

APPENDIX J

CULTURAL RESOURCES CORRESPONDENCE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

APR 15 2013

Ms. Irene Zwierlein
Amah/Mutsun Tribal Band
789 Canada Road
Woodside, California 94062

Dear Ms. Zwierlein:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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Sincerely,

Alicia E. Kirchner
Chief, Planning Division

Enclosure



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Environmental Resources Branch

APR 15 2013

Ann Marie Sayers
Indian Canyaon Mutsun Band of Costanoan
P.O. Box 28
Hollister, California 95024

Dear Ms. Sayers:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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Environmental Resources Branch

Rosemary Cambra
Muwekma Ohlone Indian Tribe of the SF Bay Area
P.O. Box 360791
Milpitas, California 95036

APR 15 2013

Dear Ms. Cambra:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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Environmental Resources Branch

APR 15 2013

Andrew Galvin
The Ohlone Indian Tribe
P.O. Box 3152
Fremont, California 94539

Dear Mr. Galvin:

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Environmental Resources Branch

APR 15 2013

Tony Cerda
Coastanoan Rumsen Carmel Tribe
240 East 1st Street
Pomona, California 91766

Dear Mr. Cerda:

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Environmental Resources Branch

APR 15 2013

Rhonda Morningstar Pope
Buena Vista Rancheria
1418 20th Street, Suite 200
Sacramento, California 95811

Dear Ms. Pope:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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Environmental Resources Branch

APR 15 2013

Debra Grimes
Calaveras Band of Mi-Wuk Indians
P.O. Box 1015
West Point, California 95255

Dear Ms. Grimes:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

Silvia Burley
California Valley Miwok Tribe
10601 North Escondido Place
Stockton, California 95212

APR 15 2013

Dear Ms. Burley:

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SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

Yvonne Miller
Ione Band of Miwok Indians
P.O. Box 699
Plymouth, California 95669

APR 15 2013

Dear Ms. Miller:

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Environmental Resources Branch

Katherine Erolinda Perez
North Valley Yokuts Trive
P.O. Box 717
Linden, California 95236

APR 15 2013

Dear Ms. Perez:

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Environmental Resources Branch

Charlie Wright
Cortina Band of Indians
P.O. Box 1630
Williams, California 95987

APR 15 2013

Dear Mr. Wright:

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APR 15 2013

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Wilton Rancheria
9300 West Stockton Boulevard, Suite 200
Elk Grove, CA 95758

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Potential alternatives currently being considered include both structural and non-structural measures. Structural measures could include such things as construction of protective corridors, ring levees and setback levees to protect population centers and critical infrastructure (i.e. roads, railroads, aqueducts, transmission lines, etc.). Non-structural measures could include such things as flood-proofing/elevating structures, emergency response planning, development of a floodplain management plan, and other land use measures. Also included among these alternatives is the restoration of habitat in conjunction with the construction of protective corridors and ring levees.

The study area extends across approximately 740,000 acres of land segregated into some 80 tracts and islands and 1,100 miles of levee. The area spans six counties including Contra Costa, Alameda, San Joaquin, Sacramento, Yolo, and Solano (enclosure). In the future, this study area will become more focused as alternatives are developed.

While this study is currently in the early planning stages and a records and literature search has not yet been conducted, one is planned for the near future. We are sensitive to the protection of traditional cultural properties and sacred sites, and make every effort to avoid them. Please let us know if you have knowledge of locations of archeological sites, or areas of traditional cultural value or concern in or near the proposed Delta Islands and Levees Feasibility Study area. Correspondence may be sent to Mr. Richard Perry, U.S. Army Corps of Engineers, Sacramento District, 1325 J Street, Sacramento, California 95814-2922. If you have any questions or would like additional information, please contact Mr. Perry at (916) 557-5218 or by email at: richard.m.perry@usace.army.mil. For any project specific questions, please contact Mr. Dennis Clark, Project Manager, at (916) 557-7963 or by email at: dennis.g.clark@usace.army.mil.

