



ARDEN KUCATE
Governor

CORDELIA HOOBE
Lt. Governor

ANTHONY SANCHEZ, JR.
Head Councilwoman

VIRGINIA CHAVEZ
Councilman

PUEBLO OF ZUNI

P.O. Box 339
1203-B State Highway 53
Zuni, New Mexico 87327-0339
www.ashiwi.org

505-782-7000 (☎)
505-782-7202 (☎)

BIRDENA SANCHEZ
Councilman

SHIRLEY BELLSON
Councilman

RICKY PENKETEWA, SR.
Councilwoman

EDWARD WEMYTEWA
Councilwoman

Officially known as the Zuni Tribe of the Zuni Indian Reservation

15 March 2024

Kathleen Callister
LTEMP SEIS Project Manager
Bureau of Reclamation
Upper Colorado Region
125 South State Street, Suite 8100
Salt Lake City, UT 84138

Sent by Email only – LTEMPSEIS@usbr.gov

RE: Pueblo of Zuni Comments on the Public Draft (dated February 2024) of the Supplemental Environmental Impact Statement for the December 2016 Record of Decision Entitled Glen Canyon Dam Long Term Experimental and Management Plan.

The Pueblo of Zuni has received and reviewed the public draft (dated February 2024) of the Supplemental Environmental Impact Statement for the December 2016 Record of Decision Entitled Glen Canyon Dam Long Term Experimental and Management Plan. The following are the comments and concerns of the Pueblo of Zuni.

Foremost, it is important to direct attention to the November 2, 2023 letter in which the Pueblo of Zuni provided Reclamation with specific scoping comments on the preparation of this Supplemental EIS. In those comments, Zuni advised Reclamation to consider how the National Environmental Policy Act (NEPA) standards and approaches—along with recognition of Tribal sovereignty and fiduciary trust responsibilities—necessitate inclusionary spaces and equal opportunities in every step of NEPA review for Tribal knowledge sovereignty and subject matter expertise for best available sciences.

Additionally, Zuni advised Reclamation to consider that in any effort to achieve good faith and reasonable NEPA compliance, information and data informing NEPA review must be gathered, analyzed, and considered by and through Native knowledge and science systems, values and uses, and perspectives and meanings (i.e., ontologies and epistemologies) in *at least* in equal standing with mainstream Western scientific methodologies and findings. Reclamation must also consider how appropriate attention to these concerns by trained, qualified, and tribally trusted personnel are fundamentally necessary to collectively fulfill and comply with, both reasonably and in good faith, the overall purpose and procedures of NEPA generally and for this proposed supplemental EIS specifically.

On January 18, 2024, the Pueblo of Zuni provided thirty-eight specific comments in the provided Excel spreadsheet format identifying the chapter, page number, and line number(s) specifically requested by Reclamation on the Preliminary Draft SEIS. Clearly, after reading this public draft SEIS, the Pueblo of Zuni's comments and efforts at participating in this SEIS process as a cooperating agency was meaningless. Given this conclusion, it is highly unlikely the Reclamation will receive or respond to the below Zuni comments in any kind of meaningful manner. The Zuni comments that follow demonstrate this poignant fact and underscore the intentional dismissal of Zuni knowledge sovereignty by Reclamation whose (i.e., Anglo-American) cultural bias dominates this draft compliance document.

In reviewing this document, it becomes immediately apparent that the authors have wholly failed to meaningfully consider, understand or evaluate the expressed Zuni scoping comments. Moreover, the

treatment of the issue of lethal management of non-native fish (small mouth bass) in the Colorado River through Grand Canyon is accomplished through simplistic and faulty considerations by suggesting that resolution of adverse effects to the Zuni traditional cultural property (the Colorado River and Grand Canyon) caused by the alternative(s) considered can be appropriately handled through consultation as part of compliance with the 2017 GCD LTEMP PA. The Pueblo of Zuni reminds Reclamation that consultation is not mitigation, rather, consultation is intended and should be a meaningful, honest, and transparent communication process where the agency and the Tribe work to reach a mutually satisfactory resolution of adverse effect. The document fails to provide any credible analysis of the psychological, emotional and material harm that the community of Zuni has and will experience as a direct result of Reclamation's implementation of lethal management dam release flows.

