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Officially known as the Zuni Tribe of the Zuni Indian Reservation

30 June 2009

Mr. Larry Walkoviak, Regional Director
Bureau of Reclamation
Upper Colorado Regional Office
125 South State Street,
Salt Lake City, Utah 84138

RE: Mainstem Nonnative Fish Control (BIO 2.R16.10) for FY 2010 & 2011

Dear Mr. Walkoviak,

The Pueblo of Zuni participated in the Technical Work Group discussions regarding the proposed FY 2010 and 2011 work plans and budgets for the Glen Canyon Dam Adaptive Management Program (GDCAMP) on 22 & 23 June 2009. During those discussions, the Pueblo of Zuni's representative expressed concern about the planned mechanical removal actions for 2010 and 2011 because of the location, the confluence of the Little Colorado and the Colorado Rivers, where this action would take place and because the Pueblo of Zuni objects to the killing of thousands of trout. As you are aware the Pueblo of Zuni also expressed the same concern during the last Adaptive Management Work Group meeting held on 29 & 30 April 2009. It is specifically because the expressed Zuni concerns were not given due deliberation by the Adaptive Management Work Group or the Technical Work Group that we now submit to you a detailed account of our concerns.

The Pueblo of Zuni's objection to the mechanical removal of trout is founded, in part, on our enduring cultural and spiritual connection to the Grand Canyon. According to our traditions, the Zuni people emerged from Earth Mother's fourth womb into the sunlight at a location in the bottom of the Grand Canyon near present day Ribbon Falls. Our creation narrative describes the Zunis' search for the center of the world, *Idiwana'a* (the Middle Place). The Zuni people moved up the Colorado River and then journeyed up the Little Colorado River, periodically stopping and settling in locations along these rivers. At the junction of the Little Colorado and the Zuni River, many of the supernatural beings, or *Kokko*, came into existence. After a long search the Zunis located the middle of the world and settled there.

Today, the Pueblo of Zuni is located in the Middle Place and even though the Pueblo of Zuni is located far from our place of emergence, we continue to maintain very strong cultural and spiritual ties with the Grand Canyon, Colorado River, and Little Colorado River. In fact, the confluence of the Little Colorado and Colorado Rivers is viewed as a spiritual umbilical connection between the Pueblo of Zuni and the Grand Canyon that is facilitated through the union of the Zuni River, the Little Colorado River and the Colorado River. The confluence is also viewed by the Zuni people as a culturally important place because of its abundance of aquatic and terrestrial life that represents the fertility of nature. Therefore, the confluence of the Little Colorado and Colorado Rivers is considered by the Pueblo of Zuni to be a traditional cultural property that is eligible to the National Register of Historic Places under criteria a and b for the ongoing significant role it plays in Zuni history, culture, and collective identity.

The annual ceremonial activities carried out by the Zuni are performed to ensure adequate rainfall and prosperity for all life. Zuni people pray not only for our own lands, but for all people and all lands. Our prayers are especially aimed at bringing precipitation to the Southwest. In order to successfully carry out our prayers, offerings and ceremonies necessary to ensure rainfall for crops and the prosperity of all life, we must maintain a balance with all parts of the interconnected universe. The animals, including all aquatic life, birds, plants, rocks, sand, minerals, and water in the Grand Canyon all have a special meaning and relationship to the Zuni people. The entire environment at the bottom of the Grand Canyon is sacred to the Zunis and is integrally connected to Zuni religious beliefs, ceremonies, and prayers.

As a consequence of this interconnection, the Pueblo of Zuni views the past and the proposed FY 2010 and 2011 mechanical removal activities as an action that creates counter-productive energy to the Zuni's ceremonial efforts to ensure rainfall and the prosperity of all life. Moreover, the fact that this mechanical removal is located within this Zuni traditional cultural property magnifies the negative effects of this proposed action for the Zuni people.

In 2002, the Bureau of Reclamation and the Grand Canyon Monitoring and Research Center consulted with the GCDAMP stakeholder Native American Tribes concerning the mechanical removal experiment. At that time, the mechanical removal experiment was proposed as consisting of four years of mechanical removal followed by four years of no mechanical removal. After completing the first four years of mechanical removal, the Bureau of Reclamation and the Grand Canyon Monitoring and Research Center elected to continue the mechanical removal in year five; thereby, rendering the original design of the experiment ineffectual and void. Moreover, and perhaps more importantly, when the original experimental design was presented to the Tribes there were three proposed locations for the implementation of the mechanical removal activities; the confluence of the Little Colorado and Colorado Rivers being one of those locations but not the sole focus. At that time, the Tribes expressed concern about the massive amount of life that would be taken as a result of the proposed mechanical removal and that this action would negatively impact the cultural values that the Tribes ascribed to this sacred place. The Grand Canyon Monitoring and Research Center offered a solution to the taking of life by providing the Hualapai Tribe with the fish remains for use in their gardens. There was no solution offered for the location. In fact, the confluence of the Little Colorado and Colorado Rivers subsequently became the single focus of all mechanical removal activities without follow-up meaningful consultation with the Tribes.

Today, the mechanical removal efforts appear to be viewed as a management action by the Bureau of Reclamation as a means to reduce the amount and effect of trout predation on young Humpback Chub entering the mainstem Colorado River. The proposed FY 2010 and 2011 mechanical removal projects (BIO 2.R16.10) do not appear to be a continuation of the original experiment proposed and consulted on with the Tribes in 2002. Rather, the Pueblo of Zuni views the proposed 2010 and 2011 mechanical removal projects as a new Bureau of Reclamation undertaking that needs to be considered and consulted concerning the undertaking's effect on traditional cultural properties as afforded under Section 106 of the National Historic Preservation Act, as amended. Based on the Zuni traditional information provided in this letter, the Pueblo of Zuni considers the confluence to be a Register eligible Zuni traditional cultural property and the proposed mechanical removal actions as having an adverse effect of those cultural values that the Zuni ascribe to this important place.

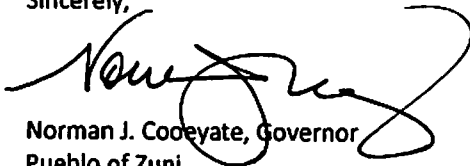
Additionally, and equally significant, the Pueblo of Zuni requests that the Bureau of Reclamation initiate consultation with the Pueblo of Zuni under Executive Order 13007 which states that a federal agency shall accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and that the federal agency shall avoid adversely affecting the physical integrity of such sacred sites. Since 2002 there has been inadequate and ineffective meaningful consultation with the participating GCDAMP Tribes regarding the effect of the mechanical removal on this important place and the concern the Pueblo of Zuni is raising concerning the massive taking of life. As a result, compliance with Executive Order 13007 has been seriously neglected by the Department of the Interior and the GCDAMP.

In anticipation of a favorable response to our request for consultation, the Pueblo of Zuni requests that the Bureau of Reclamation, the implementing action agency, coordinate with the U.S. Fish and Wildlife Service, the agency responsible for the mechanical removal requirement in the Biological Opinion, to act as co-lead agencies in carrying out this consultation. In addition, the Grand Canyon Monitoring and Research Center, the agency responsible for funding the mechanical removal; the Grand Canyon National Park, the agency responsible for permitting the mechanical removal within the Park; and the Arizona Game and Fish Department, the agency responsible for carrying out the mechanical removal; be included in this consultation effort. The Pueblo of Zuni also requests that the Bureau

of Reclamation invite the Advisory Council on Historic Preservation and the Arizona State Historic Preservation Office to be a part of this consultation effort. It is only through a meaningful dialogue between the Federal agencies, the State agencies, and the Pueblo of Zuni about the issues raised in this letter that a mutually beneficial resolution can be achieved.

The Pueblo of Zuni appreciates your attention to our concerns expressed in this letter. Should you have any questions or require additional information regarding the position of the Pueblo of Zuni and to schedule and coordinate the consultation with the Pueblo of Zuni please contact Kurt Dongoske, Zuni Tribal Historic Preservation Officer, at 505/783-4814.

Sincerely,



Norman J. Cooney, Governor
Pueblo of Zuni
P.O. Box 339
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XC: Mr. Ken Salazar, Secretary of the Interior
Mr. Reid Nelson, Director, Federal Programs, Advisory Council on Historic Preservation
Mr. James Garrison, Arizona State Historic Preservation Officer
Adaptive Management Work Group
Technical Work Group
Grand Canyon Monitoring and Research Center