Sincerely,

Alicia E. Kirchner
Chief, Planning Division

Enclosure



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

Charlie Wright
Cortina Band of Indians
P.O. Box 1630
Williams, California 95987

APR 15 2013

Dear Mr. Wright:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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Sincerely,

Alicia E. Kirchner
Chief, Planning Division

Enclosure



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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

APR 15 2013

Marshall McKay
Yocha Dehe Wintun Nation
P.O. Box 18
Brooks, California 95606

Dear Mr. McKay:

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, pursuant to 36 CFR 800.2 (c)(2)(ii), we are writing to inform you of the proposed Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are working together to consider a variety of alternatives in order to achieve the objectives of flood risk management and ecosystem restoration for the Delta Study.

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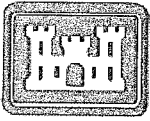
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Chief, Planning Division

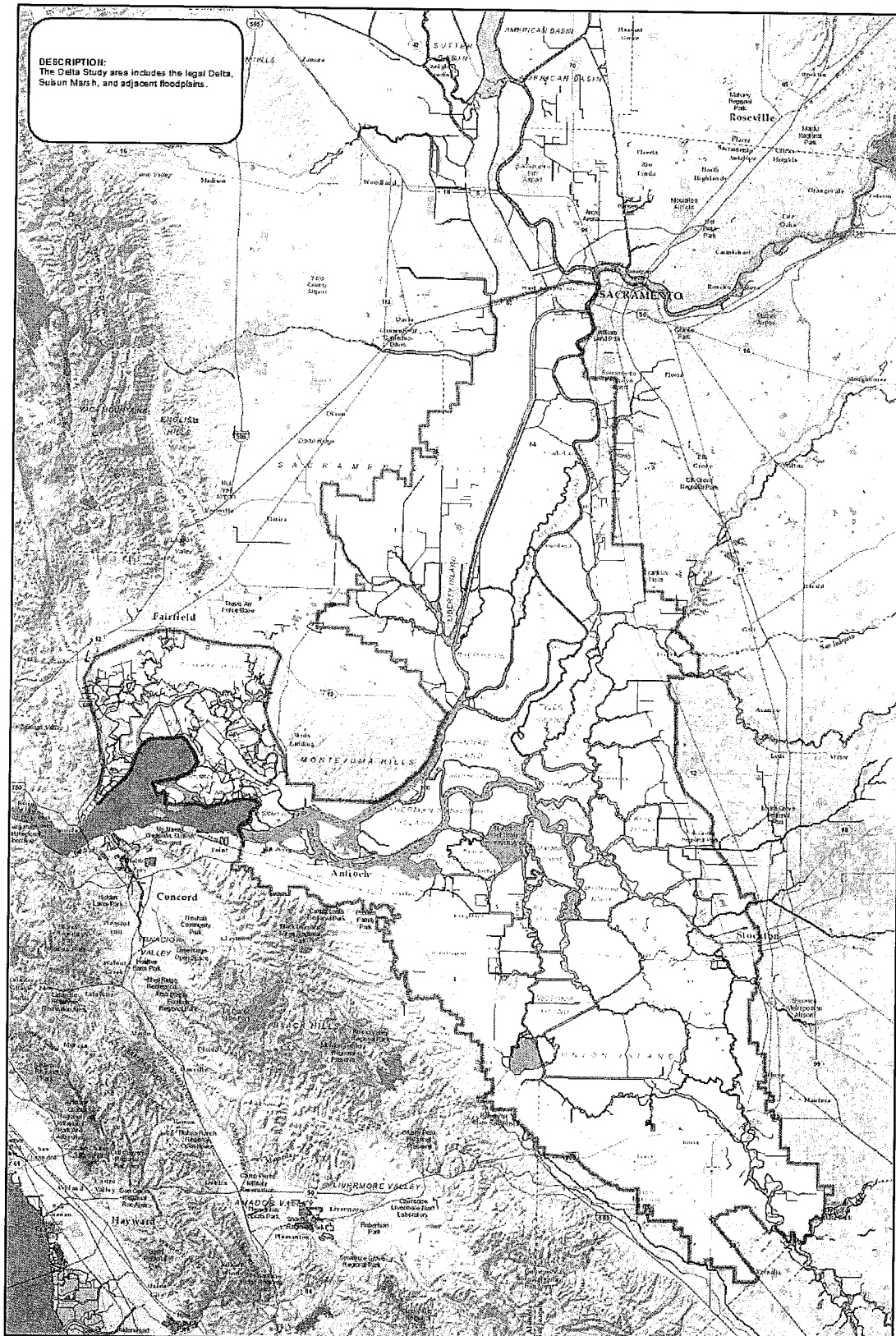
Enclosure



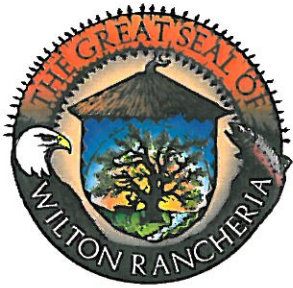
**US Army Corps
of Engineers**

PROJECT AREA MAP

Delta Islands & Levees Feasibility Study



BUILDING STRONG®



Wilton Rancheria

9300 W. Stockton Blvd., Suite 200
Elk Grove, CA 95758
Ph: (916) 683-6000
Fax: (916) 683-6015

May 6, 2013

Mr. Richard Perry

U.S. Army Corps of Engineers, Sacramento District

1325 J Street Sacramento, CA 95814-2922

RE: Delta Islands and Levees Feasibility Study (Delta Study)

Dear Mr. Perry,

Thank you for allowing Wilton Rancheria the opportunity to comment on the Proposed Action for the Delta Islands and Levees Feasibility Study. WR's Cultural Resources Department would like to comment on the proposed project's efforts for flood risk management and to restore the ecosystem of the Delta. WR is nearby and considers the Delta to be sacred.

WR is aware that significant cultural archeological sites may exist throughout the proposed project area. WR's Cultural Resources Department would like to receive copies of any completed record searches. We would also like to request any archeological, cultural and environmental surveys and reports that have been, or will be, completed for the project. WR would like to be present for any activities that have potential to impact the lifeways, traditional cultural properties and landscapes that may be of sacred or ceremonial significance. Please keep us informed on the status of this project.

Thank you for providing us with the opportunity to comment. If you have any questions, please contact Steven Hutchason, Executive Director of Cultural Resources at (916) 683-6000 ext. 2006 or email shutchason@wiltonrancheria-nsn.gov.

Sincerely,

Steven Hutchason

Executive Director of Cultural Resources

CC: Mr. Dennis Clark, Project Manager dennis.g.clark@usace.army.mil