It is the position of the Pueblo of Zuni, that Reclamation's continuing reliance on the 2012 Memorandum of Agreement as a document that defines ways to avoid, minimize or mitigate adverse effects to Chimik'yana'kya dey'a, K'yawan' A:honanne, and Ku'nin A'l'akkwe'a which specifically stipulates "live removal" per stipulation 1 is not valid for the following reasons. The various alternatives under consideration in this document are designed to prevent small mouth bass reproduction or eliminate the viability of small mouth bass eggs from hatching. Whereas, the 2012 MOA was designed specifically with rainbow trout in mind as the primary fish of concern and efforts to implement live removal were considered feasible; the treatment of small mouth bass (or green sun fish or other piscivorous non-native fish) with this MOA through this NEPA and the associated NHPA process is inapt.

More importantly, the Pueblo of Zuni directs your attention to the 2012 MOA stipulation 6(a): Termination which states "...this MOA will expire eleven (11) years after the date of its execution by Reclamation, unless the signatories hereto, in consultation with the other parties and such others as may have become involved in implementation of this MOA, agree in writing to extend its terms." The 2012 MOA expired in 2023 and no effort has been made by Reclamation to consult with the parties to this agreement to extend its terms. Therefore, the 2012 MOA is no longer a valid document and should not be referenced as a legitimate compliance document in this public draft SEIS.

3.12 Cultural Resources

This entire section is a continuation of the pernicious habit of Reclamation to only present and analyze impacts through the narrow Western perspective and understanding of the environment when complying with the National Historic Preservation Act and the National Environmental Policy Act. Reclamation consistently privileges, to the exclusion of all other forms of knowledge production, Western science methodologies and ideologies, that intentionally and consistently disenfranchise and dismiss Zuni forms of knowledge production. In the Zuni scoping comments attention was directed to the fact that Reclamation's negligence in past environmental and historic preservation compliance has been indelibly entangled in racist perspectives and practices that structurally underpin the development and formation of historic preservation values and approaches when narrow disciplinary archaeological interpretations and disciplinary perspectives and values are privileged in the identification and evaluations of ancestral/archaeological sites (resources) and effects/impacts to their integrity.

For example, this section focuses solely on those archaeological sites that are considered Register-eligible by the National Park Service and will presumably benefit from aeolian sand deposition on archaeological sites that benefit from high flow experiments (HFEs). It fails to identify or address that these same archaeological sites are considered living places where the spirits of Zuni ancestors continue to reside. As Zuni, we refer to these places as *Ino:de Heshoda:we* which are indelibly associated with historic events that have made and



continue to make significant contributions to the broad pattern of Zuni history and cultural identity. These ancestral places are physical evidence that the Zuni ancestors resided (and continue to reside) in and traveled extensively throughout the Grand Canyon to collect what they needed to survive, to initiate the journeys to find the Middle Place, and that these ancestral places act as nodes of intersection and reactivation that tie the entire Zuni sacred geography together.

This section demonstrates the intentional dismissal or eliding by Reclamation to give due consideration to the NEPA directive (40 CFR 1508.8) that requires analysis and assessment of direct, indirect, and cumulative impact to resources of traditional use and importance to Native American tribes. Additionally, the narrow-minded and colonialist linear historical perspective of the human presence in the Grand Canyon that is offered arbitrarily distinguishes between two periods of the past which are labeled as “prehistoric” and “historic.” The historic period is defined as beginning in 1776 with the arrival of the Dominguez-Escalante Expedition (the Spanish invaders and colonizers) and then Anglo-Americans (continuing colonization); whereas, the prehistoric period is the narrative solely developed by Western trained archaeologists based on a culturally biased interpretation of past archaeological material, assumed settlement patterns and mortuary practices. That this narrative is being presented as the “human history of the Grand Canyon” and that the various Tribal traditional histories are silent is offensive because it denies, in part, Zuni concepts of time that are expressed intergenerationally so that the past and future are intimately connected through Zuni people, landscape, kinship relationships with other life forms and resources. In presenting these archaeological interpretations as historic fact denies and disenfranchises Zuni traditional history from equitable consideration through epistemicide which involves the destruction, marginalization, or banishing of Zuni knowledge. The concept of knowledge democracy, which is critically lacking from this public draft SEIS and the entire Glen Canyon Dam Adaptive Management Program, acknowledges the importance of multiple knowledge systems and should be about open access for the sharing of that knowledge. Noticeably missing is an honest historical accounting of the forced displacement of Tribal people from sacred landscapes that became the Grand Canyon National Park and the associated racism and forced acts toward assimilation that were perpetuated by the US government on Tribal people; this is an important history that is insultingly trivialized by this brief accounting.

3.13 Tribal Resources

The Tribal Resources section is deficient in understanding and contextualizing the Zuni submitted language within this compliance document. The Zuni submitted narrative was inserted in this section without any attempt by the authors to understand or contextualize the Zuni information within this compliance process. Moreover, and more importantly, the authors of this draft did not extend any effort to communicate with the appropriate Zuni representatives to understand the purpose of the offered language or how to incorporate it within this NEPA compliance document. Thus, Zuni is left to attribute this disparity to the ignorance, negligence, or bias of the authors and the inadequate results that stem from only relying on Class I information.

To clarify, the Zuni language offered was to situate the SEIS study area within a larger National Register-eligible historic district understood as the Zuni Chaco Heritage Historic District which exemplifies the critical and important role the Grand Canyon (place of emergence and initiation of migrations) plays in the broader Zuni cultural landscape. The boundaries of this historic district were provided to Reclamation and their contractors as very critical Zuni information to be seriously considered in the development of this SEIS.

Within this Register-eligible historic district all *Ino:de Heshoda:we* are historically significant Zuni landmarks that serve as tangible contextual *entrance points* to various spatial dimensions and temporal layers



of ongoing traditional religious and cultural importance. Rather than isolated, standalone, or temporally distinct “archaeological” structures, aspects of integrity of *Ino:de Heshoda:we* are first and foremost defined by how these ancestral places are able to connect to, calibrate, and direct Zuni practices of movement, pause, and return in relationship to ancestral movements, migrations, pauses, and creations. Likewise, instead of linear temporal periodizations or blocks of time gone past, the traditional religious and cultural importance and historical significance of *Ino:de Heshoda:we* are defined by how Zuni practices of movement, pause, and return work to (en)fold the past, present, and future at these places through interactions with the ancestors who continue to dwell with/in their spaces.

At *Ino:de Heshoda:we*, past and present enfold in and through Zuni mo(ve)ments of communal pause—as Zuni offerings, prayers, songs, rituals, ceremonies, collections, and/or knowledge recovery; so, too, do these present mo(ve)ments enfold the future through information reactivation and enhanced capacities for collective continuance in and through communication with and learning from the ancestors dwelling within their structured spaces. For these reasons and in these ways, viable futures for traditional Zuni identities and practice intimately and indelibly depend on the integrity of *Ino:de Heshoda:we* as tangible reservoirs of Zuni history and human environment relationships, relational life/way lessons and processes, and navigational and calibrating landmarks through their intimate and expressive functions as intensive and concentrated information zones of the traditional cultural land/waterscape and the total environment.

The very material and embodied contexts of these living associations and ongoing practices with *Ino:de Heshoda:we* both highlight and illustrate how typical archaeological temporal classification and designation schemes for these ancestral places are exceedingly limited, highly partial, and thoroughly lacking. Zuni insights into and understandings of the integrity and significance of *Ino:de Heshoda:we*—and what may adversely affect their integrity and capacities to retain or convey this significance—extend far before and far beyond reductionist and narrow archaeological values and periodizations and the ontologies, epistemologies, and methodologies mainstream Western archaeologists use to ascertain and define formation, use, function, integrity, meaning, and significance.

Given the lack of good faith and reasonable inclusions of the Zuni Tribe, all previous NRHP evaluations of *Ino:de Heshoda:we* listed in Tables 3-39 and 3-40 are incomplete and insufficient because of their (1) neglect to consider and account for all applicable NRHP evaluation Criteria for integrity and significance, and (2) failures to include Zuni special expertise in evaluations of significance, assessments of integrity, identifications of TCP status and function, and overall NRHP eligibility per 36 CFR 800.4(c)(1). NEPA analyses to date have also wholly failed to adequately account for how *Ino:de Heshoda:we* situated throughout and beyond the Grand Canyon are indelible parts of the Zuni human environment (per 40 CFR 1508.14), or how, as historic and cultural resources to and for Zuni (per 40 CFR 1502.16(g)), direct, indirect, and cumulative effects (40 CFR 1508.8) on *Ino:de Heshoda:we* impact Zuni traditional religious and cultural practices, health and wellbeing, and capacities for collective continuance. Further, as *Ino:de Heshoda:we* are important and unique historical and cultural resources, they require special management attention guided and directed by and through Zuni knowledge and values to protect them.

The greater Zuni Chaco Heritage Historic District is simultaneously a dynamic and diverse and inter-functional and unified geographical area densely lined and dotted with multiple intensive zones of historical significance and ongoing traditional religious and cultural importance. The interconnected and interrelated layers and dimensions of multiple intensive middle zones of the district both circularly and circuitously pivot—in space and time—on *Heshoda Bitsulliyal/Ki:whihtsi Bitsulliya*, Chaco Canyon, while always connecting and radiating to and from the spatial anchors of *Idiwana'a*, the Zuni Pueblo, and *Chimik'yana'kya dey'a* (place of emergence) and *Kuhnin A'l'akk'wa* (Grand Canyon). The spatial forms

March 15, 2024

LTEMP SEIS Project Manager, Bureau of Reclamation

Zuni Comments on Public draft of the LTEMP SEIS

Page 5

and surficial constellations of Chaco Canyon convey deep time and deep space Zuni understandings of the multi-dimensional cosmos, and take on wider communal layers of social, historical, geographical, and ceremonial significance as *K'yakwe: A:mossi*, or “House of Puebloan High Priests.”

Diagramming the socio-spatial and spatiotemporal dimensions and layers of the greater Zuni Chaco Heritage Historic District requires accounting for the deep time and deep space lessons, historical, environmental, and ecological insights, and verbally conveyed cartographies of Zuni *chimiky'ana'kona* and *Ino:de bena:we* storytelling traditions. These deep time and deep space re-countings demonstrate that just as Zuni history is embodied and conveyed in and by specific geographies, these specific geographies are often readily identifiable in and as concentrated spatial zones of intensive significance that Zuni people remain deeply connected to through topological practices of oral tradition, ceremony, and everyday encounters. These spatial zones often depend on living socio-spatial relationships among the human, non-human, and more-than-human for their integrity, health, and wellbeing, and find expression through various tangible resources, elements, and forms that may be characterized as objects, sites, structures, buildings, and/or districts. These include intensive zones of the land/waterscape that have given names and *Ino:de Heshoda:we*, or ancient homes, waterbodies and waterways such as springs, seeps, rivers, and lakes, *Adeshkwi:we* (“Shrines”) and *delashinnawe* (“Sacred Old Places/Shrines of the World”), flora, fauna, and geological mineral gathering, hunting, and collection areas, each of which indelibly involve ongoing associations to the maintenance of Zuni traditional religious and cultural practices and identities, the recovery and reactivation of ancestral histories and geographies, and the overall health and wellbeing of Zuni people, the Zuni Tribe, and countless non-human and more-than-human Zuni relatives.

The formation, maintenance, and practice of these Zuni people-place, society-space, and human-environment relationships with the greater Zuni Chaco Heritage Historic District—and the historical contexts and events and geographical planes and processes of significance that they embody, convey, live, and reactivate—can be delineated and diagrammed under three general “time periods” of Zuni socio-spatial and spatiotemporal formation, aggregation, and assemblage.

- From the event of Zuni emergence in *Chimik'yana'kya dey'a* and *Kuhnin A'l'akk'wa* in time immemorial to the initial movement to and pause at *Heshoda Bitsulliya/Ki:whihtsi Bitsulliya* on the northern route in search of *Idiwan'a*. Archaeologists identify the time of this pause as most intensively occurring between ca. 800 and 1150 C.E.
- From the subsequent movement of Zuni ancestors from *Kuhnin A'l'akk'wa* along the northern migration route to the initial pause at *Heshoda Bitsulliya/Ki:whihtsi Bitsulliya* between ca. 800 and 1150 C.E and the resumed journey to find *Idiwan'a*. Archaeologists suggest that the most intensive aggregation of Zuni people finding *Idiwan'a* occurred between ca. 900 and 1300 C.E.
- From the ongoing and cyclical continuum of spatiotemporal and socio-spatial practice that enfolds the event of emergence in time immemorial, journeys to find *Idiwan'a*, and subsequent obligations to return to, pause at, and steward and recover knowledge with and throughout the diversity of resources, elements, and the intensive spatial zones of multiple middles that help form, comprise, and sustain the integrity of the greater Chaco historic district and land/waterscape in and as the emerging ever-present.

These time periods are simultaneously layered and intersecting as they exist in assemblage with the greater Zuni Chaco Heritage Historic District, are dependent upon the integrity of its traditional religious and cultural land/waterscape for their maintenance and perseverance, and always involve processes of movement, pause, and return with this diverse and dynamic land/waterscape as it topologically and topographically connects Zuni of the present with those of the past and future.

March 15, 2024

LTEMP SEIS Project Manager, Bureau of Reclamation

Zuni Comments on Public draft of the LTEMP SEIS

Page 6

Overall, the traditional cultural land/waterscape that defines the greater Chaco area for Zuni is comprised of numerous contributing resources, elements, and spatially distinct yet intimately interconnected spatial middle zones of multi-layered, multi-dimensional, and inter-functional past, present, and future significance that render it a unified historic district of *A:shiwí A:wan Dehwa:we*. As a vast yet interconnected and inter-functional intensive spatial zone comprised of multiple intensive tangible middles, the greater Zuni Chaco Heritage Historic District provides the material basis for the origins, traditional histories and sacred geographies, and current collective identity and traditional practices of the Zuni people and the Zuni Tribe. For Zuni, the integrity of the greater Zuni Chaco Heritage Historic District—like so many temporal layers and spatial dimensions of its traditional religious and cultural importance—is most directly identified, calibrated, and navigated through processes of dynamic continuity, and what deep time and deep space processes of continuity have done—and are doing—and for what and for whom; Zunis “add on to what they already have so that if one looks beyond the superficial trappings of Western society, one finds a stable Zuni cultural core.”

The above Zuni information is critically pertinent to compliance with the 2017 GCD LTEMP Programmatic Agreement and must be appropriately addressed in the next iteration of this SEIS because it presents direct, indirect and cumulative effects that are glaringly absent from this draft. The integration and the analysis of this Zuni information into the final draft of this SEIS necessitates the active involvement and engagement of Zuni knowledge experts during the process to revise this SEIS.

Beginning in 2009 and continuing to the present day, the multiple epistle, email and verbal correspondences to Reclamation from the Pueblo of Zuni well documents Zuni concerns with any type of lethal management and its impacts on the Zuni sacred geography that is Grand Canyon. This public draft SEIS egregiously fails to both substantively engage and consider the direct, indirect, and cumulative impacts of these practices on Zuni people and kin. The continuing failure of the federal government to take constructive and proactive steps to address the non-native fish (of which the small mouth bass is the “*poisson du jour*”) issue in the Colorado River below Glen Canyon Dam underscores the repeated failures of Interior agencies to effectively respond to a known emerging issue and to effectively observe their trust responsibility to the Zuni people.

As this public draft SEIS demonstrates, Reclamation repeatedly makes a conscious and willful decision to maintain standard reactive measures which knowingly and disproportionately impact the Zuni community, including direct, indirect, and cumulative effects on and impacts to opportunities and capacities for fulfillment of Zuni traditional practices and protocols, experiences of health and wellbeing, and possibilities for Zuni elected leadership to fulfill their oaths of office that require us to “cherish and protect all that contains life; from the lowliest crawling creature to the human” (Constitution of The Zuni Tribe, Article XVI – Oath of Office). During the interval to revise this public draft SEIS, the Pueblo of Zuni requires face-to-face, government-to-government consultation to provide Reclamation the opportunity to address the Zuni concerns conveyed in scoping and in this letter.

Sincerely,



Arden Kucate
Governor

