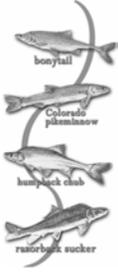


**Operation of  
Flaming Gorge Dam  
Draft Environmental  
Impact Statement**

**Cultural Resources  
Technical Appendix**





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## CULTURAL RESOURCES TECHNICAL APPENDIX

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# Cultural Resources Technical Appendix



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COLORADO  
HISTORICAL  
SOCIETY

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

August 30, 2002

Kerry Schwartz  
Chief, Environmental Group  
Bureau of Reclamation  
302 East 1860 South  
Provo, UT 84606-7317

Re: Flaming Gorge Dam Operation

Dear Ms. Schwartz

This office has reviewed the information contained in your correspondence of August 22, 2002 concerning the project listed above.

5MF605, 5MF2357.3 and 5MF2357.2 are listed in the National Register of Historic Places. 5MF2399 and 5MF2388 have officially been determined not eligible to the National Register.

We concur that sites 5MF3668, 5MF1238, 5MF3669 and 5MF1230 are not eligible due to the lack of subsurface deposits, diagnostic artifacts and features. 5MF1233, an historic trash scatter, could not be relocated and is therefore not eligible.

5MF1234, 5MF840 and 5MF67 need additional data in order to make a determination of eligibility. The only information we have in house on site 5MF67 is a 1965 form. This site needs to be recorded according to today's standards.

We concur that rock art sites 5MF2964, 5MF2966 and 5MF2968 are eligible to the National Register.

The proposed work at sites 5MF605, 5MF688, 5MF840, 5MF1232 and 5MF1234 is adequate. We would also recommend that recording 5MF67 be added to the work being done for this project.

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Kerry Schwartz  
Page 2  
August 30, 2002

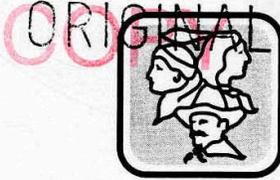
If we may be of further assistance please contact Jim Green at 303-866-4674.

Sincerely,



Georgianna Contiguglia  
State Historic Preservation Officer

GC/WJG



**COLORADO  
HISTORICAL  
SOCIETY**

The Colorado History Museum 1300 Broadway Denver, Colorado 80203-2137

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March 28, 2003

Beverley Hefferman  
Chief, Environmental Group  
Bureau of Reclamation  
302 East 1860 South  
Provo, UT 84606-7317

Re: Flaming Gorge Dam Operation EIS, Browns Park Area

Dear Ms. Hefferman:

This office has reviewed your March 24, 2003 correspondence and the cultural resource report prepared by Alpine Archaeological Consultants for the testing of six sites in the Flaming Gorge Dam flow study, Browns Park National Wildlife Refuge.

Fort Davey Crockett, 5MF605, was listed on the National Register of Historic Places in 1977. Despite impacts from the river, testing determined that buried cultural deposits exist that may increase our knowledge of the Fort and the people who inhabited the region.

5MF688 a rock art site, was determined eligible on August 30, 2002.

Testing at 5MF1232, an early homestead site, turned up a living surface. Further work on the site may yield information on early homesteading in the region.

5MF1234, 5MF3668 and 5MF840 are not eligible. 5MF3668 and 5MF680 no longer exist and 5MF1234 will yield no further information important to history.

It is apparent that wave action from the Green River is severely impacting 5MF605 and in a lesser way 5MF1232. We look forward to working with the agencies involved in this project to formulate a mitigation plan for these sites.

Beverley Hefferman  
March 28, 2003  
Page 2

If we may be of further assistance please contact Jim Green at 303-866-4674.

Sincerely,



Georgianna Contiguglia  
State Historic Preservation Officer

GC/WJG

cc: Rhoda Lewis, F&WS  
Mary Barger, WAPA



ORIGINAL COPY  
State of Utah

Department of Community and Economic Development  
Division of State History  
Utah State Historical Society

Michael O. Leavitt  
Governor  
Max J. Evans  
Director

300 Rio Grande  
Salt Lake City, Utah 84101-1182  
(801) 533-3500 FAX: 533-3503 TDD: 533-3502  
ushs@history.state.ut.us http://history.utah.org

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December 10, 2002

Peter Crookston  
Acting Chief, Environmental Group  
Bureau of Reclamation  
Upper Colorado Region – Provo Area Office  
302 East 1860 South  
Provo UT 84606-7317

RE: Consultation Regarding Determinations of Eligibility and Effect for Flaming Gorge Dam  
Operation Environmental Impact Statement

In Reply Please Refer to Case No. 02-1790

Dear Mr. Crookston:

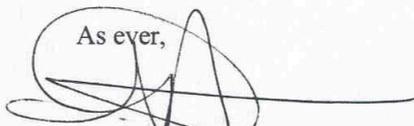
The Utah State Historic Preservation Office received the referenced information on December 5, 2002. After consideration of the consultation request in behalf of the Bureau of Reclamation, the Utah Preservation Office provides the following comments per §36CFR800.

1. Eligibility of Sites Within the Reservoir Area of Potential Effects, Table 1: USHPO preservation Office concurs with the determination that Table 1 sites are **Not Eligible**, [17 NP].
2. Eligibility of Sites in the Reservoir, Table 2, APE Indirectly Affected by the Proposed Undertaking; USHPO concurs with the determination that DA 15 is **Not Eligible** and that DA 11, 12 and 16 are **Eligible**. In addition, USHPO recommends that DA 17 and 497 be considered eligible until evaluation is completed of the sites. [DOEx5, NPx1].
3. Eligibility of Sites in the Downstream Area of Potential Effects, Table 3: USHPO concurs with the determinations that DA 394, 196 are **Eligible**. The site numbers for the Uintah County sites are incomplete in the version of the table our office received, so our office cannot complete consultation without the complete site numbers. For the sites undetermined, USHPO recommends that they be treated as eligible until evaluation is completed of the sites. [DOEx7].

Preserving and Sharing Utah's Past for the Present and Future

4. Eligibility of Sites Downstream Indirectly Affect by River Flows, Table 4: USHPO concurs with the determinations that DA 337, 562, 40, 485, 30, 668; UN 1746, 265, 267 and 271 are **Eligible**. USHPO concurs with the determination that DA 338, 204, 225, 339, 341, 661, 750, 751, 332; UN 1563, 65, and 1600 are **Not Eligible**. For the sites undetermined, USHPO recommends that they be treated as eligible until evaluation is completed of the sites. [DOEx13, NPx12].
5. After review of the site forms in consideration for testing, USHPO understands that a limited testing program for eligibility is considered for DA 203, 342, 488 and 564. Concerning DA 342, unless there has been significant disturbance since recording appears to be eligible with well defined site location, USHPO recommends not testing this site.
6. Assessment of Effects for the Reservoir APE: Table 1, concur **No Historic Properties Affected**, Table 2, concur **No Historic Properties Affected**.
7. Assessment of Effects for the Downstream APE: concur with limited testing for eligibility and potential to be included in the area of potential effect. Concur **No Adverse Effect**.
8. Ethnographic Report: the report will be removed as of 12.16.02 from the public compliance record and put in my files until the document is released by BOR.

This information is provided to assist with Section 106 responsibilities as per §36CFR800. My email address is: [jdykman@utah.gov](mailto:jdykman@utah.gov)

As ever,  


James P. Dykman  
Deputy State Historic  
Preservation Officer - Archaeology

JLD:02-1790 BOR/NPx31/DOEx32/NPAx24/NAEx7

c: SWCA Environmental Consultants, 230 South 500 East, Suite 380,  
Salt Lake City UT 84102-2015

c: Mary Barger, Western Area Power Administration, 12155 West Alameda Parkway  
P. O. Box 281213, Lakewood CO 80228-8213

c: Blaine Phillips, Archaeologist, Bureau of Land Management, Vernal Field Office  
170 South 500 East, Vernal UT 84078-2799



State of Utah

MICHAEL O. LEAVITT  
Governor

OLENE S. WALKER  
Lieutenant Governor

**COPY ORIGINAL**

Department of Community and Economic Development

DAVID HARMER  
Executive Director

Division of State History / Utah State Historical Society

PHILIP F. NOTARIANNI  
Division Director

December 29, 2003

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Barbara Blackshear  
Bureau of Reclamation  
302 East 1860 South  
Provo UT 84606-7317

RE: Extension of the Analysis Area for the Operation of Flaming Gorge Dam EIS

In Reply Please Refer to Case No. 02-1790

Dear Ms. Blackshear:

The Utah State Historic Preservation Office received the referenced information on December 19, 2003. After consideration of the consultation request in behalf of the Bureau of Reclamation, the Utah Preservation Office provides the following comments per §36CFR800.

**Consultation; concur eligibility determinations, [Table 1, 12.16.2003 consultation letter] and effect determination, No Historic Properties Affected.**

This information is provided to assist with Section 106 responsibilities as per §36CFR800. My email address is: [jdykman@utah.gov](mailto:jdykman@utah.gov)

As ever,

James L. Dykman  
Deputy State Historic  
Preservation Officer - Archaeology

JLD:02-1790 OFR/DOEx11/NPx11/NPax22





DUPLICATE COPY  
**WYOMING**

DEPARTMENT OF STATE PARKS & CULTURAL RESOURCES  
STATE HISTORIC PRESERVATION OFFICE

Barrett Building  
2301 Central Ave.  
Cheyenne, WY 82002  
  
(307) 777-7697  
FAX (307) 777-6421

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Index ID.	39581	

Nov 19, 2002

Ms. Beverley Heffernan  
Acting Chief, Environmental Group  
Provo Area Office  
Bureau of Reclamation  
302 East 1860 South  
Provo, Utah 84606-7317

Re: Flaming Gorge Dam Operation Environmental Impact Statement (SHPO File # 0902SES016)

Dear Ms Heffernan:

Sara Sheen of our staff has received information concerning the aforementioned project. Thank you for allowing us the opportunity to comment.

We have reviewed the project report and find the documentation meets the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42).

We concur that the proposed action will have no effect on the historic properties located at or near (one-quarter mile or less) of the high elevation of Flaming Gorge Reservoir as your office does not expect there to be any changes in the fluctuations of the water levels from what has been considered normal. However, we recognize there is potential for unusual drawdowns on Flaming Gorge to occur which would potentially affect cultural properties located at or near the shoreline of the Reservoir. We recommend that the Bureau of Reclamation conduct an annual monitor of the historic properties listed by your office as located near the high elevation of the Reservoir. We also recommend an annual report, due by December 31 of each year, be submitted to our office documenting the results of the monitor.

We recommend the Bureau of Reclamation allow the project to proceed in accordance with state and federal laws subject to the conditions stipulated in this letter and the request for comment and the standard stipulation that if any cultural materials are discovered during the proposed action, work in the area should halt immediately and the Bureau of Reclamation staff and SHPO staff must be contacted. Work in the area may not resume until the materials have been evaluated and adequate measures for their protection have been taken.

This letter should be retained in your files as documentation of our conditional determination that no historic properties will be affected by this project.

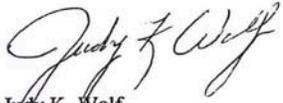
Jim Geringer, Governor



John T. Keck, Director

Please refer to SHPO project control number 0902SES016 on any future correspondence dealing with this project. If you have any questions, contact Sara Sheen at 307-777-7498 or me at 307-777-6311.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy K. Wolf". The signature is written in a cursive style with a large, stylized initial "J".

Judy K. Wolf  
Review and Compliance Program Manager



Attachment #9



ORIGINAL COPY  
HOPI TRIBE

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Wayne Taylor, Jr. 105  
CHAIRMAN 400  
405 41  
Phillip R. Quochytewa, Sr.  
VICE-CHAIRMAN  
ENV. 300  
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383/2  
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July 17, 2000

Bruce C. Barrett, Area Manager  
Bureau of Reclamation  
Upper Colorado Region  
Provo Area Office  
302 East 1860 South  
Provo, Utah 84606-7317

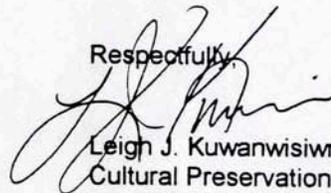
Dear Mr. Barrett,

This letter is in response to your correspondence dated July 10, 2000 regarding the Bureau of Reclamation publication of a notice of intent to draft a Flaming Gorge Dam Operations Environmental Impact Statement. The Hopi Tribe appreciates your solicitation of our input and your efforts to address our concerns.

Without waiving our rights under the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act, and all other relevant legislation and executive orders, the Hopi Tribe defers consultation on this proposed project to the Utah and Ute Nations, whose lands lie within the potential project area, and other interested American Indian tribes.

Thank you for your consideration

Respectfully,



Leigh J. Kuwanwisiwma, Director  
Cultural Preservation Office

ORIGINAL  
Kaibab Band of Paiute Indians



August 29, 2000

Attachment #7

Mr. Bruce C. Barrett, Area Manager  
U.S. Department of the Interior  
Bureau of Reclamation, Provo Area Office  
302 East 1860 South  
Provo, Utah 84606-7317

Re: Flaming Gorge EIS

Handwritten notes and stamps: "CUPI", "ENV-300", "cu", "4072", "38030", "y 401".

Dear Mr. Barrett:

We are in receipt of the correspondence and maps of the Flaming Gorge Environmental Impact Statement and want to express to you that in matters related to the Inadvertent Discovery of Human Remains, and Cultural Resource concerns, we will be satisfied that the Uintah/Ouray Ute Tribe take the lead in monitoring and deciding what course of action to take in these matters. Thus, with the Ute Tribe taking the lead, the government-to-government relationship and consultation, will be completed in a timely manner.

Thank you for notifying us and considering our participation.

Sincerely,

VIVIENNE-CARON JAKE  
Director, Environmental Program

cc: File

Tribal Affairs

HC 65 Box 2  
Pipe Spring, Arizona 86022

Phone (520) 643-7245  
Fax (520) 643-7260





## **UTE INDIAN TRIBE**

UINTAH AND OURAY AGENCY

P.O. Box 190  
Fort Duchesne, Utah 84026  
Phone (435) 722-5141  
Fax (435) 722-5072

### **TRI - UTE LEADER'S SUMMIT GRAND JUNCTION, COLORADO SEPTEMBER 22, 2000**

## **AGENDA**

**9:00 A.M. COFFEE, JUICES, ROLLS, FRUIT**

### **OPENING:**

*Welcoming - O. Roland McCook, Sr.  
Opening Prayer*

### **SOUTHERN UTE INDIAN TRIBE**

*Update*

*John E. Baker, Jr., Chair*

### **UTE MOUNTAIN UTE INDIAN TRIBE**

*Update*

*Ernest House, Sr., Chair*

### **UTE INDIAN TRIBE**

*Update*

*O. Roland McCook, Sr., Chair*

### **OTHER ITEMS**

*Dale Bassett - Concern with Council Tree*

*Barbara Blackshears - Bureau of Reclamation*

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COPY  
**PUEBLO OF ZUNI**  
HERITAGE AND HISTORIC PRESERVATION OFFICE

P.O. BOX 339  
ZUNI  
NEW MEXICO 87327

*Attachment # 8*



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FAX: 505-782-2393

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August 1, 2000

Mr. Kerry Schwartz  
Co-NEPA Manager  
United States Department of the Interior  
Bureau of Reclamation  
Upper Colorado Region, Provo Area Office  
302 East 1860 South  
Provo, Utah 84606-7317

Dear Mr. Schwartz:

Pursuant to your request dated 30 June 2000 regarding the draft environmental impact statement (EIS) on the operation of Flaming Gorge Dam/located on the Green River in northeastern Utah, the Zuni Heritage and Historic Preservation Office (ZHHPO) provides the following information with regards to cultural properties. The Zuni Tribe, federally recognized as the Pueblo of Zuni, ascribes cultural and religious significance to historic properties that may be affected by the proposed undertaking

Prior to amendments of the National Historic Preservation Act and other federal laws enacted to protect historic properties, archaeological resources, traditional cultural properties, and places of significance of Native American Tribes, many properties with immense cultural and religious significance were knowingly and unknowingly destroyed. This destruction occurred in areas of ancestral occupations along ancestral migration routes, within aboriginal lands, and even within the current boundaries of Indian reservations through federally assisted undertakings.

While federal laws have been strengthened to provide for the preservation and protection of properties and places as described above, the Zuni Tribe continues to witness such destruction and desecration in areas where it claims affiliation to cultural resources.

The land that will be impacted by this undertaking is outside the boundaries of the Zuni aboriginal land claims. The Zuni Tribe claims cultural affiliation to ancestral Puebloan, and pre-Puebloan archaeological sites, trails, shrines, and other historic properties. Many of these properties should be treated as Traditional Cultural Properties because of their significance to the cultural history of the Zuni Tribe.

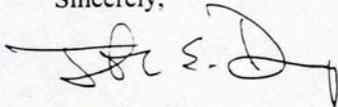
The Zuni Tribe also claims cultural affiliation to all Puebloan and pre-Puebloan ancestral burials and associated funerary objects under the provisions of the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 (Public Law 101-601).

Since it would be impossible to consult with every group of Zuni religious leaders for this undertaking, it is recommended that all historic and traditional cultural properties be avoided. If avoidance cannot be accomplished, it is recommended that comprehensive archaeological and ethnographic studies be implemented to identify affected properties that are important to the Zuni Tribe, and to determine how any impact to the properties may be mitigated. If further consultation is deemed necessary, we will be happy to work with you in establishing the necessary protocol.

Although we acknowledge that according to 36 CFR 800.2 (c) (3), the Pueblo of Zuni is a *consulting party* for properties that may be affected by the proposed undertaking, we do not wish at this time to participate as a consulting party. Please keep us informed of information regarding properties with traditional, cultural, and religious significance that may be affiliated to the Zuni Tribe and which may be of consideration in planning this particular project.

On behalf of the Zuni Tribe and the Pueblo of Zuni, we thank you for providing an opportunity to comment on the undertaking. Should you require additional information, please call 505-782-4814.

Sincerely,



Jonathan E. Damp  
Director, ZHHPO



Malcolm B. Bowekaty  
Governor, Pueblo of Zuni