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To: Programmatic Agreement Signatories

From: Randall Peterson, Regional Environmental Resources Division Manager,
Bureau of Reclamation
Jeffrey Cross, Director, Grand Canyon Science Center, Grand Canyon
National Park
John Ritenour, Chief of Resource Management, Glen Canyon National
Recreation Area

Subject: Approach to Treatment Planning and Treatment Implementation for
Cultural Resources in Grand Canyon National Park and Glen Canyon
National Recreation Area

Reclamation has National Historic Preservation Act (NHPA) Section 106 responsibilities resulting from dam operations, while the National Park Service has NHPA Section 106 responsibilities resulting primarily from its authority as the permitting agency for recreational, research and monitoring activities, and 110 responsibilities from its status as the land manager of the National Park and Recreation Area. Reclamation and the National Park Service share responsibilities for protecting, mitigating adverse effects, and improving the values for which these park units were established – Reclamation under the Grand Canyon Protection Act (GCPA) and the National Park Service under establishing legislation as amended.

In the case of Section 106 compliance, Reclamation and National Park Service are required to identify adverse effects from their actions to register eligible historic properties and consult on the resolution of those adverse effects. With the 1996 Record of Decision on the Operation of Glen Canyon Dam EIS, Reclamation altered dam operations to avoid and minimize adverse effects. In accordance with its national policies, the National Park Service is currently taking actions to preserve historic properties *in-situ* and is addressing recreation impacts in its revision of its Colorado River Management Plan. Through consultation with signatories to the PA, both agencies will address treatment of adverse impacts in compliance with NHPA.

Post-dam river flows through the Grand Canyon have not exceeded 97,000 cfs, a flow that occurred as a result of the extraordinary events during the 1983 floods. Reclamation believes this is a reasonable estimate of the upper limit of future dam releases.¹ Since impacts not related to dam operations (such as natural erosion) transcend any river stage

¹ Peak dam releases during the 1983 flood releases were 93,200 cfs, a situation where the releases were largely uncontrolled. The frequency of the 1983 spring runoff volume was about 1 in 100 years. Extraordinary high releases were exacerbated by poor inflow forecasts. The combination of runoff and forecast error had an approximate frequency of about 1 in 500 years. Since that time significant improvements have been made to both operations strategies and snowpack measuring stations. These improvements will significantly reduce the likelihood of a repeat of the 1983 high flood releases.

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delineation, it may be difficult to differentiate among the various mechanisms that may be degrading the cultural resource sites in Glen and Grand Canyons.²

If the allocation of treatment costs were solely among Interior agencies, one could argue that dividing the cost of mitigating adverse effects was merely an internal funding issue within Interior. However, since the majority of AMP funding comes from public power customers, cost allocation between dam effects and other contributing mechanisms is still an important issue to resolve. We believe the following proposed process has merit in this regard:

1 - The entire suite of sites in Glen Canyon, Grand Canyon, and tribal lands within the Colorado River Ecosystem that may be adversely affected by both Reclamation and National Park Service actions will be considered in the development of a treatment plan for each of these National Park Service units in accordance with NHPA Section 106. Preparation of each of these treatment plans would be financed through a combination of AMP funds, in-kind services of PA signatories, and National Park Service funds and in-kind services.

2 - The Research Design document³, the Monitoring and Remedial Action Plan, as well as other documents, such as monitoring reports and data syntheses, would be used in PA discussions to inform and design mitigation treatments in accordance with NHPA Section 106. Particular and appropriate consideration should be given to (a) National Park Service policy regarding the preservation of cultural resources for the enjoyment of future generations, and (b) the loss of integrity of existing properties which may limit their eligibility to the National Register and their value in answering specific research design questions or their associative values. While funding of the treatment plan would be reviewed and recommended by the TWG and approved by the AMWG, an agreement among the PA signatories on the treatment plan will constitute appropriate compliance under NHPA by the action agencies.

3 - The best available scientific information will be used by the PA signatories to establish the 97,000 cfs stage and to develop location maps, particularly of those degrading sites deemed most critical, in relation to that stage. Reclamation and the National Park Service agree to share information about site boundaries, computer models of river stage, and remotely sensed and ground-based topographic surveys with other PA signatories to accomplish these tasks.

4 - The treatment plans will be implemented using AMP power revenues, appropriations, and other funds. The treatment plans will recommend the priority for treatments. All actions will be undertaken in accordance with established standards of the Secretary of the Interior and guidance by the Advisory Council. Implementation of treatments financed by AMP power revenues initially will be limited to sites at or below the 97,000

² This agrees with the report of the Cultural PEP (April 26, 2002), wherein they stated "Trying to pursue the quantification of those dam-related effects as distinguished from "natural" erosional effects is not deemed a cost-effective research endeavor."

³ The Research Design, which is based on research and data recovery, is currently in final stages of preparation.

cfs stage. Scientific workshops, the expertise of the Science Advisors, and scientific research will be used to identify, on a site-by-site basis, if there are effects on cultural properties above this stage. Where adverse effects are the result of dam operations, AMP power revenues will be used to implement the recommended treatment. Science Advisors will present a consensus recommendation to the Superintendent of the Glen Canyon National Recreation Area or Grand Canyon National Park and Reclamation's Upper Colorado Regional Director for concurrence. If the Superintendent and Regional Director cannot agree, the Department of the Interior Alternative Dispute Resolution process will be implemented.

5 – The process for complying with the GCPA is less clear and formal than that of complying with NHPA Section 106. However, Reclamation and the National Park Service believe that implementing a treatment plan in compliance with NHPA Section 106 is consistent with the intent of GCPA. Careful consideration should be given to the effort that the PA signatories together can exert in protecting existing cultural resources, both through modified dam operations and stabilization efforts.

Monitoring of cultural resources will be required to ascertain success of preservation and stabilization treatments implemented through this process. Long-term monitoring is also required under GCPA to determine if the protection mandates of Section 1802 of GCPA are being accomplished and if new effects of dam operations are occurring. When the requirements of NHPA Section 106 have been met, the focus of cultural resource protection will likely be a combination of scientific monitoring, preservation *in situ*, and other treatments recommended by PA signatories.