REPLY TO
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DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Mary Daniels-Tarango, Chairperson
Wilton Rancheria
7916 Farnell Way
Sacramento, CA 95823

Dear Ms. Daniels-Tarango:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 we are writing you now with an updated project description and proposed project area and responding to a letter received from your staff. We request any information or concerns you may have about cultural resources in this area of the Delta.

The Delta Study proposes to restore intertidal marsh habitat, requiring fill material to be placed via direct placement. Proposed sources for the fill material include dredge material from yearly Operations and Maintenance of the Stockton Deep Water Ship Channel and previously dredged material from existing dredge spoils areas. Enclosed is a map showing the study area, including the existing dredge spoil areas, and the area of potential effect (APE). The cultural resources study area has been narrowed from the entire Delta to Big Break, Franks Tract, and Little Franks Tract; although a larger look at the overall history of the Delta was also considered. These locations currently are submerged, although for at least a short period of time they were protected by levees, occupied, and farmed. Other areas, which may be temporarily impacted by pipelines used to move the dredge material are also considered, to a lesser degree, and include areas of Sherman, Bradford, and Jersey Islands.

The APE is defined as the soil placement areas within Little Franks Tract and Big Break Regional Shoreline as seen on the enclosed map. In addition, linear alignments for the temporary pipelines to transport materials to the work areas are also considered part of the APE as are unidentified staging areas. Areas not considered as part of the APE are the locations from where the dredge materials will be taken. These areas are established dredge spoils deposition areas and are comprised entirely of displaced material from maintenance dredging for other projects.

The Corps referenced a record search for the entire Delta completed in 2012 at California Historic Resources Information Centers for the Bay Delta Conservation Plan. Based on this search no known cultural resources are located within the APE. An updated record search has been requested for this specific project. Although your staff requested a copy of the record search in their letter, because we are under a user agreement with the California Historic Resources Information System, we are not able to comply with this request. We recommend that you contact the appropriate Information Centers directly if you desire the information for this project area. A list of sites and bibliography of reports within the APE (if any) as well as a copy of the final cultural resources report for this project will be forwarded to your cultural resources staff upon its completion.

Additional research was undertaken using in-house records and those held by the East Bay Regional Park System, the California State Lands Commission, and National Register of Historic Places. No previously recorded cultural resources are located within the APE. The proposed ecosystem restoration areas in Big Break and Little Franks Tract are completely submerged and the temporary pipeline alignments are only proposed, no pedestrian survey was undertaken. However, boat trips that included photographing the remnant levees and other historic features were undertaken to record and document the current condition of these newly identified resources. Pipeline alignments will be monitored and routed around any cultural resources encountered in the future.

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Sincerely,



Alicia E. Kirchner
Chief, Planning Division

Enclosure

cc:

Mr. Leland Daniels, Cultural Resources Representative, Wilton Rancheria, 7916 Farnell Way, Sacramento, CA 95823

Mr. Steven Hutchason, Executive Director of Cultural Resources, Wilton Rancheria, 7916 Farnell Way, Sacramento, CA 95823



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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Elaine Patterson, Chairperson
Cortina Band of Indians
P.O. Box 1630
Williams, CA 95987

Dear Ms. Patterson:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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Sincerely,



 Alicia E. Kirchner
Chief, Planning Division

Enclosure

CC:

Karen Flores, Vice Chairperson, Cortina Band of Indians, P.O. Box 1630, Williams, CA 95987

Thelma Brafford, Tribal Administrator, Cortina Band of Indians, P.O. Box 1630, Williams, CA 95987



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U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Marshall McKay, Chairperson
Yocha Dehe Wintun Nation
Rumsey Indian Rancheria of Wintun
P.O. Box 18
Brooks, CA 95606

Dear Mr. McKay:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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Chief, Planning Division

Enclosure

cc:

Leland Kinter, Native Cultural Renewal Committee; Cynthia Clarke, Native Cultural Renewal Committee



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SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Gene Whitehouse, Chairperson
United Auburn Indian Community
10720 Indian Hill Road
Auburn, CA 95603

Dear Chairperson Whitehouse:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we are contacting you with a project description and proposed project area and requesting any information or concerns you may have about cultural resources in this area of the Delta.

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Sincerely,


 Alicia E. Kirchner
Chief, Planning Division

Enclosure

cc:

Mr. Jason Camp, United Auburn Indian Community, Tribal Historic Preservation Officer,
10720 Indian Hill Road, Auburn, CA 95603

Mr. Marcos Guerrero, United Auburn Indian Community, Cultural Resources Director,
10720 Indian Hill Road, Auburn, CA 95603



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U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Matthew Franklin, Chairperson
Ione Band of Miwok Indians
P.O. Box 1190
Ione, CA 95640

Dear Mr. Franklin:

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Sincerely,



 Alicia E. Kirchner
Chief, Planning Division

Enclosure

CC:

Heritage Cultural Committee, Ione Band of Miwok Indians, P.O. Box 1190, Ione, CA 95640



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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Don Hankins
P.O. Box 627
Forest Ranch, CA 959421

Dear Mr. Hankins:

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Sincerely,



 Alicia E. Kirchner
Chief, Planning Division

Enclosure



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Dave Jones
Wintun Environmental Protection Agency
P.O. Box 1839
Williams, CA 95987

Dear Mr. Jones:

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Chief, Planning Division

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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Katherine Erolinda Perez
P.O. Box 717
Linden, CA 95236

Dear Ms. Perez:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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Alicia E. Kirchner
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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Kenneth Counsil
4209 V Street
Sacramento, CA 95817

Dear Mr. Counsil:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Kesner Flores
P.O. Box 1047
Wheatland, CA 95692

Dear Mr. Flores:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAR 21 2014

Randy Yonemura
4305 39th Avenue
Sacramento, CA 95824

Dear Mr. Yonemura:

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1325 J STREET
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Environmental Resources Branch

MAR 21 2014

Dwight Dutschke, Chairperson
Sierra Native American Council
P.O. Box 12045
Ione, CA 95640

Dear Mr. Dutschke:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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1325 J STREET
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Environmental Resources Branch

MAR 21 2014

Ramona Garibay, Representative
Trina Marina Ruano Family
30940 Watkins St.
Union City, CA 94587

Dear Ms. Garibay:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta. In accordance with Section 106 of the National Historic Preservation Act, we initially contacted you with regard to this project in April 2013 and we are contacting you now with an updated project description and proposed project area. We request any information or concerns you may have about cultural resources in this area of the Delta.

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1325 J STREET
SACRAMENTO, CALIFORNIA, 95814-2922

Environmental Resources Branch

MAY 15 2014

Ms. Carol Rowland-Nawi, Ph.D.
State Historic Preservation Officer
California State Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, California 95816

Dear Dr. Rowland-Nawi:

We are writing you with regard to the ongoing Delta Islands and Levees Feasibility Study (Delta Study) in the Sacramento – San Joaquin Delta, California. The U.S. Army Corps of Engineers (Corps) is the lead Federal agency and the California Department of Water Resources (DWR) is the non-Federal sponsor. In accordance with Section 106 of the National Historic Preservation Act, we are requesting your concurrence on our area of potential effect (APE), eligibility determinations, and finding of no historic properties affected due to the proposed project.

The Corps and DWR are proposing to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta, requiring fill material to be placed via direct placement. Proposed sources for the fill material include dredge material from yearly Operations and Maintenance of the Stockton Deep Water Ship Channel and previously dredged material from existing dredge spoils areas.

The Corps has defined the APE as the soil placement areas within Little Franks Tract and Big Break Regional Shoreline as seen on Figure 1 of "A Cultural Resources Inventory for the Delta Feasibility Study, Contra Costa County, California" (Enclosure 1). These locations are currently submerged, although for at least a short period of time they were protected by levees, occupied, and farmed. In addition, linear alignments for the temporary pipelines to transport materials to the work areas are also considered part of the APE (Enclosure 1:Figure 1). Areas not considered as part of the APE are the locations of existing dredge material stockpiles. These areas are established dredge spoils deposition areas and are comprised entirely of displaced material from maintenance dredging for other projects.

The Corps consulted a record search for the entire Delta completed in 2012 for the Bay Delta Conservation Plan and performed an updated record search in March 2014 at the Northwest and North Central Information Centers. Additional research was undertaken using in-house records and those held by the East Bay Regional Park System, the California State Lands Commission, and National Register of Historic

Places. Only one previously recorded site is located within the APE, the Sherman Island Levee (CA-SAC-496H). One of the proposed pipeline alignments may cross this resource in as many as three places. The levee was recommended as not eligible in 2013 in connection to early reclamation efforts (Enclosure 2). It may be eligible for its connection to the as yet undefined Sacramento River Flood Control Project levees, but only as a contributing element.

The proposed ecosystem restoration areas in Big Break and Little Franks Tract are completely submerged and the temporary pipeline alignments are only proposed, so no pedestrian survey was undertaken. However, boat trips that included photographing the remnant levees and other historic features were undertaken to record and document the current condition of these newly identified resources. Two new levees were recorded on DPR forms as a result of this study: the Big Break Levee and the Franks Tract Levee (Enclosure 3). Pipeline alignments will be monitored and routed around any cultural resources encountered during project construction. If a cultural resource cannot be avoided, the Corps will reconsult pursuant to CFR 800.13.

The levees at Big Break, Franks Tract, and Sherman Island had roles in early reclamation and flood control efforts had they survived. The first two levees no longer act as flood barriers and the land behind them is no longer reclaimed and the latter levee has been significantly altered since the early reclamation and flood control efforts; therefore, they are not eligible under Criterion A. No single important person has been identified as central to their design or construction, and so they are not eligible under Criterion B. None of the levees stand as unique examples of a type and the deteriorated state of the Big Break and Franks Tract further makes them ineligible for the register under Criterion C. Finally, no information potential exists within the levees themselves, which could not be gained elsewhere; therefore they are not eligible under Criterion D. The levees at Big Break, Franks Tract, and Sherman Island have been determined not eligible by the Corps for their lack of integrity setting, feeling, association, workmanship. The Sherman Island levee may be eligible for its connection to the as yet undefined Sacramento River Flood Control Project levees, as a contributing element. However, the temporary placement of pipes over the levee does not have the potential to effect the project levees.

Native American Tribes and individuals with known interest in the Delta were contacted via letter in April 2013. The Corps received a letter from the Wilton Rancheria in May 2013 stating their interest in the project and requesting additional information. Additional information was sent to Tribes and individuals, including additional Tribes that had been identified recently as having interest in the project area, in March 2014. One response to the March letter was received from the Yocha Dehe stating that they know of no cultural resources within the APE and that they have no concerns regarding the project.

Identified cultural resources within the APE are limited to the remnants of three turn of the century levees, which the Corps determined to be not eligible for listing in the National Register. Although the Sherman Island Levee may be a contributing element to a larger, undefined, multi-property resource, it will only be crossed by a temporary pipeline and there is no potential to affect this resource. Although there are cultural resources that may be eligible for listing in the National Register within the larger study area, no historic properties were identified within the APE as a result of this study, and this project will result in no historic properties affected (36 CFR § 800.4(d)(1)).

In summary, we are asking you for your concurrence with our delineation of the APE, determination of eligibility, and finding of no historic properties affected for this project. If you have any questions or comments, please contact Ms. Nikki Polson, Archeologist, at (916) 557-6977, or by email at nikki.polson@usace.army.mil.

Sincerely,



Alicia E. Kirchner
Chief, Planning Division

Enclosures

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May 29, 2014

In reply refer to: COE_2014_0516_002

Alicia E. Kirchner, Chief
Planning Division
Environmental Resources Branch
U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 J Street
Sacramento, CA 95814-2922

RE: Delta Islands and Levees Feasibility Study (Delta Study), Contra Costa County, California

Dear Ms. Kirchner:

Thank you for your May 15, 2014 letter initiating consultation with me for the above referenced project in order to comply with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations at 36 CFR Part 800. The U.S. Army Corps of Engineers (Corps) has requested my comments on the Area of Potential Effects (APE) for the proposed undertaking, the determination of eligibility, and concurrence that the undertaking will have no affect to historic properties.

The undertaking proposes to restore emergent marsh habitat by placing dredged material in submerged islands in the Western Delta, requiring fill material to be placed via direct placement. Proposed sources for the fill material include dredge material from yearly Operations and Maintenance of the Stockton Deep Water Ship Channel and previously dredged material from existing dredge spoils areas.

The Corps has defined the APE as the soil placement areas within Little Franks Tract and Big Break Regional Shoreline. An APE map of these locations was included as Figure 1 of *A Cultural Resources Inventory for the Delta Feasibility Study, Contra Costa County* (report), enclosed with your letter. These locations are currently submerged, but were previously protected by levees, occupied and farmed. In addition, linear alignments for the temporary, flexible above-ground pipelines to transport materials to the work areas are also considered part of the APE. I do not object to this APE.

As described in your letter, the cultural resources inventory included a review of the records search completed in 2012 for the Bay Delta Conservation Plan and an updated records search in March 2014. Additional research was undertaken using in-house records and those held by the East Bay Regional Park System, California State Lands Commission, and National Register of Historic Places (NRHP). Only one previously recorded site is located within the APE, the Sherman Island Levee (CA-SAC-496H). I concurred with the Corps recommendation that the Sherman Island Levee is not

individually eligible for the NRHP by my letter of October 11, 2013. As stated in your letter, it may be eligible for its connection to the as-yet-unidentified Sacramento River Flood Control Project as a contributing feature.

The Corps contacted Native American tribes and individuals with known interest in the Delta via letter in April, 2013. The Corps received a letter from the Wilton Rancheria in May, 2013, stating their interest in the project and requesting additional information. Additional information was provided to all Tribes and individuals in March, 2014. The Yocha Dehe stating that they know of no cultural resources in the APE and have no concerns regarding the project.

The proposed ecosystem restoration areas in Big Break and Little Frank Tract are completely submerged and the temporary pipeline routes are only proposed, so no pedestrian survey was undertaken. Two new levees, the Big Break Levee and Little Franks Levee, were recorded in the APE via boat trips. Pipeline alignments will be monitored and routed around any cultural resources encountered during project construction. As stated in your letter, if a resource cannot be avoided the Corps will consult with my office pursuant to 36 CFR § 800.13.

The levees at Big Break and Little Franks Tract and Sherman Island had roles in early reclamation and flood control efforts. However, the first two levees no longer act as flood barriers and the land behind them is no longer reclaimed. The Corps has determined that the Big Break and Little Franks Tract levees do not meet any of the NRHP criteria and are not eligible for listing. I concur with this determination.

Furthermore, as there were no historic properties identified within the APE, the Corps has determined that the undertaking will have no effect on historic properties. I concur with this determination.

Thank you for considering historic properties as part of you project planning and I look forward to consultation on future projects. Please direct any questions or concerns that you may have to Kathleen Forrest at 916-445-7022 or at kathleen.forrest@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer