion
X:8:48	Cleared Areas	P	d
X:8:50	Rock Features	P	d
X:8:51	Rock Features	P	d
X:8:52	Rock Features	P	d
X:7:76	Rock Features/Mining	P/H	d
X:7:78	Artifact Scatter/Trans	P/H	d
X:7:136	Rock Features/Mining	P/H	d

Table 4. Twenty-two (22) Non-eligible Sites in Title Transfer (SHPO concurrence on non-eligibility requested)

Site No. (ASM)	Description/Property Type	P (Prehistoric) H (Historic)
X:7:101	Mining	H
X:7:137	Artifact Scatter/Agriculture	P/H
X:7:50	Transportation	H
X:7:57	Agriculture	H
X:7:58	Agriculture	H
X:7:74	Artifact Scatter/Agriculture	P/H
X:7:75	Cleared Areas	P
X:7:77	Mining	H
X:7:92	Mining	H
X:7:93	Mining	H
X:7:94	Mining	H
X:7:95	Mining	H

Table 4. Con't.

X:7:96	Mining	H
X:7:97	Mining	H
X:8:39	Cleared Areas	P
X:8:41	Mining	H
X:8:71	Agriculture	H
X:8:72	Agriculture	H
X:8:76	Transportation	H
X:8:78	Agriculture	H
Y:2:33	Transportation	H
Y:5:36	Agriculture	H

**Resolution of Adverse Effect to Historic Properties:**

In consultation with SHPO, the tribes, and other consulting parties, Reclamation must resolve the adverse effects to 17 eligible sites. In Reclamation's letter to SHPO dated June 30, 2005 (enclosed), we offered some ideas for resolving adverse effects to eligible sites. We have updated our earlier suggestions in light of recent changes. Although we have not received any new comments from the tribes, we have some understanding of their positions. From past discussions, we understand that most tribes are in favor of avoiding all eligible prehistoric sites or conducting minimal treatment. Furthermore, a number of tribes communicated that no further work was needed at the buried site, Y:1:142. With that in mind, the following preliminary recommendations are proposed for the 17 eligible sites in the revised APE:

Establish Conservation Easements and/or Avoid/Protect three sites:

Y:1:142 (buried site);  
 X:8:70 (rock art site by Radar Hill);  
 X:7:59 (WGMF site) (Enclose within Protective Fence).

Mitigate Six Prehistoric Sites (Excavate, Test, and/or Artifact Collection and Study):

X:7:73 (dune site);  
 X:8:42 (trail segment, ceramic and quartz scatter);  
 X:8:40 (two abutted rock rings);  
 X:7:82 (rock alignment, trail segment and tested quartz cobbles);  
 X:7:83 (three trail segments, flake scatters, pot drop);  
 X:7:84 (flake scatter with core).

Mitigate Three Historic Sites:

FF:9:17 (US Highway 80), Additional photo-documentation and research into Works Progress Administration (WPA) road work construction in this area;

X:3:428 (mining site) Additional research to determine the minerals sought, production methods used, production levels, and information on the individuals (claim holders) who operated this mine;

X:8:75 (Wellton Gunnery Range); Limited archival research to establish how this location fit into the larger military scene in SW Arizona.

Historic Sites—Avoid/No Additional Work Proposed for Five Sites:

T:10:84 (SPRR Phoenix Cutoff);

X:3:433 (McPhaul Bridge) (National Register Listed in 1981);

X:7:110 (Gila-Lagurta 161 kV powerline);

X:7:20 (Gila Gravity Main Canal);

Z:2:40 (SPRR Line).

In summary, we hope that we have adequately addressed your questions by clarifying the current APE, and affirming our intent to manage sites outside the project area. We also request your concurrence on the eligibility of 24 sites and non-eligibility of 22 others. It is our intention to move toward the development of the MOA upon your response to this letter. For this reason, we are sharing our preliminary recommendations on ways to resolve adverse effects to the 17 eligible sites in the APE. We look forward to continued consultation with your office, the Advisory Council on Historic Preservation, and the tribes, should they choose to participate.

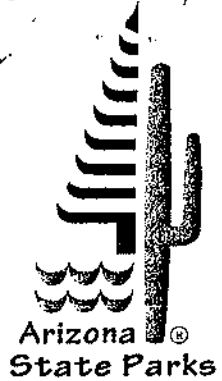
Reclamation extends our gratitude to the Arizona SHPO's staff for their professional and constructive attitude throughout this lengthy title transfer. If you require further information, feel free to contact Archeologist, Ms. Renee Kolvet by phone: 702 293-2395 or via electronic mail: [rkolvet@lc.usbr.gov](mailto:rkolvet@lc.usbr.gov) or Environmental Compliance Officer, Mr. Pat Green by phone: 702 293-8519 or via electronic mail: [jgreen@lc.usbr.gov](mailto:jgreen@lc.usbr.gov).

Sincerely,

**Arthur L. Pipkin**

For Jim Cherry  
Area Manager





OFFICIAL FILE COPY - YAO

In reply refer to: SHPO-2002-402  
DOE; Adverse Effects

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DEC - 9 2005

12/2/05

12/5/05

ACTION CODE ✓

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DATE ACTION TAKEN

DATE	INITIALS	CODE
12/17	AM	1000
12/14	PK	1100
		7300
		3400
		3420

Classification  
Project: 5007475  
Control No.  
Folder ID  
Keywords: 2001

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Copies  
LC-2010  
LC-2012  
LC-2032  
YAO-7000

November 28, 2005

Deanna J. Miller, Director  
Resource Management Office  
Bureau of Reclamation  
Lower Colorado Regional Office  
P. O. Box 61470  
Boulder City, NV 89006-1470

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Arizona State Parks  
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www.azstateparks.com

800.285.3703 from  
(520 & 928) area codes

General Fax:  
602.542.4180

Director's Office Fax:  
602.542.4188

Re: Wellton-Mohawk Title Transfer; BR  
SHPO-2002-402 (25944)

Dear Ms. Miller:

Thank you for continuing to consult with our office about the above referenced project. Your October 26, 2005 letter addresses our August 1 requests for clarification on several items.

1. The area of potential effects (APE) for the undertaking is defined as the land included in the transfer of title to the Wellton-Mohawk Irrigation District (WMID). Updated maps of the redefined APE are forthcoming. A total of 46,748 acres located in discontinuous parcels is proposed to be transferred to WMID. Thirty-nine historic period and prehistoric structures and sites are identified within the APE.
  2. During ongoing consultations with Tribes about historic properties within the proposed title transfer area, Reclamation has reduced the size of and redefined the APE several times in response to concerns expressed by Tribal participants.
  3. Historic properties located on the approximately 10,670 acres that has been removed from the Title Transfer are not subject to this Section 106 consultation because they are no longer within the APE.
  4. Reclamation acknowledges its responsibility under Section 110 of the National Historic Preservation Act to protect and manage these historic properties, many of which have been determined to be traditional cultural properties that are eligible for inclusion in the National Register of Historic Places under Criterion A. The agency intends to pursue developing a management plan to protect historic properties in the Wellton-Mohawk area, including Antelope Hill.
- SHPO Historian William Collins and I have reviewed your letter and documentation submitted previously and have the following comments pursuant to 36 CFR 800:
5. We concur that the following sites removed in October from the APE are Register-eligible under Criterion D: AZ X:8:48 through :52; AZ X:7:76, AZ X7:78, and AZ X:7:136(ASM) (Table 3 in your letter).
  6. We concur that the following sites/properties located on title transfer lands are not Register-eligible (Table 4 in your letter):

- a) Historical period sites/structures AZ X:7:101, AZ X:7:50, AZ X:7:57, AZ X:7:58, AZ X:7:77, AZ X:7:92 through AZ X:7:97, AZ X:8:71, AZ X:8:72, AZ X:8:76, AZ X:8:78, AZ Y:2:33 and AZ Y:5:36(ASM).
- b) Prehistoric sites AZ X:7:75, and AZ X:8:39(ASM).
- c) Prehistoric and historic period components of multi-component sites AZ X:7:137 and AZ X:7:74(ASM).

7. We concur that sites located on title transfer lands as listed in Table 2 of your letter are eligible for inclusion in the NRHP under the criteria given. However, we do not concur with eligibility under Criterion D for these historical period sites:

The historic period Southern Pacific Railroad (SPRR) line (a.k.a. AZ Z:2:40), the SPRR Phoenix Cutoff (a.k.a. AZ T:10:84), and the Gila Gravity Canal (a.k.a. AZ X:7:20) are each Register-eligible under Criterion A. Eligibility under Criterion D for these structures is not supported by the documentation submitted.

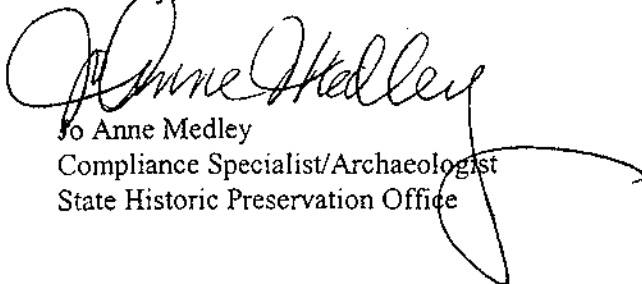
8. We concur with your finding of Adverse Effect and with the need to develop a Memorandum of Agreement (MOA) and historic properties treatment plan(s) to resolve those effects.

9. You have provided suggestions for treatment measures (e.g., additional archival work and photo-documentation at historical period sites) and suggested a variety of measures such as avoidance, conservation easements, and data recovery/further study at some prehistoric archaeological sites. These treatment measures and perhaps others should be subject to continuing consultation during the development of the MOA and treatment plan(s).

10. Based on the November 22, 2005 meeting held at the Quechan Tribal Council Chambers, we understand that Reclamation has agreed to do additional survey of undisturbed areas within the APE. We also understand that Tribes will assist the agency in selecting survey areas.

We look forward to continuing to consult regarding eligibility of any sites found during survey and on development of the MOA and treatment plan(s). If you have questions or concerns, I can be reached at (602) 542-7142 or by e-mail at [jmedley@pr.state.az.us](mailto:jmedley@pr.state.az.us).

Sincerely,



To Anne Medley  
Compliance Specialist/Archaeologist  
State Historic Preservation Office

WTR-4.00 - Reclamation District WRM1DD

ENV-3.00



Preserving America's Heritage

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DEC - 5 2005		
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DATE ACTION TAKEN		
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12/1	Ⓚ	3400
12/7	wg	3410
12/19	MRC	3000
12/13	CAF	7000
		7100
		7120
Classification		
Project		
Control No. 5002443		
Order I.D.		

December 1, 2005

Mr. Jim Cherry  
Area Manager  
Bureau of Reclamation  
Yuma Area Office  
7301 Calle Agua Salada  
Yuma, Arizona 85364

REF: Proposed Wellton-Mohawk Title Transfer Project (LC-2632, ENV-3.00)  
Yuma County, Arizona

Dear Mr. Cherry:

The ACHP recently received your notification and supporting documentation regarding the adverse effects of the referenced project on properties listed on and eligible for listing on the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change and you determine that our participation is required, please notify us. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the final Memorandum of Agreement and related documentation at the conclusion of the consultation process. The filing of the Agreement with us is required in order to complete the requirements of Section 106 of the National Historic Preservation Act. The Bureau of Reclamation should continue to work with the Arizona State Historic Preservation Officer (SHPO) on this project to reach a satisfactory resolution.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, feel free to contact Tom McCulloch at 202-606-8505, or via eMail at [tmcculloch@achp.gov](mailto:tmcculloch@achp.gov).

Sincerely,

*Raymond V. Wallace*

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs







# United States Department of the Interior

BUREAU OF RECLAMATION  
Lower Colorado Regional Office  
P.O. Box 61470  
Boulder City, NV 89006-1470



IN REPLY REFER TO:

LC-2012  
ENV-3.00

JAN 09 2006

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. James Garrison  
State Historic Preservation Office  
Arizona State Parks  
Attention: Ms. Joann Medley  
1300 West Washington  
Phoenix, AZ 85007

OFFICIAL FILE COPY		
DATE	SURNAME	CODE
10/22	J. Brian	2012
12/17	N.R.	2001
12/12	Lieber	2010
1-9-06	Lieber	2000
Classification: ENV-3.00		
Project: 1205-45		
Control No: 6000052		
Folder ID: 39386		

Subject: Wellton-Mohawk Title Transfer – Bureau of Reclamation’s Decision to Inventory  
Additional Title Transfer Lands

Dear Mr. Garrison:

During Reclamation’s ongoing consultation with tribes about historic properties within the proposed title transfer area, the subject of additional survey of transfer lands has been raised by tribes. This subject was brought up at a number of meetings. Specifically, these meetings included our monthly coordination meetings, a Government-to-Government meeting with tribal representatives at the Arizona Inter Tribal Council on September 16, 2005, and most recently a Government-to-Government meeting held on November 22, 2005, in the Quechan Tribal Council Chambers with President Michael Jackson, Council members, and other tribal representatives. At that meeting, Tribal President Jackson, in Government-to-Government discussion with the Yuma Area Office Manager, Mr. Jim Cherry, requested additional inventory of undisturbed title transfer lands.

Reclamation believes it has followed the Section 106 process as described in 36 CFR, Part 800, for this undertaking. In particular, the “Archeological Sample Survey Design” developed by our consultant Statistical Research, Inc. (SRI), for the area of potential effects (APE), focused on those geographic locations with the highest probability of site occurrence and preservation. Reclamation believes this survey effort has met the standards identified in § 800.4(b)(1) and we have made a good faith effort to identify historic properties within the APE.

Notwithstanding this position, Reclamation is mindful of tribal comments regarding the level/amount of survey. Throughout the consultation process Reclamation has requested tribal participation in the identification of historic properties within the APE. This topic has been reiterated at our monthly consultation meetings. As part of our ongoing effort to identify and protect properties of religious and cultural significance to tribes, Reclamation sent a letter dated October 13, 2005 to relevant tribes, again requesting information on sensitive sites on transfer lands and in particular information on traditional cultural properties. We have received no tribal comments on this request.

In consideration of President Jackson’s request for additional cultural resource surveys and Government-to-Government comity between the parties, Reclamation has decided to undertake Class III inventories of undisturbed title transfer lands within the APE. This decision is limited to this undertaking and is intended as an accommodation of tribal concerns. Reclamation continues to believe the survey work

previously undertaken with your concurrence and participation was and is technically appropriate and adequate.

Reclamation and the Wellton-Mohawk Irrigation and Drainage District reviewed maps of title transfer lands and identified the remaining undisturbed lands based on Reclamation's disturbance criteria. These criteria are: lands outside of the floodplain, lands not under current or previous cultivation, lands not under works and facilities, aggregate pits, prior military areas, existing transportation and utility corridors, and maintained road rights-of-way.

This review has resulted in the identification of 93 parcels ranging in size from one acre to 324 acres for an approximate total of 4,849 acres. Parcels and their locations are provided on the enclosed maps and in the supporting tables. The Class III survey of these undisturbed lands will represent a test of SRI's sample survey model for the APE. The survey of these remaining undisturbed title transfer lands is a continuation of Reclamation's reasonable and good faith effort to carry out appropriate identification efforts. Reclamation will provide survey results, eligibility determinations and treatment recommendations as an addendum to the primary identification report (SRI Technical Report 04-64, February, 2005).

Reclamation thanks your staff for their consultation efforts on this undertaking. If you require further information, please contact Mr. James Green, Regional Environmental Officer/Archeologist by phone at 702-293-8519 or via electronic mail at [jgreen@lc.usbr.gov](mailto:jgreen@lc.usbr.gov).

Sincerely,

Wm. J. Liebhauser

William J. Liebhauser, Acting Director  
Resources Management Office

Enclosure

cc: Mr. Anthony Veerkamp  
Senior Program Officer  
National Trust for Historic  
Preservation  
8 California Street, Suite 400  
San Francisco, CA 94111-4828

Honorable Terry O. Enos  
Chairman  
Ak-Chin Indian Community  
42507 West Peters and Nall Road  
Maricopa, AZ 85239

Ms. Nancy Nelson  
Cultural Resources Manager  
Ak-Chin Indian Community  
42507 West Peters and Nall Road  
Maricopa, AZ 85239

Ms. Anita Canovas, ESQ  
Associate General Council  
National Trust for Historic  
Preservation  
1785 Massachusetts Avenue NW  
Washington, DC 20036

Mr. Larry Killman  
ARCADIS Environmental, Inc.  
29851 Mountain View  
Wellton, AZ 85356

Ms. Sheila Logan, P.E.  
Project Manager  
CMX, LLC  
7740 North 16<sup>th</sup> Street, Suite 100  
Phoenix, AZ 85020

Continued on next page.

*Revised 1/30/06  
N.K.*

cc: Mr. Jamie Fuller  
Chairman  
Yavapai-Apache Nation  
2400 West Datsi Street  
Camp Verde, AZ 86322

Honorable Ernest Jones, Sr.  
President  
Yavapai Prescott Indian Tribe  
530 East Merritt Street  
Prescott, AZ 86301-2038

bc: LC-1000, 2010, 2012 (w/encl to each)  
YAO-1000, 7000, 7120 (w/encl to each)

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*\*mailed 1/10/06 (w/o BC's bat w/ labels)*

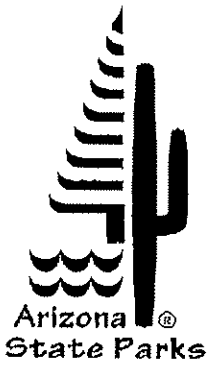
Mr. Colin P. Soto  
10241 W Steamboat Street  
Somerton, AZ 85350

Mr. Bill Pyott  
Fort Yuma Agency  
Bureau of Indian Affairs  
P.O. Box 11000  
Yuma, AZ 85366-1100

Mr. Lorey Cachora  
P.O. Box 894  
Winterhaven, CA 92283



"Managing and conserving natural, cultural, and recreational resources"



In reply refer to: SHPO-2002-402 2/15/06  
General Comments

2/15/06  
2/21/06

MR. OFFICIAL OFFICE COPY RECEIVED: 2/21/06		
BODY ID:		
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2/21/06	JTB	2012
CLASSIFICATION:		
PROJECT: FC 35-0706		
CONTROL NO:		
FOIA/PA ID:		
KEYWORD:		

February 13, 2006

William J. Liebhauser, Acting Director  
Resources Management Office  
Bureau of Reclamation  
Lower Colorado Regional Office  
P. O. Box 61470  
Boulder City, NV 89006-1470

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Mark Winkleman  
State Land  
Commissioner

Kenneth E. Travous  
Executive Director

Arizona State Parks  
1300 W. Washington  
Phoenix, AZ 85007

Re: Wellton-Mohawk Title Transfer; Additional Title Transfer Lands; BR  
SHPO-2002-402 (26964)

Dear Mr. Liebhauser:

Thank you for continuing to consult with our office about the above referenced project. Thank you also for informing us that an additional 93 parcels (4,849 acres) of undisturbed lands within the proposed Wellton-Mohawk title transfer will be inspected for cultural resources.

We look forward to continuing to consult regarding eligibility of any sites found during the additional survey. If you have questions or concerns, I can be reached at (602) 542-7142 or by e-mail at [jmedley@pr.state.az.us](mailto:jmedley@pr.state.az.us).

Sincerely,

Jo Anne Medley  
Compliance Specialist/Archaeologist  
State Historic Preservation Office

Cc: James P. Green, Regional Environmental Coordinator/Archaeologist, Boulder City

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Director's Office Fax:  
602.542.4188



MAY 17 2006

LC-2012  
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CERTIFIED – RETURN RECEIPT REQUESTED

Mr. James Garrison  
State Historic Preservation Officer  
Arizona State Parks  
Attention: Ms. Joann Medley  
1300 West Washington  
Phoenix, AZ 85007

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DATE	SURNAME	CODE
5/17	JPM	2012
5/17	N.R.	2001
5/17	L. L. L.	2000
Classification: ENV-3.00		
Project: 0506-32		
Control No: 6001230		
Folder ID: 39386		

Dear Mr. Garrison:

**Subject:** Wellton-Mohawk Title Transfer (WMTT), Summary Information on Lands Within The Area of Potential Effect (APE), and Sites Found Eligible for Listing On the National Register Of Historic Places for Inclusion in the Memorandum Of Agreement (MOA), File Number BR-SHPO-2002-402 (28109 and 28274)

As part of the Bureau of Reclamation's lands and title review for the WMTT, Reclamation has finalized documentation of the lands to be transferred which comprise the APE for the title transfer undertaking. Reclamation has prepared summary tables, a summary map and a quit claim map exhibit that identifies specific lands to be transferred. This information will be provided below.

The lands and title review has also identified a number of land types that were included in our original cultural resource surveys, but were later found to be private lands and not subject to the WMTT. With this updated lands information we would like to clarify those sites that have been found to be eligible for listing on the National Register of Historic Places (NRHP) that remain within the WMTT APE and will be included in the MOA for the undertaking. We will review the findings of the State Historic Preservation Officer's (SHPO) two consultation letters dated November 28, 2005 and May 1, 2006 and provide updated information.

### **The APE for the Wellton-Mohawk Title Transfer**

In response to consultations with SHPO and tribes about historic properties within the proposed title transfer, Reclamation has reduced the size of and redefined the APE several times in response to concerns expressed by Tribal participants. In addition, Reclamation has continued its lands and title research to identify lands within the WMTT. The following Table 1 illustrates the final acreage within the APE for the WMTT.

Table 1. Changes in Acreage Within the Wellton-Mohawk Title Transfer APE

APE Description	Original Title Transfer Acres	Exclusion of 8,644 ac. Of BLM & Private Lands and 33 sites	Exclusion of 2,124 ac. Of Culturally Sensitive Lands and 65 sites	Exclusion of 7 Sites and 62 ac. 10/2005	Inclusion of 1,037 ac. of Flowage Easements and Co. ROWs
<b>APE:</b>					
Total Acreage	57,418	48,774	46,650	46,588	47,625
Less Disturbed Land	(36,930)	(36,832)	(35,779)	(35,779)	(36,816)
Undisturbed Land	20,488	11,942	10,871	10,809	10,809
<b>Inventory:</b>					
Class II/III	5,900	2,283	1,225	1,161	1,161
Historic Inventory	4,784	2,283	2,283	2,283	2,283
Additional Survey of Undisturbed Lands	4,833	4,833	4,833	4,833	4,833
<b>Total Acres Inventoried</b>	15,517	9,787	8,341	8,277	8,277

Reclamation has also prepared an enclosure which includes three items; a Title Transfer Overview Map showing lands to be transferred, a table showing a Summary of Quit Claim Deed Exhibits and Acreage, and a WMTT Quit Claim Maps with Map Key (18 pages) showing land parcels to be transferred. The APE for the WMTT totals 47,625.73 acres.

#### **Remaining Sites Within the Wellton-Mohawk Title Transfer APE Found Eligible for Listing on the National Register of Historic Places**

In Table 2, we summarize the findings on the eligibility of sites remaining within the WMTT APE identified in SHPO's letters of November 28, 2005 and May 1, 2006 (enclosed). As Reclamation has previously noted in our letter to SHPO of March 29, 2006, we have found that a number of land types and sites found on them are private lands and not subject to the WMTT. We made these corrections in our March 29, 2006, consultation letter for the Inventory of Additional Title Transfer lands but not for lands in the original survey and earlier consultation letters as we were unaware of this information. The information in Table 2 will provide this clarification.



Table 2. Sites Found Eligible for the NRHP Within WMTT APE

Site No. (ASM)	Description	Age P (Prehistoric) H (Historic)	Criterion	Private, Not In APE
FF:9:17	U.S. Hwy 80	H	A and D	X
T:10:84	SPRR, Phoenix Cut-off	H	A	X
X:3:428	Mining	H	D	
X:3:433	McPhaul Bridge	H	A and D	X
X:7:110	Gila-Ligurta 161 KV Line	H	D	
X:7:20	Gila Gravity Canal	H	A	
X:7:59	Rock Features	P	D	
X:7:73	Rock Features/Agric	P/H	D	
X:7:82	Rock Features	P	D	
X:7:83	Trail Segments	P	D	
X:7:84	Lithic Scatter	P	D	
X:8:40	Rock Features	P	D	
X:8:42	Trail Segments	P	D	
X:8:70	Rock Art	P	D	
X:8:75	Wellton Gunnery Range	H	A, C and D	
Y:1:142	Habitation Site	P	D	
Z:2:40	SPRR Line	H	A	X
X:7:159*	Thermal Feature	P	D	
X:8:115*	Two Thermal Features	P	D	
X:8:119*	Ceramic Concentration	P	D	
X:8:121*	Early Dairy Complex	H	D	
X:8:122*	Thermal Feature	P	D	
X:8:128*	Flaked Stone Reduction Site	P	D	

\*Sites From Additional Survey of Undisturbed Lands

Site FF:9:17, the U.S. Highway 80 right-of-way (ROW) was transferred from the Federal Highway Administration to Yuma County, Arizona, Highway Department when Interstate 8 was completed. Site X:3:433, the McPhaul Bridge and its ROW was transferred from the Arizona Department of Highways to Yuma County, Arizona, Highway Department when State Route 95 was realigned. The McPhaul Bridge was listed on the NRHP in 1981. Sites T:10:84, the

Southern Pacific Phoenix Cut-off and site Z:2:40 the Southern Pacific Main-Line are both on railroad grant lands and are not subject to the WMTT. With this correction, there are 19 sites remaining within the WMTT that are eligible for the NRHP. Of this total, five sites are historic, one has both prehistoric and historic components and 13 sites are prehistoric.

### Resolution of Adverse Effects to Historic Properties

The SHPO has concurred with Reclamation's eligibility recommendations for 19 sites remaining within the WMTT APE. Four other historic sites were also found eligible for the NRHP but they are private lands and not within the WMTT APE (Table 2). Reclamation must resolve the adverse effects of the WMTT undertaking to 19 historic properties in consultation with SHPO, tribes and other consulting parties. We have previously recommended treatment measures to mitigate for the adverse effects of the undertaking. It is Reclamation's intention to proceed with the development of a MOA including a treatment plan for the remaining NRHP eligible sites. In Table 3 that follows, Reclamation lists the treatment measures previously recommended for the 19 NRHP eligible sites.

Table 3. Treatment Measures for 19 NRHP Eligible Sites Within the WMTT Undertaking

Site No. (ASM)	Site Description	Age P (Prehistoric) H (Historic)	Treatment Measure
X:3:428	Mining Site	H	Archival Research
X:7:110	Gila-Ligurta 161 Kv Line	H	Avoid/No Additional Work
X:7:20	Gila Gravity Canal	H	Avoid/No Additional Work
X:7:59	Rock Features, WMGF Site	P	Conservation Easement, Protective Fence
X:7:73	Rock Features w/Ceramics and Historic Debris	P/H	Data Recovery, Excavation
X:7:82	Rock Alignment, Trail Segment, Tested Stone	P	Data Recovery, Documentation
X:7:83	Three Trail Segments, Flake Scatters and Pot Drop	P	Data Recovery, Documentation
X:7:84	Flake Scatter with Core	P	Data Recovery, Documentation
X:8:40	Two Abutted Rock Rings	P	Data Recovery, Documentation
X:8:42	Trail Segment, Ceramic and Quartz Scatter	P	Data Recovery, Documentation

Table 3 Continued

X:8:70	Rock Art, Radar Hill	P	Conservation Easement, Protective Fence
X:8:75	Wellton Gunnery Range	P	Archival Research
Y:1:142	Buried Habitation Site	P	Conservation Easement
X:7:159*	Thermal Feature	P	Data Recovery, Excavation
X:8:115*	Two Thermal Features	P	Data Recovery, Excavation
X:8:119*	Ceramic Concentration	P	Data Recovery, Excavation
X:8:121*	Early Dairy Complex	H	Archival Research
X:8:122*	Thermal Feature	P	Data Recovery, Excavation
X:8:128*	Flaked Stone Reduction Site	P	Data Recovery, Excavation

\*Sites From Additional Survey of Undisturbed Lands

### Summary

Reclamation has updated information on the APE for the WMTT undertaking. The SHPO has concurred with the eligibility of 19 sites to the NRHP that remain within the WMTT APE. The title transfer undertaking would represent an adverse effect on the 19 historic properties because they would be transferred out of Federal ownership and management. It is Reclamation's intention to develop a MOA to address the mitigation of the adverse effects to the 19 historic properties which would include a treatment plan for sites. Reclamation will provide draft copies of the MOA to tribes and other consulting parties for review and comment.

If you require additional information on the above information, please contact Mr. James Green, Regional Environmental Officer/Archeologist by phone at 702-293-8519 or via electronic mail at [jgreen@lc.usbr.gov](mailto:jgreen@lc.usbr.gov).

Sincerely,

William J. Liebhauser, Director  
Resources Management Office

Enclosures - 3

Identical Letters Sent To Persons on the Next Page:



"Managing and conserving natural, cultural, and recreational resources"

In reply refer to: **SHPO-2002-402**  
General Comments

DATE RECEIVED: 7/7/06		
APPLY TO:		
DATE	INITIALS	OPEN
7-11-06	[initials]	2000
		2001
		2002
CLASSIFICATION:		
PROJECT	IC10-0106	
CONTROL No		
PROJECT LP		
KEYWORD:		

*QTP 2/23/03*



July 3, 2006

William J. Liebhauser, Director  
Resources Management Office  
Bureau of Reclamation  
Lower Colorado Regional Office  
P. O. Box 61470  
Boulder City, NV 89006-1470

Janet Napolitano  
Governor  
State Parks  
Board Members

Re: Report of Additional Historic Properties Survey (Wellton-Mohawk Title Transfer);  
BR  
**SHPO-2002-402 (29158)**

Chair  
William C. Porter  
Kingman

Dear Mr. Liebhauser:

William Cordasco  
Flagstaff

Thank you for continuing to consult with our office pursuant to 36 CFR 800 about the above referenced federal undertaking. Thank you also for providing summary information that we requested:

Janice Chilton  
Payson

- 1) location of transfer parcels that make up the area of potential effects (APE) (i.e., parcels that will be transferred in the Wellton-Mohawk Title Transfer);
- 2) number of acres inspected according to survey category;
- 3) summary data regarding number of sites and acreage that have been excluded from the title transfer (APE); and,
- 4) list of historic properties (n=19) that remain within the APE.

William C. Scalzo  
Phoenix

Reese Woodling  
Tucson

Elizabeth Stewart  
Tempe

Our request for clarification about the final APE has been addressed.

Mark Winkleman  
State Land  
Commissioner

We look forward to continuing to consult on this undertaking. If you have questions or concerns, I can be reached at (602) 542-7142 or by e-mail at [jmedley8x@shpo.azparks.gov](mailto:jmedley8x@shpo.azparks.gov).

Kenneth E. Travous  
Executive Director

Sincerely,

Arizona State Parks  
1300 W. Washington  
Phoenix, AZ 85007

*[Handwritten signature of Jo Anne Medley]*

Jo Anne Medley  
Compliance Specialist/Archaeologist  
State Historic Preservation Office

Tel & TTY: 602.542.4174  
[www.azstateparks.com](http://www.azstateparks.com)

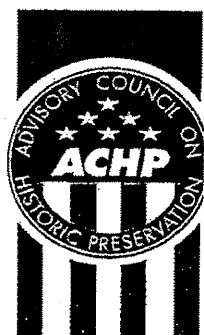
Cc: James Green, Regional Environmental Officer/Archeologist, Boulder City, NV

800.285.3703 from  
(520 & 928) area codes

General Fax:  
602.542.4180

Director's Office Fax:  
602.542.4188





Preserving America's Heritage

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Keyword		

Cpy to CC-1000

August 23, 2006

Mr. Robert Johnson  
 Regional Director  
 Bureau of Reclamation  
 Lower Colorado Regional Office  
 P.O. Box 61470  
 Boulder, City, NV 89006-1470

REF: Wellton-Mohawk Title Transfer, Gila Project, Arizona

Dear Mr. Johnson:

On December 1, 2005, the Advisory Council on Historic Preservation (ACHP) responded to your notification of adverse effect for the transfer of land, facilities, and easements out of Federal ownership to the Wellton-Mohawk Irrigation and Drainage District. Based upon the information contained in your notification, including an extensive discussion of the consultation that the Bureau of Reclamation (Reclamation) had had to date with the Arizona SHPO, Federally recognized Indian tribes, and other consulting parties, we declined to participate in consultation for this project.

Since that time we have received copies of correspondence from several tribes and a citizen who express concerns with the way in which Reclamation is meeting its responsibilities under Section 106 of the National Historic Preservation Act and the ACHP's regulations.

Accordingly, we now believe that our formal participation to resolve adverse effects is warranted. In accordance with 36 CFR 800.6(a)(1) of the Council's regulations, the Council has applied the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases* (Appendix A) and believes that Criterion 4, "Presents issues of concern to Indian tribes or Native Hawaiian organizations" is met. As required by Section 800.6(a)(1)(iii) of our regulations, we are notifying the Secretary of the Interior of this decision to enter the consultation process, and its basis.

We would appreciate your providing us with relevant project documentation relating to this undertaking, and look forward to consulting with Reclamation, the Arizona State

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004  
 Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Historic Preservation Officer, Indian tribes, and other consulting parties to resolve adverse effects caused by this Congressionally-mandated transfer.

If you have any questions, do not hesitate to contact Dr. Tom McCulloch at 202-606-8554 or via e-mail at [tmculloch@achp.gov](mailto:tmculloch@achp.gov).

Sincerely,



Reid J. Nelson  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs